



NORTHERN
MIDLANDS
COUNCIL

POLICY MANUAL



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COUNCIL POLICIES

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ABORIGINAL AND DUAL NAMING POLICY

Originated Date: Adopted 15 March 2021 – Min No. 091/21

Amended Date/s: 20 February 2023 – Min 23/062

Applicable Legislation: *Place Names Act 2020*

Objective To guide the dual naming of geographic features and places in the Northern Midlands.

Administration: Governance

Review Cycle/Date: 2027

1. PURPOSE

The purpose of this policy is to provide advice and direction about the application of Aboriginal names for naming geographic features and places in the Northern Midlands.

2. APPLICATION

A proposal for dual naming of a geographic feature or place in the Northern Midlands is to be made in accordance with the Tasmanian Government, Aboriginal and Dual Naming Policy.



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ACCESS TO UNITS POLICY

Originated Date: Adopted 13 June 2000 – Min No. 264/00 (as Policy 25)

Amended Date/s: Reviewed 21 September 2009 – Min No. 255/09
Reviewed 21 September 2015 – Min No. 270/15
Amended 20 August 2018 – Min. No 230/18
Reviewed 18 July 2022 – Min. No. 22/241

Applicable Legislation:

Objective To ensure that the:

- i) Consumer's access to a unit is determined according to his/her level of assessed need
- ii) Consumer's access to a unit is decided on a non-discriminatory basis
- iii) Consumer's refusal of a unit is respected and does not prejudice any future attempt in access
- iv) Consumers are made aware of and obtain private insurance, a requirement to cover contents/possession.

Administration: Corporate Services

Review Cycle/Date: Next review 2026.

1. UNITS: WILLIAMS STREET, CAMPBELL TOWN & 2-4 MURRAY STREET, EVANDALE

Units located at Campbell Town and Evandale are owned by Northern Midlands Council (NMC).

Campbell Town Health Centre assists the NMC on management of the Campbell Town units.

Campbell Town Health Centre will recommend to the NMC in relation to Persons in the community who wish to rent/reside in Council units – William Street, Campbell Town.

Should there be no recommendations from the Campbell Town Health Centre council may seek assistance from a local real estate agent to occupy/ manage the unit/s.

2. NON-DISCRIMINATION

Services are available to all people within the target population without discrimination. People cannot be excluded from access on the grounds of their gender, marital status, religious or cultural beliefs, political affiliation, particular disability, ethnic background, sexual preference, or geographical location.

No consumer will be judged, denied or given preferential access to services based on any of the above.

If Council seeks assistance from the Campbell Town Health Centre or a Real estate Agent they will conduct the initial interview/ assessment and make recommendations in writing, to Council which will be the final arbiters.

3. CONSUMERS HAVE A RIGHT TO

- a) Dispute the outcome, they have a right to challenge or complain to the Council
- b) Consumers will be assisted to seek and access an advocate of their choice without fear of retribution through Campbell Town Health Centre or a Real estate Agent
- c) Consumers have a right to expect privacy as well as respect for their individual human worth and dignity.



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4. CONSUMERS HAVE A RESPONSIBILITY

- a) Consumers are to abide by Council's lease agreement.
- b) Consumers are to have their own personal contents insurance.

5. ACCESS TO UNITS

- a) Consumers to be notified of the date when Council's decision will be determined.
- b) Consumers to be notified in writing, within two weeks of decision being made by Council of their application's success or failure.
- c) If unsuccessful a reason in writing should be provided by Council or its agent.
- d) The person should be made aware of the complaints policy and procedure.

6. ASSESSED NEEDS/PRIORITY OF ACCESS

- a) Common indicators of higher level needs for frail elderly people residing within the Northern Midlands
 - Lives alone or with a carer who is frail, ill, stressed or has a disability
 - Social contacts are limited or non-existent
 - Home environment is physically unsafe
 - Socially or geographically isolated
 - Financially disadvantaged/pensioner
 - Family support structure is at risk of breaking down
- b) Priority will be given to persons whose circumstances meet one or more of the above factors.



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ACCOUNTING

Originated Date:	Adopted 30 June 1994 (as Policy 1)
Amended Date/s:	Amended 12 March 2002 Amended 24 April 2006 – Minute No. 137/06 Amended 21 September 2009 – Minute No. 255/09 Amended 19 January 2015 – Minute No. 13/15 Amended 12 December 2016 – Minute No. 364/16 Amended 19 July 2021 – Minute No. 274/21 Amended 9 December 2024 – Minute No. 24/0415
Applicable Legislation:	<i>Local Government Act 1993 – Section 84</i>
Objective	The general purpose financial report will be prepared in accordance with Australian Accounting Standards, including Australian Accounting Interpretations, other authoritative pronouncements of the Australian Accounting Standards Board and the Local Government Act 1993 (as amended).
Administration:	Corporate Services
Review Cycle/Date:	Next review 2028

1. BASIS OF ACCOUNTING

Council's financial report is a general purpose financial report that consists of the Statements of Comprehensive Income, Financial Position, Changes in Equity, Cash Flows, and notes accompanying the financial statements. The general purpose financial report will comply with Australian Accounting Standards, other authoritative pronouncements of the Australian Accounting Standards Board (AASB), and the *Local Government Act 1993* (LGA 1993) (as amended).

The financial report is to be prepared on the accrual and going concern basis.

The general purpose financial reports of Council will be prepared under the historical cost convention, as modified by the revaluation of certain classes of property, plant and infrastructure; investment in water corporation and provisions.

Unless otherwise stated, all accounting policies will be consistent with those applied in the prior year. Where appropriate, comparative figures will be amended to accord with current presentation, and disclosure will be made of any material changes to comparatives.

All entities controlled by Council such as Special Committees of Management will be included in the financial report. All transactions between these entities and Council will be eliminated in full.

Management is required to make judgements, estimates and assumptions about carrying values of assets and liabilities that are not readily apparent from other sources. The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstance, the results of which form the basis of making the judgements. Actual results may differ from these estimates.

The estimates and underlying assumptions will be reviewed on an ongoing basis. Revisions to accounting estimates will be recognised in the period in which the estimate is revised if the revision affects only that period or in the period of the revision and future periods if the revision affects both current and future periods.

Council will not make assumptions concerning the future that may cause a material adjustment to the carrying amounts of assets and liabilities within the next reporting period.



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Judgements made by Council that have significant effects on the Financial Report will be disclosed in the relevant notes as follows:

- *Fair Value of Property Plant & Infrastructure*
Assumptions and judgements are utilised in determining the fair value of Council's property, plant and infrastructure including useful lives and depreciation rates. These assumptions are discussed in the items relating to *expense recognition* and *recognition and measurement of assets* below.
- *Employee entitlements*
Assumptions will be utilised in the determination of Council's employee entitlement provisions. These assumptions are discussed in the item relating to *employee benefits* below.
- *Investment in Water Corporation*
Assumptions utilised in determination of Council's valuation of its investment in TasWater are discussed in the item relating to *investment in water corporation* below.

2. LOCAL GOVERNMENT REPORTING ENTITY

All funds through which Council controls resources to carry out its functions will be included in the financial report.

In the process of reporting on the Northern Midlands Council as a single unit, all transactions and balances between those funds (e.g. loans and transfers) will be eliminated. The recording of transactions and balances for internal borrowings will be eliminated.

3. DEFINING ACTIVITIES

Activities of Council are classified into the following functions:

I) GOVERNANCE

Governance includes provision of elected representation, executive support, strategic planning, economic development, community development, public relations; and the provision of services relating to: recreation, committees of management & non-profit organisations, animal control and health & environmental management.

II) CORPORATE SERVICES

Corporate Services includes the management of financial, information and asset; risk and work health & safety portfolios; early childhood and youth; events & tourism promotion and community services.

III) DEVELOPMENT SERVICES

Development Services includes the provision of services relating to building, land use planning, urban design and compliance.

IV) WORKS & INFRASTRUCTURE

Works and Infrastructure includes the maintenance and construction of Council amenities, parks and reserves, engineering services and waste management.

4. REVENUE RECOGNITION

Revenue is measured at the fair value of the consideration received or receivable. Revenue is measured on major income categories as follows:

I) RATE REVENUE

Council recognises revenue from rates for the amount it is expected to be entitled at the beginning of the rating



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period to which they relate, or when the charge has been applied. Rates in advance are recognised as a financial liability until the beginning of the rating period to which they relate.

Rates are recognised when Council obtained control over the assets comprising the receipt. Control over assets acquired from rates is obtained at the commencement of the rating year as it is an enforceable debt linked to the rateable property or, where earlier, upon receipt.

II) GRANTS

Council will recognise untied grant revenues and those without performance obligations when received. In cases where funding includes specific performance obligations or is to acquire or construct a recognisable non-financial asset, a liability will be recognised for funds received in advance and will recognise income as obligations are fulfilled.

Each performance obligation will be considered to ensure that the revenue recognition reflects to transfer of control within the grant agreements there may be some performance obligations where control transfers at a point in time and others which have continuous transfer of control over the life of the contract. Where control is transferred over time, generally the input methods being either costs or time incurred will be deemed to be the most appropriate methods to reflect the transfer of benefit. For construction projects, this will generally be as the construction progresses in accordance with costs incurred since this is deemed to be the most appropriate measure of the completeness of the construction project as there is no profit margin. For acquisition of assets, the revenue will be recognised when the asset is controlled by the Council.

The Australian Commonwealth Government provides untied Financial Assistance Grants to Council for general purpose use and the provision of local roads, Council will recognise these grants as revenue when it receives the funds and obtains control. Grant income will be recognised when Council obtains control over the assets comprising the receipt. Control over granted assets is normally obtained upon their receipt or upon earlier notification that the grant has been secured, and will be valued at their fair value at the date of transfer. Where grants recognised as revenue during the financial year are obtained on condition that they be expended in a particular manner or used over a particular period and those conditions are undischarged at balance date, the unused grant will also be disclosed. Unreceived contributions over which Council has control will be recognised as receivables.

Donations and other contributions that are not subject to accompanying conditions that they be expended in a particular manner or for a particular purpose will be recognised as revenue in the reporting period when Council obtains control over the assets comprising the contributions and donations.

Non-monetary contributions (including developer contributions) with a value in excess of the recognition thresholds, will be recognised as revenue and as non-current assets.

III) USER CHARGES

Council will recognise revenue from user fees and charges when or as the performance obligation is completed and the customer receives the benefit of the goods/services provided. Licences granted by Council are either short-term or low value and all revenue will be recognised at the time that the licence is granted rather than the term of the licence.

User fees and charges will be recognised as revenue when the service has been provided, or the payment is received, whichever first occurs.

IV) SALE OF PROPERTY, PLANT AND INFRASTRUCTURE

The profit or loss on sale of an asset is determined when control of the asset has irrevocably passed to the buyer.



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V) INTEREST

Interest will be recognised as revenue on a proportional basis when the payment is due, the value of the payment is notified, or the payment is received, whichever first occurs.

VI) INVESTMENT REVENUE FROM WATER CORPORATION

Dividend revenue will be recognised when Council's right to receive payment is established.

VII) OTHER INCOME

Rental Income will be recognised as revenue when the payment is due. Rental payments received in advance will be recognised as payable until they are due. Volunteer Services, Council will recognise the inflow of resources in the form of volunteer services where the fair value of these services can be reliably measured and Council would have purchased those services if they had not been donated.

5. EXPENSE RECOGNITION

Expenses will be recognised in the Statement of Comprehensive Income when a decrease in future economic benefits related to a decrease in asset or an increase of a liability has arisen that can be measured reliably.

I) EMPLOYEE BENEFITS

Employee benefits include, where applicable, entitlements to wages and salaries, annual leave, sick leave, long service leave, superannuation and any other post-employment benefits.

II) DEPRECIATION OF PROPERTY, PLANT & INFRASTRUCTURE

Buildings, land improvements, plant, infrastructure and other assets having limited useful lives will be systematically depreciated over their useful lives to the Council in a manner which reflects consumption of the service potential embodied in those assets. Estimates of remaining useful lives and residual values will be made on a regular basis with major asset classes reassessed annually. Depreciation rates and methods will be reviewed annually.

Where assets have separate identifiable components that are subject to regular replacement, these components are to be assigned distinct useful lives and residual values and a separate depreciation rate is determined for each component.

Road earthworks are not to be depreciated on the basis that they are assessed as not having a limited useful life.

Land is not depreciated.

Straight line depreciation will be charged based on the residual useful life as determined each year.

Major depreciation periods to be used are listed below:

Asset	Life (Years)
Land	Unlimited
Land Under Roads	Unlimited
Buildings	5 - 124
Flood Levee Infrastructure - Depreciable Component	100
- Non-Depreciable Component	Unlimited
Furniture, Fittings, Office Equipment & Computers	2 – 50
Fleet	2 – 10
Heritage Assets - Depreciable Component	20 – 100
- Non-Depreciable Component	Unlimited

Asset	Life (Years)
Plant	10 – 100
Roads Infrastructure	Unlimited
- Formation	Unlimited
- Pavement	10 – 115
- Surface Treatment	16 – 92
- Footpaths	17 – 80
- Kerb & Channel	17 – 115
- Street Furniture	20 – 80
Bridges	30 – 100
Stormwater & Drainage	80 – 100

III) REPAIRS & MAINTENANCE

Routine maintenance, repair costs, and minor renewal costs will be expensed as incurred. Where repair relates to the replacement of a component of an asset and the cost exceeds the capitalisation threshold the cost is capitalised and depreciated. The carrying value of the replaced asset is expensed.

6. RECOGNITION AND MEASUREMENT OF ASSETS

I) ASSETS

The Council controls and owns assets that are required to provide the services for which it has responsibility. These assets include:

- land,
- buildings,
- fleet,
- plant and infrastructure; i.e. roads, bridges and stormwater.

II) ACQUISITION AND RECOGNITION

The cost method of accounting will be used for the initial recording of all acquisitions of assets.

'Cost' represents the fair value of these assets given as consideration plus costs incidental to their acquisition (including architects fees, engineering design fees, and administration charges and all other costs incurred) in getting the asset ready for use.

Property, infrastructure, plant and equipment received in the form of contributions, will be recognised as assets and revenues at fair value by Council valuation where that value exceeds the recognition thresholds for the respective asset class. Fair value is the price that would be received to sell the asset in an orderly transaction between market participants at the measurement date.

In determining the cost of non-current assets constructed by the Council, 'Cost' includes all materials used in the construction, direct labour on the project and an appropriate proportion of variable and fixed overheads. The cost of all materials includes all consulting and engineering fees.

Non-monetary assets received in the form of grants or donations will be recognised as assets and revenues at their fair value at the date of receipt.

'Fair value' means the amount for which an asset could be exchanged between a knowledgeable, willing buyer and a knowledgeable, willing seller in an arms length transaction. In relation to infrastructure assets it is represented by depreciated replacement cost.

Council applies a capitalisation threshold and assets purchased or constructed with a value less than this threshold will be charged to the Statement of Comprehensive Income in the year of purchase (Other than where they form



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part of a group of similar items which are material in total).

The following classes of assets are to be recognised in the general purpose financial reports of Council, the threshold limits detailed below will be applied when recognising assets within an applicable asset.

Asset	Threshold \$
Land	Nil
Land Under Roads	Nil
Buildings	5,000
Flood Levee Infrastructure	5,000
Furniture, Fittings, Office Equipment & Computers	1,000
Fleet	1,000
Plant	1,000
Roads Infrastructure	5,000
Bridges	5,000
Stormwater & Drainage	5,000
Heritage Assets	1,000

iii) VALUATION OF NON-CURRENT ASSETS

Subsequent to the initial recognition of assets, non-current physical assets, other than asset categories listed in the table below as at cost, will be measured at their fair value in accordance with AASB 116 Property, Plant and Equipment and AASB 13 Fair Value Measurement. At balance date, Council will review the carrying value of the individual classes of assets measured at fair value to ensure that each asset class materially approximates its fair value. Where the carrying value materially differs from the fair value at balance date the class of asset will be revalued.

In addition, Council undertakes a formal revaluation of land, buildings and infrastructure assets on a regular basis to ensure valuations represent fair value. The valuation is performed either by experienced Council officers or independent experts.

Where the assets are revalued, the revaluation increments will be credited directly to the asset revaluation surplus except to the extent that an increment reverses a prior year decrement for that class of asset that had been recognised as an expense in which case the increment is recognised as revenue up to the amount of the expense. Revaluation decrements will be recognised as an expense except where prior increments are included in the asset revaluation surplus for that class of asset in which case the decrement is taken to the reserve to the extent of the remaining increments. Within the same class of assets, revaluation increments and decrements within the year are to be offset.

Council has adopted the following valuation basis for its non-current assets:

Asset	Valuation basis
Land	Fair value
Land Under Roads	Fair value
Buildings	Fair value
Flood Levee Infrastructure	Cost
Furniture, Fittings, Office Equipment & Computers	Cost
Fleet	Cost
Plant	Cost
Roads Infrastructure	Fair value



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Asset	Valuation basis
Bridges	Fair value
Stormwater & Drainage	Fair value
Heritage Assets	Cost

IV) IMPAIRMENT OF ASSETS

At each reporting date, Council will review the carrying value of its assets to determine whether there is any indication that these assets have been impaired. If such an indication exists, the recoverable amount of the asset, being the higher of the asset's fair value less costs to sell and value in use, is compared to the asset's carrying value. Any excess of the asset's carrying value of its recoverable amount is expensed to the Statement of Comprehensive Income, unless the asset is carried at the revalued amount in which case, the impairment loss is recognised directly against the revaluation reserve in respect of the same class of asset to the extent that the impairment loss does not exceed the amount in the revaluation surplus for that same class of asset.

Assets that have an indefinite useful life will not be subject to amortisation and will be tested annually for impairment. Assets that are subject to amortisation will be reviewed for impairment whenever events or changes in circumstances indicate that the carrying amount may not be recoverable. An impairment loss is recognised for the amount by which the asset's carrying amount exceeds its recoverable amount. The recoverable amount is the higher of an asset's fair value less costs to sell and value in use.

For non-cash generating assets of Council such as roads, bridges, stormwater & drainage and the like, value in use is represented by the deprival value of the asset approximated by its written down replacement cost.

V) MAINTENANCE VS CAPITALISATION

Officers of the Council will determine at the occurrence of an event whether to capitalise or expense costs incurred in property, plant and infrastructure. The following formula is provided as a guide, "maintenance, repair costs and minor renewals will be charged as expenses as incurred unless their total value exceeds 10% of the written down current value and increases the economic life by more than 10%".

7. CASH & CASH EQUIVALENTS

Cash and cash equivalents includes cash on hand, deposits at call with financial institutions, other short-term, highly liquid investments with maturities of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of change in value. Cash equivalents are held for the purpose of meeting short-term cash commitments rather than for investment or other purposes.

8. INVENTORIES

Inventories held for distribution will be measured at cost adjusted when applicable for any loss of service potential.

9. INVESTMENT IN WATER CORPORATION

Council's investment in TasWater will be valued at its fair value at balance date. Fair value will be determined by using Council's ownership interest against the Water and Sewerage Corporation's net asset value at balance date. Council's ownership interest in TasWater, which is based on Schedule 2 of the Corporation's Constitution, decreased from 2.33% at 30 June 2023 to 2.27% at 30 June 2024. The decrease was due to the issue of 1,000,000 shares to the Tasmanian Government in January 2020. Further decreases will occur each financial year up to 30 June 2028, subject to the Tasmanian Government meeting its obligations to subscribe to shares in accordance with the Share Subscription and Implementation Agreement.



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Councils Investment is not traded in an active market and is only sensitive to fluctuations in the value of TasWater's net assets.

As Council's investment in TasWater is held for long-term strategic purposes, Council has elected under AASB 9: Financial Instruments to irrevocably classify this equity investment as designated as fair value through other comprehensive income. Subsequent changes in fair value on designated investments in equity instruments will be recognised in other comprehensive income and not reclassified through the profit or loss when derecognised. Dividends associated with the equity investments will be recognised in profit and loss when the right of payment has been established and it can be reliably measured.

10. INVESTMENT TERM DEPOSITS

Council holds and will continue to hold monies in a number of term deposits with maturities of greater than twelve months. These investments will be held for the purpose of meeting long term cash commitments.

11. TRUST FUNDS

The financial reports of the Council will incorporate only those items over which the Council has control.

Amounts received as tender deposit and retention amounts controlled by Council will be included in the amount disclosed as creditors with current liabilities until they are refunded or forfeited.

12. EMPLOYEE BENEFITS

I) SHORT TERM OBLIGATIONS

Liabilities for wages and salaries, including non-monetary benefits, annual leave expected to be wholly settled within 12 months after the end of the period in which the employees render the related service will be recognised in respect of employees' services up to the end of the reporting period and will be measured at the amounts expected to be paid when the liabilities are settled. The liability for annual leave will be recognised in the provision for employee benefits. All other short-term employee benefit obligations will be presented as payables.

II) OTHER LONG TERM EMPLOYEE BENEFIT OBLIGATIONS

The liability for long service leave and annual leave which is not expected to be wholly settled within 12 months after the end of the period in which the employees render the related service will be recognised in the provision for employee benefits and measured as the present value of expected future payments to be made in respect of services provided by employees up to the end of the reporting period using the projected unit credit method. Consideration is to be given to expected future wage and salary levels, experience of employee departures and periods of service. Expected future payments will be discounted using market yields at the end of the reporting period on national government bonds with terms to maturity and currency that match, as closely as possible, the estimated future cash outflows.

The obligations will be presented as current liabilities in the statement of financial position if Council does not have an unconditional right to defer settlement for at least twelve months after the reporting date, regardless of when the actual settlement is expected to occur.

III) SICK LEAVE

Council does not recognise a liability for sick leave because such leave is non-vesting and because it is probable that sick leave expected to be taken in future reporting periods will be less than entitlements which are expected to accrue in those periods. Employees receive 10 days sick leave per year.



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IV) ROSTERED DAYS OFF

A liability for accrued rostered days off is recognised at the current rates of pay including related oncosts, for expected future payments to be made in respect of accruals by employees of the Council.

13. ACCRUALS/PREPAYMENTS

Accruals and Prepayments will be recognised in accordance with generally accepted accounting practices with materiality a major factor in determining their applicability.

14. NET FAIR VALUES OF FINANCIAL ASSETS & LIABILITIES

Net fair values of financial instruments will be determined on the following basis:

- *Monetary financial assets and liabilities* - carrying amounts of trade debtors, trade creditors and accruals (which approximates net market value).
- *Interest bearing loans* – will be carried at their principal amount, which represents the present value of future cash flows associated servicing the debt. Interest is accrued.

15. SIGNIFICANT BUSINESS ACTIVITIES

The Local Government Act requires the reporting of operating capital and competitive neutrality in respect of each significant business activity undertaken by Council.

Council has determined, based upon an assessment of the activities it undertakes that it has no significant business activities.

16. LEASES

OPERATING LEASES AS LESSEE

Leases, except where the underlying asset is of low value Council will be recognised as a right-of-use asset, representing its right to use the underlying asset and a lease liability representing its obligation to make lease payments for all leases with a term of more than 12 months.

Council leases several parcels of Crown land under lease agreements with the State Government. These leases, in general, do not reflect commercial arrangements, are long-term and have minimal or no lease payments. Crown land is recognised as an asset in the Statement of Financial Position and carried at fair value when Council establishes that (i) it has control over the land and (ii) it will derive economic benefits from it.

OPERATING LEASES AS LESSOR

Council is a lessor and enters into agreements with a number of lessees. These include commercial and non-commercial agreements.

Where leases are non-commercial agreements, these are generally with not for profit, such as sporting, organisations. In these cases subsidised or peppercorn rents are charged because Council recognises part of its role is community service and community support. In these situations, Council will record lease revenue on an accruals basis and the associated properties as part of land and buildings within property, plant and equipment. Buildings will be recognised at depreciated replacement cost.

Where leases are commercial agreements, but properties leased are part of properties predominantly used by Council for its own purposes, Council will record lease revenue on an accruals basis and will record the associated



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properties as part of land and buildings within property, plant and equipment. Buildings will be recognised at depreciated replacement cost.

17. TAXATION

Council is exempt from all forms of taxation except Fringe Benefits Tax, Payroll Tax and Goods and Services Tax.

Revenues, expenses and assets will be recognised net of the amount of goods and services tax (GST), except where the amount of GST incurred is not recoverable from the Australian Tax Office (ATO). In these circumstances the GST will be recognised as part of the cost of acquisition of the asset or as part of an item of the expense.

Receivables and payables will be stated with the amount of GST included.

The net amount of GST recoverable or payable to the ATO will be included as a current asset or current liability in the statement of financial position.

Cash flows will be included in the statement of cash flows on a gross basis. The GST components of cash flows arising from investing and financing activities which are recovered from, or paid to, the ATO will be classified as operating cash flows.

18. CONTINGENT ASSETS, CONTINGENT LIABILITIES AND COMMITMENTS

Contingent assets and contingent liabilities will not be recognised in the Statement of Financial Position, but will be disclosed by way of a note and, if quantifiable, will be measured at nominal value. Contingent assets and liabilities will be presented inclusive of GST receivable or payable respectively.

Commitments will not be recognised in the Statement of Financial Position. Commitments will be disclosed at their nominal value inclusive of the GST payable.



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ASSET MANAGEMENT

Originated Date: Adopted on 17 July 2006 – Min. No: 264/06 (as Policy 42)

Amended Date/s: Amended 17 September 2012 – Min. No. 243/12
Amended 18 April 2016 – Min. No. 112/16
Amended 19 July 2021 – Min Ref. 272/21
Amended 17 November 2025 – Min. No. 25/352

Applicable Legislation:

Objective To provide the highest level of service for current and future generations which is a balance between responsible management of assets, meeting the community's expectations and affordability.

To achieve this, assets must be acquired, operated, maintained, renewed and disposed of in a way that continues to meet this objective.

Administration: Corporate Services

Review Cycle/Date: Every 4 years. Next review September 2029

1. PURPOSE

To set guidelines for implementing consistent asset management processes for Northern Midlands Council.

This policy only considers physical or infrastructure assets with an economic life of greater than 12 months.

The infrastructure assets to be considered includes, but is not limited to, Roads, Footpaths, Kerb and Channel, Bridges, Buildings, Stormwater Drainage, Flood Levees, Plant and Equipment.

2. OBJECTIVE

To ensure adequate provision is made for the long-term renewal of major assets by:

- Ensuring that Council's services and infrastructure are provided in a sustainable manner, with the appropriate levels of service to residents, visitors and the environment.
- Safeguarding Council assets including physical assets and employees by implementing appropriate asset management strategies and appropriate financial resources for those assets.
- Creating an environment where all Council employees take an integral part in overall management of Council assets by creating and sustaining an asset management awareness throughout the organisation by training and development.
- Meeting legislative requirements for asset management.
- Ensuring resources and operational capabilities are identified and responsibility for asset management is allocated.
- Demonstrating transparent and responsible asset management processes that align with demonstrated best practice.
- Take account of whole of life costs when deciding to create, purchase or accept new assets.
- Plan for climate change adaption and mitigation.



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3. SCOPE

This policy applies to all Council activities.

4. POLICY

4.1 BACKGROUND

- 4.1.1 Council is committed to implementing a systematic asset management methodology in order to apply appropriate asset management best practices across all areas of Council. This includes ensuring that assets are acquired, operated, maintained, renewed and disposed of in accordance with Council's priorities for service delivery.
- 4.1.2 Council owns and uses approximately \$512m of non-current assets to support its core business - delivery of service to the community. As a result of its long history and continued growth, these assets vary in age and include heritage registered facilities.
- 4.1.3 Asset management practices impact directly on the core business of Council and appropriate asset management is required to achieve our strategic objectives.
- 4.1.4 Adopting asset management principles will assist Council in achieving its Strategic Plan and Long Term Financial Plan objectives.

Asset Management Vision:

To provide the highest level of service for current and future generations which balances the responsible management of assets, meeting the community's expectations and affordability. To achieve this, assets must be acquired, operated, maintained, renewed and disposed of so that they continue to meet this vision.

Asset Management Goal:

To provide the highest level of infrastructure to meet the service delivery requirements of the Northern Midlands community, including its many visitors, now and for future generations.

- 4.1.5 A strategic approach to asset management will ensure that Council delivers the highest appropriate level of service. This will provide positive impact on:
- Members of the public and staff;
 - Council's financial position;
 - Council's ability to deliver the expected level of service and appropriate infrastructure;
 - The political environment in which Council operates; and
 - The legal liabilities of Council.

4.2 PRINCIPLES

- 4.2.1 A consistent approach to asset management must exist for implementing best-practice asset management throughout all areas of Council.
- 4.2.2 All relevant legislative requirements together with political, social and economic environments are to be taken into account in asset management.
- 4.2.3 Asset management principles will be integrated within existing planning and operational processes.
- 4.2.4 Asset Management Plans will be developed for major asset classes. The plans will be informed by community consultation and financial planning and reporting.
- 4.2.5 An asset inspection regime will be used to ensure agreed service levels are maintained and asset renewal priorities are identified.



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- 4.2.6 Asset renewals required to meet agreed service levels (identified in adopted asset management plans and long term financial plans) will form the basis of annual budget estimates. The service and risk consequences of variations in defined asset renewals and budget resources will be documented in the budget.
- 4.2.7 Service levels defined in adopted asset management plans will form the basis of annual budget estimates. Service and risk consequences of variations in defined services levels and budget resources will be documented in the budget.
- 4.2.8 Asset renewal plans will be prioritised and implemented progressively based on agreed service levels and the effectiveness of the current assets to provide that level of service.
- 4.2.9 Systematic and cyclic reviews will be applied to all asset classes and are to ensure that the assets are managed, valued and depreciated in accordance with appropriate best practice and applicable Australian Standards.
- 4.2.10 Future life cycle costs will be reported and considered in all decisions relating to new services and assets and upgrading of existing services and assets.
- 4.2.11 Future service levels will be determined in consultation with the community.
- 4.2.12 Training in asset and financial management will be provided for Councillors and relevant staff, as necessary.

5. LEGISLATION

Local Government Act 1993 & Regulations under the Act.

6. RELATED DOCUMENTS

- Strategic Asset Management Plan (incorporating the Asset Management Strategy)
- Asset Management Plan: Transport
- Asset Management Plan: Buildings
- Asset Management Plan: Stormwater

7. RESPONSIBILITY

Councillors are responsible for:

- reviewing, adopting and monitoring implementation of an Asset Management Policy, Strategic Asset Management Plan, individual Asset Management Plans (for major asset classes), and any other relevant programs and procedures;
- allocation of appropriate resources for effective asset management;
- high level oversight of asset management delivery;
- maintaining accountability mechanisms to ensure resources are appropriately utilised in achieving organisational objectives;
- decision making based on best practice asset management principles.

The General Manager is responsible for:

- developing, implementing and maintaining an Asset Management Policy, Strategic Asset Management Plan, individual Asset Management Plans (for major asset classes), and any other relevant programs and procedures;
- decision making based on best practice asset management principles;
- reporting to Council on the status and effectiveness of asset management within Council;
- allocating adequate resources to implement the decisions of the Council; and
- promoting best practice asset management principles throughout the organisation.



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ASSISTANCE TO COMMUNITY, SPORTING AND NON-PROFIT ORGANISATIONS

Originated Date: Adopted 25 July 1994-Minute No 283/94 (as Policy 6)

Amended Date/s: Amended 11 March 1996 - Minute No 86/96
Amended 13 March 2000 – Min No 115/00
Amended 12 February 2001 – Min No 057/01
Amended 17 September 2012 – Min No 244/12
Amended 17 July 2017 – Min. No. 238/17
Amended 13 December 2021 – Min. No. 21/490
Amended 17 November 2025 – Min. No. 25/352

Applicable Legislation: *Local Government Act 1993* – section 77.

Objective To establish a policy relating to the allocation of assistance to:

- (i) Community/sporting organisations towards special or capital works for the improvement/benefit of Council/ Community owned assets
- (ii) Non-profit organisations for improvements to facilities

Administration: Corporate Services

Review Cycle/Date: Next review 2029

GENERAL

- (a) Assistance be made available from the General Rate for the year following the year of application for assistance in the construction or redevelopment of assets associated with community/sporting and non-profit organisations
- (b) Assistance may be “in kind”, a grant, or a combination of these methods. Assistance is generally up to \$7,500 (excl GST) for improvements of council owned or controlled assets and \$1,500 (excl GST) for non-council projects, and total annual budget allocation is approximately 0.5 percent of rate revenue.
- (c) Council to give public notice for applications by advertisements in at least the Examiner, on website, and by issuing notice to Council facility Management committees within the municipal area of opening and closing dates. Closing dates will be generally 31 March each year.
- (d) Applications shall provide such information as Council requires, but including:
 - i) Project budget, where applicable, and copies of appropriate insurance policies;
 - ii) Copy of Organisational Balance Sheet as at 30 June in preceding year;
 - iii) ABN number if the organisation is registered for the Goods & Services Tax (GST) system.
- (e) Once applications have been received an acknowledgement will be sent.
- (f) Council will determine which projects will be funded and to what amount.

OUTCOMES

The outcomes of this policy will be to:

- meet a clearly demonstrated need
- compliment but not duplicate other locally available services
- encourage projects that are accessible to individuals living within the municipal area
- encourage the involvement of volunteers



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ASSESSMENT CRITERIA

The assessment criteria for funding under this policy will include:

- the demonstration of a benefit to the community
- the attempt to meet an unmet community need
- involvement of volunteers to assist with funding of project.

ELIGIBILITY

Any community group, sporting organisation or non-profit organisation whose capital works or equipment project satisfies the guidelines outlined is eligible to apply for assistance.

Grants are not normally given for projects or equipment for which there is a more appropriate funding source.

Only one application per organisation per round will be considered by Council.

GUIDELINES

- The project must have a clearly stated purpose and a practical plan for achieving this purpose.
- The project must be in response to a clearly demonstrated need, and must be appropriate to that need.
- The project may complement but not duplicate other locally available services.
- The project should be accessible/applicable to all individuals living in the municipal area.
- The project should encourage the involvement of volunteers where appropriate.
- A written quote must accompany each application.
- It is expected that some efforts will have been made towards fund-raising activities to offset the costs of the project.

Assistance may be given to eligible applicants for:

- Material costs for minor capital works.
- Equipment costs for establishing new projects.

Assistance will not be given for money already spent.

Funds are to be expended within 12 months of allocation.

Applications must be completed on the prescribed form.

PRIORITIES

With the limited funds available priority will be given to projects that:

- Demonstrate benefit to the community, particularly to a range of age groups and those who may be disadvantaged.
- Attempt to meet an unmet community need.
- Have no other sources for funding.
- The amount requested does not exceed half the total project cost.
- Improve Council-owned/controlled assets.



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AUDIT COMMITTEE

Originated Date:	Adopted 21 September 2015 – Min. No. 270/15 (Replacing Policy 68 adopted 18 February 2013)
Amended Date/s:	Reviewed 20 August 2018 – Min No. 230/18 Reviewed 21 February 2022 – Min No. 22/70 Reviewed 16 October 2023 – Min No. 23/0383
Applicable Legislation:	<i>Local Government Act 1993</i> <i>Local Government (Meeting Procedures) 2005</i> <i>Audit Act 2008</i>
Objective	To establish the role, responsibility, structure and process of the Audit Committee.
Administration:	Corporate Services
Review Cycle/Date:	At least every 4 years. Next review 2027.

1. PURPOSE

To set out the objectives, authority, composition, tenure, functions, reporting and administrative arrangements of the Audit Committee.

2. OBJECTIVE

The objective of the Audit Committee is to review the council's performance under section 85A of the Act and report to the council its conclusions and recommendations.

3. AUTHORITY

The Council authorises the audit panel, within its responsibilities, to:

- obtain any information it requires from any employee or external party (subject to any legal obligation to protect information);
- discuss any matters with the Tasmanian Audit Office (TAO), or other external parties (subject to confidentiality considerations);
- request the attendance of any employee, including members of the Council, at audit panel meetings; and
- obtain legal or other professional advice, as considered necessary to meet its responsibilities, to a pre-approved limit set in the annual budget.

4. COMPOSITION AND TENURE

The audit panel comprises at least one councillors and at least one independent member, appointed by the council.

The Council will appoint an independent member as the chairperson of the panel.

Audit panel members are appointed for a period of not less than one year, and not exceeding four years.

Audit panel members may be re-appointed at the approval of the Council.

5. FUNCTIONS

To comply with the Audit Panels Order, when reviewing the Council's performance the audit panel is to consider:

- the Council's financial system, financial governance arrangements and financial management;



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- whether the annual financial statements of the Council accurately represent the state of affairs of the council;
- whether and how the strategic plan, annual plan, long-term financial management plan and long-term strategic asset management plans of the Council are integrated and the processes by which, and assumptions under which, those plans were prepared;
- the accounting, internal control, anti-fraud, anti-corruption and risk management policies, systems and controls that the Council has in relation to safeguarding its long-term financial position;
- whether the Council is complying with the provisions of the Act and any other relevant legislation; and whether the Council has taken any action in relation to previous recommendations provided by the audit panel to the Council and, if it has so taken action, what that action was and its effectiveness.

5.1 KEY AREAS

In fulfilling its functions, the audit panel should consider the following key areas:

- corporate governance;
- human resource management, including policies, procedures and enterprise agreements;
- information and communications technology governance;
- management and governance of the use of data, information and knowledge; and
- internal and external reporting requirements.

6. RESPONSIBILITIES OF PANEL MEMBERS

Members of the audit panel are expected to understand and observe the legal requirements of the Act and the Audit panels Order. Members are also expected to:

- act in the best interests of the council;
- apply sound analytical skills, objectivity and judgment;
- express opinions constructively and openly, raise issues that relate to the audit panel's functions and pursue independent lines of enquiry; and
- contribute the time required to review the papers provided.

7. REPORTING

The audit panel is to provide a copy of its meeting minutes to the Council as soon as practicable after each audit panel meeting.

If the audit panel has conducted a review under section 85A of the Act, the audit panel must provide a written report of its conclusions and recommendations to the Council as soon as practicable after the review is completed.

8. ADMINISTRATIVE ARRANGEMENTS

8.1 MEETINGS

The audit panel will meet at least four times per year.

The audit panel is to regulate its own proceedings in accordance with this charter.

The chairperson may determine that a meeting is to be held in private.

The general manager and financial manager, or their delegates, are to attend audit panel meetings unless the chairperson determines a meeting is to be held in private.

The audit panel may invite any councillor and/or employee of the Council and/or representative of the TAO to attend meetings of the audit panel.



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8.2 QUORUM

A quorum of an audit panel meeting is two members, including an independent member.

8.3 WORK PLAN

The audit panel is to develop an annual work plan that includes, but is not limited to, a schedule of meetings and the known objectives for each meeting.

The forward meeting schedule should include the dates, location, and proposed agenda items for each meeting.

8.4 SECRETARIAT

The Council, in consultation with the audit panel, will appoint a person to provide secretariat support to the audit panel. The secretariat will:

- ensure the agenda for each meeting is approved by the chairperson;
- ensure the agenda and supporting papers are circulated at least one week prior to the meeting; and
- ensure the minutes of the meetings are prepared and submitted to the Council as soon as practicable after each meeting.

8.5 INTERESTS

Audit panel members must declare to the chairperson any pecuniary or non-pecuniary interests that may affect them carrying out their functions. Details of any pecuniary or non-pecuniary interests declared by members will be appropriately minuted.

Independent members are to consider past employment, consultancy arrangements and related party issues in making these declarations.

At the beginning of each audit panel meeting, members are required to declare any potential or actual pecuniary or non-pecuniary interest that may apply to specific matters on the meeting agenda. Where required by the chairperson, the member will be excused from the meeting or from the audit panel's consideration of the relevant agenda item(s). Details of potential or actual pecuniary or non-pecuniary interests declared by members will be appropriately minuted.

8.6 INDUCTION

The Council will provide new audit panel members with relevant information and briefings on their appointment to assist them to meet their audit panel responsibilities.

8.7 REMUNERATION

Independent members of the audit panel shall be paid an annual sitting fee per meeting attended.

The chairperson of the audit panel shall be paid a sitting fee of per meeting attended.

9. REVIEW

The Council will review this charter at least every four years.



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AUSTRALIA DAY AWARDS AND VOLUNTEER RECOGNITION

Originated Date: Adopted – Min No. 59/16

Amended Date/s: Replacing Volunteer Recognition Policy (original Policy 34)
Amended 12 December 2016 – Minute No. 352/16
Reviewed 21 February 2022 – Minute No. 22/53
Reviewed 16 September 2024 - Minute No. 24/0308

Applicable Legislation:

Objective To establish a selection criteria for the presentation of Councils Australia Day and Volunteer Recognition awards.

Administration: Governance

Review Cycle/Date: Every 4 years. Next review 2028.

BACKGROUND

Each year the Northern Midlands Council presents three awards at its annual Australia Day Event – Citizen of the Year, Young Citizen of the Year and Community Event of the Year.

The Northern Midlands Council acknowledges the significant contribution that volunteers and volunteer organisations make to the Northern Midlands Community. Council considers it important to recognise these volunteers on an annual basis. In 2016, Council agreed to incorporate Volunteer Recognition into its annual Australia Day Event.

RECOGNITION

Council will, at its annual Australia Day Event recognise the following categories of awards, providing eligible nominations have been received:

- Citizen of the Year
- Young Citizen of the Year
- Community Event of the Year
- Volunteer service to the Northern Midlands Community
- Business Presentation Award

NOMINATIONS

Council officers are to advertise for nominations for volunteer recognition from August in the year preceding the award presentation, with a closing date in mid to late November.

Nominations received will be considered by the Council Executive, and a winner in each category determined. Councillors are to be notified of the award winners prior to Australia Day at either the December or January Council meeting.

SELECTION CRITERIA AND ELIGIBILITY

CITIZEN OF THE YEAR

- The nominee is to have made a significant contribution to the Northern Midlands community; and
- is, or has the potential to be a role model for the Northern Midlands community.



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Consideration is given to the nominee's achievements in the year immediately prior to receiving the award, as well as their past achievements and ongoing contribution to the Northern Midlands community. The following will also be taken into consideration:

- Personal, academic, sporting or professional achievements;
- Previous awards and recognition;
- Voluntary work; and
- Nature and length of activity/service.

Nominees must be:

- A resident of the Northern Midlands;
- At least 25 years of age or older as at 26 January of the Awards year.

YOUNG CITIZEN OF THE YEAR

- The nominee is to have made a significant contribution to the Northern Midlands community; and
- is, or has the potential to be a role model for the Northern Midlands community.

Consideration is given to the nominee's achievements in the year immediately prior to receiving the award, as well as their past achievements and ongoing contribution to the Northern Midlands community. The following will also be taken into consideration:

- Personal, academic, sporting or professional achievements;
- Previous awards and recognition;
- Voluntary work;
- Nature and length of activity/service.

Nominees must be:

- A resident of the Northern Midlands;
- Aged 24 years of age or younger as at 26 January of the Awards year.

COMMUNITY EVENT OF THE YEAR

- The community event is to have attracted a broad cross section of the Northern Midlands community; and
- Been a community event attracting widespread publicity for the Northern Midlands.

Consideration is given to the following:

- The number of people who attended the event;
- The media coverage of the event;
- Previous awards and recognition received by the event;
- The longevity of the event and whether or not it is an annual event or a one off event.

The event must have been:

- Held within the Northern Midlands; and
- Held within the last calendar year.

VOLUNTEER RECOGNITION

- The volunteer is to have made a significant contribution to a community group and/or organisation within the Northern Midlands, in an unpaid capacity.

Nominees must be:

- A resident of the Northern Midlands.

BUSINESS PRESENTATION AWARD

- The nominated business is to be located within the municipality, and
- The shopfront is consistently tidy and well presented, and
- The business contributes positively to the presentation of the municipality.



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REVIEW

This Policy is to be reviewed every four years.



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BUSINESS CREDIT CARDS: POLICY AND PROCEDURE

Originated Date: Adopted 19 March 2012 – Min. No. 73/12 (as Policy 63)

Amended Date/s: Revised 12 December 2016 – Min. No. 359/16
Revised 17 July 2017 – Min. No. 235/17
Revised 13 December 2021 – Mi. No. 21/490
Revised 17 November 2025 – Min. No. 25/352

Applicable Legislation:

Objective To provide a work environment which aims to ensure the health, safety, respect and productivity of all employees

Administration: Corporate Services

Review Cycle/Date: Next review 2029

1. SCOPE

- 1.1 This Policy applies to the Mayor and all staff of the Northern Midlands Council who are assigned a Business Credit Card.
- 1.2 Conditions set out in this Policy and Procedure, the Northern Midlands Council's Procurement Policy, Fraud & Corruption Policy, and Delegations of Authority.
- 1.3 The Northern Midlands Council uses Commonwealth Bank Business Card - MasterCard.
- 1.4 Commonwealth Bank of Australia is the exclusive supplier of Business Credit Cards to the Northern Midlands Council. The arrangements with the Bank cover all of the Northern Midlands Council's Business Units. No other provider's card will be approved for the duration of our agreement with the Commonwealth Bank.
- 1.5 Cardholders and their managers and supervisors are responsible for ensuring that they adhere to the Business Credit Card policy, thereby ensuring adequate controls are exercised to minimise the risk that Business Credit Cards are used for fraudulent or corrupt purposes. Cardholders and their managers and supervisors are referred to the Northern Midlands Council's Fraud & Corruption Policy for further information on their role in relation to fraud and corruption prevention.

2. ELIGIBILITY

- 2.1 Only the Northern Midlands Council Mayor, senior executive staff, or staff holding a supervisory position can apply for a Business Credit Card.
- 2.2 Staff are eligible to be issued with only one (1) Business Credit Card at a time.
- 2.3 To be eligible for a Business Credit Card, a staff member must meet one or more of the following criteria:
 - 2.3.1 Hold a senior management position within Northern Midlands Council;
 - 2.3.2 Travel frequently in the course of his/her duties either within Tasmania or interstate;
 - 2.3.3 Purchase minor goods and services for use by Northern Midlands Council;
 - 2.3.4 Incur regular frequent expenses of a kind appropriately paid by credit card.



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3. LIMITS

- 3.1 The Business Credit Card issued to the Northern Midlands Council General Manager (or delegate) and Corporate Services Manager will be limited to a maximum of \$10,000 and be for business expenditures only.
- 3.2 The Business Credit Card issued to the Northern Midlands Council Mayor will be limited to a maximum of \$2,500 and be for business expenditures only.
- 3.3 Business Credit Cards issued to senior management or other staff apart from the General Manager will be limited to a maximum of \$5000 and be for business expenditures only.
- 3.4 Exceptions to these limits and usage rule will be made on a case by case basis by the General Manager, Northern Midlands Council.

4. CONDITIONS OF USE

- 4.1 The Business Credit Card cannot be used:
 - 4.1.1 For purchasing fuel for Council or privately owned vehicles. (See Section below concerning Fuel Purchases).
 - 4.1.2 To obtain cash advances.
 - 4.1.3 For expenses other than those incurred by the assigned officer named on the Card or on behalf of another staff member.
- 4.2 The Business Credit Card is to be used only for official Northern Midlands Council business and not personal expenses. Charging personal transactions to Business Cards is not acceptable under any circumstances. Cardholder transactions will be scrutinised to ensure compliance with this policy.
- 4.3 Infractions of the conditions of this Policy will result in cancellation of the card and withdrawal of Business Credit Card privileges.
- 4.4 Breaching of this policy can lead to disciplinary action against the staff member concerned. In all cases of misuse, the Northern Midlands Council reserves the right to recover any monies from the cardholder. Cardholders will be required to sign a declaration authorising the Northern Midlands Council to recover from their salary any amount incorrectly claimed.
- 4.5 Cardholders may not use their Business Credit Card to obtain cash advances from banks, building societies, credit unions nor automatic teller machines. This prohibition similarly extends to cash equivalents such as bank cheques, traveller's cheques and electronic cash transfers.

5. FUEL PURCHASES

- 5.1 Fuel for Council owned vehicles must be purchased using a Ampol Fuel card and not the Business Credit Card.
- 5.2 An exception to the above rule is where the vehicle is at risk of running out of fuel and there is no Ampol Service Station available. In this case, the Business Credit Card may be used to purchase fuel from a non-Ampol service station.
- 5.3 If fuel purchases are made on the Business Credit Card, these must immediately be brought to the attention of the Council's General Manager.

6. MONTHLY BUSINESS CARD STATEMENTS

- 6.1 The Commonwealth Bank issues statements on a monthly basis, normally on the 15th day. Business Credit Card expenditures must be reconciled with Corporate Services by the last day of each month. Reconciliation by month end allows for a period of two weeks by which time the Mayor and all staff should have submitted documentation



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for reconciliation. Cardholders who have not acquitted their monthly expenditure within this period will be asked to reconcile their monthly expenditure immediately to avoid having their cost-centre debited for the outstanding statement amount. This procedure will ensure that cost-centre accounting records maintain an accurate and meaningful balance.

- 6.2 Cardholders who do not acquit their monthly expenditures by month end will be sent a reminder of their obligations under this Policy. Continued or repeated non-conformance to this Policy will result in cancellation of the Card and such other actions as appropriate.
- 6.3 If Card expenditures are not reconciled or acquitted within two months of the normal month end reconciliation date and a plausible explanation has not been received by Corporate Services, the Business Credit Card will be cancelled and the Cardholders' Business Unit account debited for the amount outstanding. Note that further action may also be taken against the Cardholder.

7. CARDHOLDER RESPONSIBILITIES

Cardholders are responsible for the following security measures for the use of their Card:

- 7.1 Cardholders must retain transactional evidence to support all charges. An acceptable receipt for reimbursements of claimable business expenses on the Business Credit Card is an original receipt.
- 7.2 Card purchases without receipts are ultimately the responsibility of the user and his/her Unit. A failure to provide receipts or credible explanation for the unsupported expenditure will result in an automatic debit from the Business Unit's account after two months of the original reconciliation month end date.
- 7.3 Reimbursement for return of goods and/or services must be credited directly to the Card account.
- 7.4 Cardholders cannot authorise their own statements or have a subordinate counter-sign for them; however, the expenditure of the Mayor is to be authorised by the General Manager.
- 7.5 Lost or stolen Cards must be reported immediately to the Commonwealth Bank Lost/Stolen Cards unit (telephone 13 22 21) and cancelled immediately. Corporate Services must be notified within 2 business days of this activity.
- 7.6 Persons issued with a Business Credit Card are in a position of trust in regard to use of public funds. Improper or unauthorised use of the Card may result in the Cardholder being held liable for expenditures, legal/disciplinary action being brought against the Cardholder, termination of Card-use and/or termination from the Northern Midlands Council.
- 7.7 Cardholders are responsible for ensuring that their purchases meet the Northern Midlands Council's purchasing criteria outlined in the Northern Midlands Council's Procurement Policy.

8. MANAGEMENT AND SUPERVISORY RESPONSIBILITIES

The transactions of the General Manager are to be verified by the Corporate Services Manager and all other transactions are to be verified by the General Manager, Northern Midlands Council each month.

In verifying the transactions, the General Manager and Corporate Services Manager are to ensure the transactions are business related and the cardholder has supplied supporting documentation. Any unusual transactions must be followed up with the cardholder immediately. Suspected breaches of policy **must** be referred to Corporate Services without exception.

9. RECORDS MANAGEMENT

- 9.1 All documentation associated with the application for a Business Credit Card will be maintained within the Northern Midlands Council's electronic records management system.



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9.2 Receipts for all Credit Card transactions will be retained locally within the Corporate Services Unit. Cardholders must be able to produce receipts on-demand for audit purposes. Where electronic document management systems are available to record receipts and/or other evidence of business transactions, this is the preferred medium for storage.

10. AUDIT

10.1 Audit of cardholder purchases will occur by the General Manager on a monthly basis as part of the approval process for purchases.

10.2 The Council retain the right to query any purchases and investigate those that are deemed inappropriate with business use.



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ACCEPTANCE OF BUSINESS CREDIT CARD

I acknowledge receipt of one (1) Commonwealth Bank Business Credit Card, and that I have read and understood the Northern Midlands Council's Policy and Procedures document relating to the use of Business Credit Cards.

Name:.....

Date:.....

Signature:.....

Please return this completed form to the Corporate Services Manager

Name of Issuing Officer:.....

Title of Issuing Officer:

Signature of Issuing Officer:.....



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CEMETERIES

Originated Date:	Adopted 20 January 2014 – Min. No. 13/14 (as Policy 71)
Amended Date/s:	Revised 17 July 2017 – Min. No. 236/17 Revised 13 December 2021 – Min. No. 490/21 Revised 19 February 2024 – Min. No 24/069
Applicable Legislation:	<i>Local Government Act 1993</i>
Objective	To control and manage cemeteries in the Northern Midlands municipal area, which are managed by the Northern Midlands Council.
Administration:	Corporate Services
Review Cycle/Date:	Next review 2027

1. PURPOSE

This policy applies to all cemeteries managed by the Northern Midlands Council.

The policy makes provision for the day to day running of the business of the cemetery. It deals with funerals, registration, graves, monuments, plaques, vases, handling of floral tributes and behaviour in cemetery grounds. It is in the public interest that there is a standard documented approach to dealing with funerals, graves, etc. which is open to public scrutiny.

Further, it is in the public interest that cemeteries remain a peaceful place in which families and friends can pay their respects.

Issues in the policy relating to appropriate qualifications of tradespersons are included so as to ensure a standard of workmanship that is in the interests of public safety.

2. DEFINITIONS

In this policy, unless a different intention appears:

<i>Authorised Officer:</i>	includes the General Manager, the Works Manager, an employee of the Council who is employed in association with the work of a cemetery and a member of the Tasmania Police;
<i>Cemetery:</i>	means the area set aside for burials, memorials, landscaping, roads, paths, together with all buildings and structures;
<i>Council:</i>	means the Northern Midlands Council;
<i>Council Medical Officer of Health:</i>	means the person appointed by Council holding the position of Council Medical Officer of Health;
<i>Funeral:</i>	means the procession and service for burial or cremation;
<i>Grave site:</i>	means any burial place formed in the ground in the cemetery by excavation;
<i>Plaque:</i>	means a metal casting, etching, or engraving, approved by the Manager and placed as a memorial to the deceased;
<i>Name Plate</i>	means a plate that is made of metal, stone, plastic or other durable material; and engraved, printed, stamped, or otherwise marked, with the family name and at least one given name



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of the deceased person;

- Private Site:** means a grave site for which an exclusive right of burial has been granted and upon which a monument or plaque can be erected;
- Manager:** means the person holding the position of General Manager of the Northern Midlands Council or any person lawfully working under that person or at their direction;
- Monument:** includes any concrete, granite, marble, stone or metal structure or plaque erected or placed on a grave site in memory or in honour of a deceased person;
- Standard Plaque:** means a bronze plaque ordered through and supplied by Council;
- Standard Plinth:** means a plinth ordered through and supplied by Council;
- Vault:** means a burial chamber constructed of brick work, stonework or other masonry material in which human remains are or may be interred.

3. FUNERALS

3.1 MANAGERIAL APPROVAL

A funeral must not be held at a cemetery under the control of the Council without the approval of the Manager.

3.2 REGISTER OF BURIALS (INCLUDING PLACEMENT OF ASHES)

The Council is to maintain:

- 3.2.1 a register for burials and placement of ashes, and
- 3.2.2 a plan of each cemetery.

3.3 DETAILS IN REGISTER OF BURIALS

The General Manager is to ensure that details are entered in the register in respect of each burial as well as placement of ashes, in the cemetery in accordance with the particulars furnished in each Order for Burial together with:

- 3.3.1 the number, location and depth of the grave (as well as the site of the placement of the ashes); and
- 3.3.2 a record of the number of persons, if any, who have previously been buried, or ashes deposited, at the site.

3.4 DAYS ON WHICH FUNERALS CAN BE HELD

A person must not conduct a funeral at a cemetery on a Saturday afternoon, Sunday or public holiday without prior approval of the General Manager unless, the Council Medical Officer of Health certifies that it is necessary for it to be conducted for reasons of public health.

Penalty: a fine not exceeding 5 penalty units.

3.5 TIMES FOR FUNERALS

- 3.5.1 A funeral may be conducted at a cemetery between 9.00 am and 3.00 pm on weekdays. All other times to be approved by the Manager.
- 3.5.2 All times other than during the period in clause 3.5.1 (above), to be approved by the Manager.

3.6 REQUEST FOR BURIAL

- 3.6.1 A request for a burial from the funeral director or other person conducting the service, must be lodged with the Manager, in the case of a burial, not less than seven (7) working hours before the burial.
- 3.6.2 Otherwise than with the approval of the Manager, any person lodging an order for burial as provided in clause 3.6.1 (above) must, at the time of lodging the order, give to the Manager on a form approved by the Council, full written details of:



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- 3.6.2.1 name, sex, age and date of death of the deceased;
- 3.6.2.2 the last known home address of the deceased;
- 3.6.2.3 whether the deceased was suffering from an infectious disease at the time of death; and
- 3.6.2.4 such other matters as the Council may legally require.

3.7 REQUEST FOR PRIVATE SITE/EXCLUSIVE RIGHT OF BURIAL PLOT

- 3.7.1 A request for a private site/exclusive right of burial in a particular plot must be lodged with the Manager in the prescribed form.

4. REGISTRATION

4.1 DETAILS GIVEN ORALLY

An applicant for a burial may notify the Manager that a burial is required and, with the approval of the Manager, provide the written details prescribed in Clause 3.6.2 (above) at a later date.

5. GRAVES

5.1 DIGGING OF GRAVES

- 5.1.1 The Council will dig all ordinary graves.
- 5.1.2 Any arrangements for the digging of graves other than as provided in clause 5.1.1 will require approval of the Manager.

5.2 LOCATION OF GRAVE SITE

The Manager shall determine the location of any grave site.

5.3 MINIMUM GRAVE DEPTHS

- 5.3.1 A burial will not be permitted unless the minimum cover of earth over the coffin is 1 metre 220 mm from the lowest part of the ground surrounding the grave, except as provided by clause 5.3.3 (below) or at least 2 metres in the case of a grave intended for a double burial.
- 5.3.2 The burial of a child under the age of ten years will be permitted only when the grave is excavated to a minimum depth of 1 metre 220 mm from the lowest part of the ground surrounding the grave.
- 5.3.3 If, when the grave is excavated, the minimum cover cannot be provided, as an alternative concrete may, on payment of the fee prescribed by the Council, be used on the formula of 50 mm of concrete being the equivalent of 310 mm of earth.

5.4 PLACEMENT OF ASHES

- 5.4.1 The cremated remains of a person may be placed in a niche wall following the approval given by an authorised officer.
- 5.4.2 Removal of ashes shall be made only by a Council employee.
- 5.4.3 All plaques shall be placed or removed by a Council employee.

5.5 RE-OPENING A GRAVE

- 5.5.1 An ordinary grave may be re-opened and used for a second burial at any time after the first burial:
 - 5.5.1.1 if the grave is contained in ground that has been excavated in accordance with clause 5.3.1 (above) for a double burial, and
 - 5.5.1.2 provided that, upon re-opening a layer of earth, not less than 0.3 metres in thickness is left undisturbed above the previously buried coffin.
- 5.5.2 If upon re-opening a grave soil is found to be offensive, the soil shall be replaced immediately and that grave shall not be re-used.



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- 5.5.3 Unless a warrant has been obtained, no person shall upon the re-opening of a grave remove any human remains.
- 5.5.4 A second burial shall not be permitted in any grave, unless there is room for at least 1-2 metres in depth of earth from the top of the coffin to the level of the lowest part of the surface of the ground occupied by the grave.

5.6 NAMEPLATE TO BE INTERRED WITH HUMAN REMAINS

- 5.6.1 All human remains interred in a cemetery, whether interred in the ground, in a vault or otherwise, are interred with an approved nameplate that -
- (a) in the case of human remains interred in a coffin, is affixed to the coffin; or
 - (b) in the case of human remains interred without a coffin, is placed on top of the remains; or
 - (c) in the case of a vault, is placed on the exterior of the vault.

Penalty: a fine not exceeding 10 penalty units.

5.7 INTERNMENT OF HUMAN REMAINS IN A VAULT

- 5.7.1 The human remains interred in an above-ground vault are –
- (a) arterially embalmed (means the process of introducing preservative fluid to bodily tissue of human remains by means of an injection into, or through, the circulatory system); and
 - (b) interred in a manner that –
 - (i) prevents the escape of bodily fluids or odour from the vault; and
 - (ii) ensures that the human remains are secure against unauthorised access; and
 - (iii) ensures that the human remains are secure against insects and vermin.

Penalty: a fine not exceeding 10 penalty units.

5.8 CLOSING GRAVE AFTER INTERNMENT

- 5.8.1 An open grave must be closed as soon as practicable after the internment; and once it has been closed it must be secured against unauthorised access at all times.

Penalty: a fine not exceeding 10 penalty units.

6. MONUMENTS

6.1 ERECTION OF MONUMENTS

- 6.1.1 A person shall not construct or erect any structure in a cemetery except with the written approval of an authorised officer.
- 6.1.2 An application for the approval under clause 6.1.1 (above) shall be accompanied by a sketch or plan of the structure to be constructed or erected showing measurements and particulars of the materials proposed to be used.
- 6.1.3 In areas set aside as a “niche wall” or “rose garden”, only the standard plinth and standard plaque provided by Council shall be permitted (plaque size – 133mm x 143mm).

6.2 TEMPORARY MEMORIAL

The Council may enter into an agreement with any person to provide, erect and maintain a wooden cross as a temporary memorial for a period not exceeding two (2) years from the date of any burial.

6.3 REPAIR OF MONUMENTS, VAULTS, GRAVES OR FENCES

- 6.3.1 An owner of any monument, vault, grave, or fence must keep the same in good repair and proper condition at their own expense.



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Penalty: a fine not exceeding 3 penalty units.

6.3.2 If the owner fails to keep any monument, vault, grave, or fence in proper repair, or if the terms and conditions upon which permission to erect or construct it or the provisions of this policy have not been complied with, the Council may take down and remove that monument or other erection or do any other work it considers necessary.

6.4 HEADSTONES IN LIMITED MONUMENTAL LAWN CEMETERY

6.4.1 The maximum allowable dimensions for a headstone in a limited monumental lawn cemetery are 900mm wide, 400mm high and 150mm deep – no structures are to encroach on to the area that is maintained by Council.

6.4.2 Receptacles for floral tributes must be provided within the dimensions in clause 6.4.1 (above).

6.5 JOINT MONUMENTS

6.5.1 A joint monument is permissible for side by side graves if it meets the allowable height and depth dimensions specified in clause 6.4.1 (above).

6.5.2 The width of a joint monument must not exceed that of individual monuments for the same number of graves.

6.6 STRUCTURES NOT PERMITTED

6.6.1 A person must not construct or erect in the cemetery any catacomb or wooden structure, other than a wooden cross erected under clause 6.2 (above).

Penalty: a fine not exceeding 10 penalty units.

6.6.2 Council may remove any structure that does not comply with this Policy.

6.7 FENCES

A fence erected must be of metal construction and must not exceed 760 mm in height.

Penalty: a fine not exceeding 4 penalty units.

7. CONSTRUCTION

7.1 CONSTRUCTION

A person must not erect a monument in a cemetery unless that person is, in the opinion of the Manager, either a qualified monumental mason or a person who is sufficiently experienced in carrying on such work.

Penalty: a fine not exceeding 5 penalty units.

7.2 TIMES OF CONSTRUCTION

A person must not carry on any monumental mason's work at the cemetery on a public holiday or otherwise than between 8.00am and 4.30pm on weekdays.

Penalty: a fine not exceeding 4 penalty units.

7.3 STANDARD OF CONSTRUCTION

Any structure to be erected in the cemetery will not be authorised by the Manager unless the proposed structure conforms to any relevant Australian Standards.

7.4 GRAVE NUMBERS

The grave site number, in accordance with the Council plan of the cemetery, must be marked on the base of every monument so as to be clearly visible from the foot of the grave.



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7.5 CONSTRUCTION EQUIPMENT

A person erecting a monument, headstone, wall, railing or memorial of any description must not place any plant, equipment, or surplus materials on any adjoining grave or ground, unless authorised by the Manager.

Penalty: a fine not exceeding 2 penalty units.

7.6 CONSTRUCTION DEBRIS

A person responsible for construction work on a grave site must remove all stones, refuse, and rubbish remaining after construction work is completed and must leave the area clean and tidy.

Penalty: a fine not exceeding 2 penalty units.

8. PLAQUES, VASES AND FLORAL TRIBUTES

8.1 STANDARD PLAQUES AND VASES

All plaques and vases must meet the requisite standard as determined by Council.

8.2 AFFIXING OF PLAQUES

All plaques must be affixed or removed by an employee of Council or an officer authorised by Council.

8.3 NUMBER OF VASES

A person can only place, in a lawn cemetery, vases on either side of the headstone located on the concrete plinth (maximum 2).

Penalty: a fine not exceeding 1 penalty unit.

8.4 FLORAL TRIBUTES

Floral tributes placed on a grave may be displayed for a maximum of seven (7) days from the time of the funeral, after which they may be removed and disposed of by an authorised officer.

9. BEHAVIOUR IN CEMETERIES

9.1 PLANTING OF TREES, SHRUBS OR PLANTS PROHIBITED

A person must not plant a tree, shrub or plant in any ground in a cemetery without the consent of the Manager.

Penalty: a fine not exceeding 2 penalty units.

9.2 ANIMALS

9.2.1 Except as provided by clause 9.2.2 (below), a person must not possess, or have under their control, an animal in a cemetery.

Penalty: a fine not exceeding 5 penalty units.

9.2.2 This clause does not apply to guide dogs for the blind.

9.3 DISORDERLY CONDUCT

A person must not:

- (i) be intoxicated; or
- (ii) use indecent and/or offensive language; or
- (iii) act in a disorderly way in a cemetery.

Penalty: a fine not exceeding 5 penalty units.



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9.4 COMMITTING A NUISANCE

A person must not obstruct, hinder or annoy any member of the public in a cemetery.

Penalty: a fine not exceeding 5 penalty units.

9.5 DAMAGE TO OBJECTS PLACED ON GRAVE SITES

A person, other than an authorised officer, must not remove, damage or interfere with any flowers, plants or other objects placed on or in any grave site.

Penalty: a fine not exceeding 5 penalty units

9.6 DAMAGE TO GRAVES, MONUMENTS ETC.

A person must not write on, cut, mark, paint on or disfigure any grave, monument, building, fence, niche wall, rose garden placement, tree or any other thing in a cemetery.

Penalty: a fine not exceeding 5 penalty units

9.7 DISTRIBUTION OF ADVERTISING MATERIAL

A person must not in a cemetery distribute or arrange to be distributed or affix to any Council property any advertisement, book, card, notice, pamphlet, print, paper or placard.

Penalty: a fine not exceeding 5 penalty units.

9.8 CONDUCTING A TRADE OR BUSINESS

A person must not carry on any trade or business within a cemetery unless authorised by the Council.

Penalty: a fine not exceeding 5 penalty units.

9.9 DAMAGE TO COUNCIL PROPERTY

A person must not remove or damage or interfere with Council property in a cemetery.

Penalty: a fine not exceeding 5 penalty units.

9.10 DRIVING OF VEHICLES

9.10.1 A person, other than an authorised officer, must not drive a vehicle in a cemetery except:

- (i) on roads, paths or tracks provided for vehicles; and
- (ii) at a safe speed not in excess of 10 kilometres an hour; and
- (iii) when observing and complying with any directional signs and the directions of an authorised officer.

Penalty: a fine not exceeding 5 penalty units.

9.10.2 This clause does not apply to vehicles owned or operated by an emergency service.

9.11 USE OF BICYCLES ETC.

A person must not ride, drive or use any small wheeled vehicle including bicycle, tricycle, skateboard, in-line skates, scooter or roller skates or other vehicle in a cemetery except on roads, paths or tracks provided for this type of traffic.

Penalty: a fine not exceeding 5 penalty units.

10. ENFORCEMENT

10.1 REMOVAL FROM AREA

10.1.1 An authorised officer may remove any person from a cemetery if the person commits an offence against this



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policy or is reasonably believed by the authorised officer to be offending against this policy.

10.1.2 A police officer may assist an authorised officer to remove the person if an authorised officer who is an employee of the Council reasonably believes that the person is offending against this policy.

10.1.3 A police officer may arrest a person whom an authorised officer reasonably believes is offending against this policy.

10.2 THE EXECUTION OF WORK

10.2.1 The Manager may require that work be executed or a thing be done by a person who has committed an offence under this policy within the periods and in the manner directed by the Manager or by an authorised officer.

10.2.2 The Manager or an authorised officer may direct that the work be done only by a person with the appropriate qualifications.

10.2.3 Council may carry out the work at the person's cost if the person directed to do work under this clause defaults.

10.2.4 A payment made under this clause is to be in addition to a penalty imposed under this policy.

10.3 INFRINGEMENT NOTICES

10.3.1 An authorised officer may:

10.3.1.1 issue an infringement notice to a person that the authorised officer has reason to believe is guilty of a specified offence;

10.3.1.2 issue one infringement notice in respect of more than one specified offence;

10.3.1.3 impose a monetary penalty for the specified offence in respect of which the infringement notice is issued.

10.3.2 Infringement notices may be issued in respect of the offences specified in the Schedule to this Policy and the penalty specified being payable under an infringement notice issued in respect of that offence.

10.3.3 The value of a penalty unit is as determined by the Tasmanian Department of Justice and applies to an infringement notice issued under this Policy and in accordance with Council's fees and charges.

10.4 MONIES PAYABLE TO COUNCIL AND RECOVERABLE AS A DEBT

All monies payable to the Council or General Manager in respect of an infringement notice are a debt due to the council and recoverable at law.



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SCHEDULE 1: CEMETERIES POLICY – INFRINGEMENT NOTICE OFFENCES

CLAUSE	GENERAL DESCRIPTION OF OFFENCE	PENALTY (Penalty Units)
6.3	<i>Failure to keep monument in good repair</i>	3
6.6	<i>Construct any catacomb or wooden structure</i>	10
6.7	<i>Erect fence contrary to Council policy</i>	4
7.1	<i>Erect monument if unqualified</i>	5
7.2	<i>Carry out monumental mason's work outside permitted times</i>	4
7.5	<i>Place construction equipment etc. on adjoining grave or ground without authority</i>	2
7.6	<i>Failure to leave area in a clean and tidy condition following construction work at grave site</i>	2
8.3	<i>Place vases contrary to Council policy</i>	1
9.1	<i>Plant trees, shrubs or plants without authority</i>	2
9.2	<i>Have animal, other than guide dog, at cemetery</i>	5
9.3	<i>Be intoxicated or behave contrary to Council policy</i>	5
9.4	<i>Commit nuisance by obstructing, hindering or annoying member of public</i>	5
9.5	<i>Remove, damage or interfere with objects placed on grave site</i>	5
9.6	<i>Mark or disfigure grave or other thing</i>	5
9.7	<i>Distribute advertising material</i>	5
9.8	<i>Carry on trade or business without authority</i>	5
9.9	<i>Remove or damage Council property</i>	5
9.10	<i>Drive vehicle contrary to Council policy</i>	5
9.11	<i>Ride bicycle, use skates, skateboard etc other than on designated roads, paths or tracks</i>	5



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CODE OF CONDUCT FOR ELECTED MEMBERS

Withdrawn from policy manual, Legislation now in effect.

To view the legislation, follow this link [Local Government \(Code of Conduct\) Order 2024](#)



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CODE OF TENDERING AND PROCUREMENT

Originated Date:	Adopted 7 January 1997 Min. No. 71/97 (as Policy 2)
Amended Date/s:	Amended 26 August 2002 Min. No. 330/02 Amended 19 December 2005 Min. No. 424/05 Amended 17 July 2006 Min. No. 249/06 Amended 16 May 2011 Min. No. 123/11 Amended 14 October 2013 Min. No. 274/13 Amended 17 August 2015 Min. No. 221/15 (incorporating Council Policy on Open Tenders) Amended 17 September 2018 Min. No. 252/18 Amended 26 April 2021 Min. No. 144/21 Amended 15 December 2025 Min. No. 25/379
Applicable Legislation:	<i>Local Government Act 1993</i> <i>Local Government (General) Regulations 2025</i>
Objective	This Code of Tendering and Procurement (Code) provides a policy framework on purchasing and tendering requirements for Council.
Administration:	Corporate Services
Review Cycle/Date:	At least every 4 years. Next review 2029

1. PURPOSE

The Code aims to:

- a) ensure compliance with relevant legislation;
- b) enhance value for money through fair, competitive, non-discriminatory procurement;
- c) promote the use of resources in an efficient, effective and ethical manner;
- d) encourage probity, accountability and transparency in decision making;
- e) provide reasonable opportunity for competitive local businesses to supply to Council;
- f) minimise the cost to suppliers of participating in the tendering process;
- g) allow Council to appropriately manage risk;
- h) promote Council's economic, social and environmental plans and policies.

2. SCOPE

2.1 POLICY VS. PROCEDURES

This Code provides overarching policy direction for tendering, contracting and procurement. Operational detail is contained in Council's Procurement Procedures ("local level procedures"), established in accordance with regulation 28 of the *Local Government (General) Regulations 2025*.

Council will maintain procedures to ensure:

- a) all potential service providers are provided with the same information relating to the requirements of an open tender process or contract and are given equal opportunity to meet the requirements;
- b) that fair and equitable consideration is given to all tenders or quotations received;
- c) deal honestly with and be equitable in the treatment of all potential service providers;
- d) a prompt and courteous response to all reasonable requests for advice and information from potential or existing service providers;
- e) protect commercial in confidence information; and



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- f) review each tender process to ensure that each tender is in accordance with the Regulations and this Code.

Council will also establish and maintain procedures for:

- a) amending or extending a tender once it has been released;
- b) opening tenders;
- c) the consideration of tenders that do not fully conform with the tender requirements;
- d) handling complaints regarding processes related to the supply of goods or services.

Refer to Appendix A for Northern Midlands Council local level procedures for tendering.

2.2 EMPLOYEES AND SERVICE PROVIDERS

The Code will apply to Council, council employees and agents and any service provider wishing to compete for Council business or provide goods, services or works to Council (including contractors, subcontractors, consultants and suppliers)

Wherever reasonably possible service providers engaged by Council will also apply the Code when seeking Tenders or Quotations from subcontractors and suppliers.

3. PROCUREMENT PRINCIPLES

Council will have regard to the following principles when acquiring goods and services:

3.1 OPEN AND EFFECTIVE COMPETITION

The Council will ensure that the purchasing process is impartial, open and encourages competitive offers.

In practice this means that Council will:

- a) use transparent and open purchasing processes so that service providers and the public are able to have confidence in the outcomes;
- b) adequately test the market through seeking quotations or via tender as appropriate;
- c) avoid biased specifications;
- d) treat all service providers consistently and equitably;
- e) ensure a prompt and courteous response to all reasonable requests for advice and information from service providers.

3.2 VALUE FOR MONEY

The Council will ensure that it is buying at the most competitive price available, but value for money does not mean buying at the lowest price.

In practice this means that Council will consider:

- a) the contribution the good or service makes to achieving Council's strategic plans or policies;
- b) the value of the acquisition and potential benefits against the costs of that purchase;
- c) an assessment of risks associated with the purchase including the preferred procurement method;
- d) how well goods or services meet needs;
- e) maintenance and running costs over the lifetime of a product;
- f) disposal value;
- g) time constraints;
- h) the impact of the procurement decision on the local economy, such as through industry development and employment creation;
- i) the impact of the procurement decision on the environment, such as through minimising waste and reducing demand for goods and services which have a direct impact on the environment (such as printing, utilities and travel); and



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- j) the impact of the procurement decision on the society, (social value generated) such as through the elimination of discrimination and the promotion of equal opportunity, training, and other identified social objectives.

3.3 ENHANCEMENT OF THE CAPABILITIES OF THE LOCAL BUSINESS INDUSTRY

The Council will ensure that where local capacity exists it will seek to engage the local market and encourage participation in tender and quotation processes.

In practice this means that Council will:

- a) actively seek quotes from local businesses that are able to provide quality goods and or services;
- b) where local capability exists, ensure that discretionary elements of specifications do not prevent local business from competing; and
- c) not give preferential treatment to local service providers where it cannot be reasonably justified.

3.4 ETHICAL BEHAVIOUR AND FAIR DEALING

The Council will promote procurement practice that is legal, ethical, fair and unbiased.

In practice this means that Council will:

- a) comply with legal requirements;
- b) conduct all business in the best interests of the Council;
- c) be as effective and efficient as possible when sourcing, ordering and paying for goods and services;
- d) expect individuals involved in procurement processes to declare and act upon any conflicts of interest that may be seen to influence impartiality;
- e) ensure that specifications are clear;
- f) ensure that any Service Provider is not provided with information or clarification that is not provided equally to all service providers;
- g) maintain confidentiality at all times in dealing with service providers;
- h) ensure that conditions of contract are not excessively onerous; and
- i) decline gifts or benefits offered by those involved in the procurement process, particularly from service providers.

In practice this means that Council expects service providers to:

- a) ensure that they are well acquainted with Council requirements identified in this Code;
- b) are familiar with particulars relating to a specific tender and quotation processes including the relevant specifications;
- c) not submit a tender or quotation unless they have the financial, technical, physical, management resource or other capabilities to fulfil Council's requirements;
- d) not seek to influence a procurement process by improper means or collude with other service providers;
- e) declare and act upon any conflicts of interest that may be seen to influence impartiality;
- f) comply with all applicable legislative, regulatory and statutory requirements, including Acts of the Commonwealth and State, regulations, by laws and proclamations made or issued under such Acts and lawful requirements or directions of public and other authorities;
- g) not offer gifts or benefits to a Council officer for the discharge of official business;
- h) Northern Midlands Council local level procedures for tendering are identified at Appendix A of this Code of Conduct.

4. PROCUREMENT METHODS

While open and fair competition may often best achieved by undertaking a tender process where all interested parties have an opportunity to bid, there are times when this practice will not deliver the most advantageous outcome for the Council. In such instances, other market approaches may be more appropriate.



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The Council will, having regard to the procurement principles and any other factors considered relevant by the Council, in its absolute discretion, determine the appropriate method that will be employed to procure goods and services at any particular time.

An annual purchasing order may be issued for ongoing monthly services (such as electricity, insurance, telecommunications, water & sewer, government levies etc).

Each Council employee has an authorised limit as to procurement expenditure. These limits are reviewed from time to time.

4.1 PROCUREMENT VALUE THRESHOLDS

The following table summarises the purchasing method utilised by Council based on the total dollar value of the purchase:

Procurement Value	Minimum Requirement
Under \$5,000	Council purchasing order to be used wherever possible. At least a Northern Midlands business is considered where capability exists. Payment to be made by petty cash, credit card or electronic funds transfer.
\$5,001 to \$10,000	Documented quotation required – of which at least a Northern Midlands business is considered where capability exists. Council purchasing order required. Payment to be made by credit card, or electronic funds transfer.
\$10,001 to \$30,000	2 written quotations required – of which at least one will be sought from a local Northern Midlands business where capability exists. Council Purchase order is required. Payment to be made by credit card, cheque or electronic funds transfer.
Between \$30,001 and \$249,999	3 written quotations required. Where possible, at least three written quotations will be obtained, of which at least two will be sought from a local business where firstly Northern Midlands and secondly Tasmanian capability exists. Council Purchasing order is required. Payment to be made by electronic funds transfer.
\$250,000 and greater	Public Tender Council will advertise each tender at a minimum in <i>the Examiner</i> newspaper. Other advertising may be utilised as required. Each tender will be advertised on Council website. Council will seek at least two tenders from a local business, where firstly Northern Midlands and secondly Tasmanian capability exists. Payment to be made by electronic funds transfer

Note:

All amounts are exclusive of GST.

The prescribed amount pursuant to the *Local Government (General) Regulations 2025* is \$250,000.

4.1 NON TENDER – PROCESSES FOR ACQUISITION OF GOODS AND OR SERVICES

4.1.1 DIRECT PURCHASING

This is where Council purchases from a single source, without first obtaining competitive bids.

This method will be used only for low value, low risk goods and services where the Service Provider already has a successful history with the Council.

4.1.2 PURCHASE ORDERS

Purchase Orders usually have limited terms and conditions and detail specific items that are to be purchased.



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This method may be used for low value, low risk goods and services and will not be used for non routine, high value and high risk goods and services.

An example of a good that may be purchased via purchase order is a new TV. An example of a service that may be purchased via purchase order is design work for a new sign.

4.1.3 QUOTATIONS (INFORMAL)

This is where Council will only enter into a contract where 2 quotations from suitable service providers able to provide the goods or services have been sought.

Records must be kept of quotations received and quotations approved. If written quotations cannot be obtained Council must keep detailed written records of the oral quotation obtained including details of the commercial terms of the quotation.

This method may be used for low value, low risk goods and services.

4.1.4 REQUEST FOR QUOTATIONS (RFQ)

This is a more formal quotation process. Council will enter into a contract where 3 written (including email) quotations from suitable service providers able to provide the goods and or services have been sought. Where less than 3 suitable service providers are reasonably available, records outlining this circumstance will be kept.

Council must keep detailed written records of the quotations obtained including details of the commercial terms of the quotation.

This method may be suitable for simple, largely price based purchases.

Purchasing goods and or services through the National Procurement Network (NPN) is an option for Councils. Purchasing through this mechanism involves an RFQ process. Items with a financial value above the prescribed amount may be legitimately purchased through the Network RFQ process. Use of the Network as a purchasing option for Councils is justified under the Regulations. See section 8 - Exemptions.

An example of a service that may be purchased via RFQ's is engaging a contractor to conduct road works.

4.2 TENDER - PROCESSES FOR ACQUISITION OF GOODS AND OR SERVICES

The Act and Regulations require that Council invite Tenders for any Contract it intends to enter into for the supply or provision of goods or services valued at or above a prescribed amount. The prescribed amount is \$250,000 (GST exclusive).

4.2.1 OPEN TENDERS

An open tender process is an invitation to tender by public advertisement. There are generally no restrictions regarding who can submit a tender, however, service providers are required to submit all required information and will be evaluated against stated selection criteria.

General Manager - responsibilities

Consistent with the Regulations (Regulation 25) Council will ensure that when open tenders are used as a method of procurement; the General Manager will invite tenders.

The General Manager will advertise the tender locally via the daily newspaper circulating in the municipal area and on via Councils website – making the tender available to all qualified and interested bidders.

The public notice will identify:



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- a) clearly the nature of the goods and or services the Council requires;
- b) the period within which the tender must be lodged (must be at least 14 days after the date on which the notice is published);
- c) where the tender must be lodged; and
- d) details of a person from whom more detailed information relating to the tender may be obtained.

The General Manager will ensure that prospective tenderers are provided with details regarding:

- a) the specifications of the goods and or services required;
- b) the duration of the contract, including any extensions that are specified in the contract;
- c) any mandatory tender specifications and contract conditions;
- d) objective criteria for evaluating the contract; and
- e) must make reference to the Council Code for Tenders and Contracts.

Service Provider – responsibilities

A person submitting a response in relation to a Council public tender must do so in writing.

The Service Provider must specify the goods and or services tendered for, provide details of the goods and or services being offered and must lodge the tender within the period specified in the public notice.

Refer to Appendix A for Northern Midlands Council procedures relating to tender process.

4.2.2 MULTI STAGED TENDER

There are occasions – although usually limited (because the process can be resource intensive), where Council may use a multi stage tender process. Reference is made to this process in the Regulations at Regulation 27.

This tender method will be used by Council to gain knowledge about the market, obtain industry input – where it is unclear what goods and services are available or to shortlist appropriate suppliers before seeking offers.

At each stage in this process, service providers may be culled to those who are most suited to the specific contract requirements. Service providers will be evaluated against criteria determined by Council.

Once a short list of potential service providers is developed, these service providers may be invited to participate in an open tender process.

General Manager - responsibilities

As a first stage in this process, the General Manager will request – expressions of interest from prospective tenderers.

The General Manager will advertise the expression of interest locally via the daily newspaper circulating in the municipal area and via Councils website.

The public notice will identify:

- a) clearly the nature of the goods and or services the Council requires;
- b) contract identification details;
- c) the period within which the expression of interest must be lodged;
- d) where the expression of interest must be lodged; and
- e) details of a person from whom more detailed information relating to the expression of interest may be obtained.

The General Manager will ensure that prospective tenderers are provided with details regarding:

- a) the specifications of the goods and or services required;



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- b) objective criteria for evaluating the expression of interest;
- c) the method of evaluating expressions of interest against the criteria;
- d) details of any further stages in the tender process; and
- e) must make reference to the Council Code for Tenders and Contracts.

At the final stage of a Multi Staged Tender process, the General Manager will invite all service providers who have met the criteria determined by the Council, to tender for the supply of goods and or services

If only one service provider meets the criteria determined by Council, the Council may contract with that supplier after:

- a) a tender from that Service Provider; or
- b) a decision by the absolute majority of the council to do so.

Service Provider – responsibilities

A person submitting a response in relation to a Council expression of interest must do so in writing.

The service provider must specify the goods and or services the expression of interest relates to, provide details of the goods and or services being offered and must lodge the expression of interest within the period specified in the public notice.

Refer to Appendix A for Northern Midlands Council procedures for tenders.

4.3 ONGOING SUPPLY ARRANGEMENTS - GOODS AND SERVICES

4.3.1 STANDING CONTRACT

A Council, through an open tender process, may establish a standing contract in which a single tenderer or multiple tenderers may be contracted for a specified period to provide specified goods or services during that period without the need for a further tender process. Reference is made to this process in the Regulations at Regulation 24.

Service providers listed on a standing contract panel will be selected following an evaluation process.

Council may legitimately purchase directly from a service provider listed on a standing contract panel.

Council may implement its own standing contract arrangements or may make use of goods and or services panels that have been negotiated for example for Tasmanian Councils via LGAT as a member of the National Procurement Network or via similar arrangements through State Government.

The way in which a standing tender is established is the same as for an open tender process where the specification and description of the tender describe the intent of the standing contract and the conditions of its use.

4.3.2 MULTIPLE USE REGISTER

A multiple use register is a list, intended for use in more than one procurement process, of pre qualified providers, who have satisfied the conditions for participation or inclusion on the register. Reference is made to the multi use register process in the Regulations at Regulation 26.

Council may establish a multi use register of service providers who meet criteria established by the Council in respect to the supply of particular categories of goods and services.

Inclusion on a multi use register provides certainty for potential service providers that they have been recognised as meeting conditions for participation.

Council will invite tenders for a contract for the supply of goods and or services from all service providers included on a multiple use register for a particular category of goods and or services.



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General Manager - responsibilities

As per Regulation 26, Council will establish and maintain procedures for the use of multiple use registers for contracts valued at under the current prescribed amount, excluding GST.

Essential procedural requirements include that, the Council will invite applications from service providers for inclusion on a multiple use register by advertising locally via the daily newspaper circulating in the municipal area and via Councils website.

The public notice will identify:

- a) the nature of the goods and or services the Council requires;
- b) any identification details associated with the register;
- c) the period within which the application must be lodged;
- d) where the application must be lodged; and
- e) details of a person from whom more detailed information relating to the multiple use register may be obtained.

The General Manager will ensure that applicants are provided with information regarding:

- a) the specifications of the goods and or services required;
- b) the criteria for evaluating the applications;
- c) the method of evaluating applications against the criteria; and
- d) must make reference to the Council Code for Tenders and Contracts.

Council may accept an application for inclusion on the multiple use register or reject an application.

If Council rejects the application, the General Manager will advise the applicant of the reasons for rejection.

If Council accepts the application the General Manager will advise the applicant of the category their application will be included in on the multiple use register.

The multiple use register will be reviewed by Council at least every 2 years.

Council will allow a service provider to apply for inclusion on the multiple use register at any time unless the service provider has made an application in the previous 12 months and the application has not been accepted.

Refer to Appendix B for Northern Midlands Council local level procedures for multiple use registers.

4.3.3 STRATEGIC ALLIANCES

Council may choose to procure goods and or services through contract arrangements already established and administered by other organisations, including:

- a) LGAT through the National Procurement Network;
- b) State Government Contracts; and
- c) any other purchasing group of which Council is a member.

5. CALCULATING THE VALUE OF A PURCHASE

5.1 PRICE

The dollar value of the purchase may be calculated as follows:

- a) single one-off purchase – the total amount, or estimated amount, of the purchase (excluding GST);
- b) multiple purchases – the gross value, or the estimated gross value, of the purchases (excluding GST); or
- c) ongoing purchases over a period of time – the annual gross value, or the estimated annual gross value, of the purchases (excluding GST).



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As per Regulation 24, Council will not split a single procurement activity into 2 or more separate contracts for the primary purpose of avoiding the requirement to publicly invite tenders.

5.2 NON PRICE CONSIDERATIONS

Council will ensure that it is buying at the most competitive price available, but quantifying the value of a purchase does not simply mean buying at the lowest price. Specific issues that will be taken into account by Council that relate to non price related matters are identified in the Principles section at 3.

6. GOODS AND SERVICES TAX (GST)

All procurement thresholds are GST exclusive

Tenders and quotations must be sought on a GST exclusive basis.

7. EXTENSION OF CONTRACTS ENTERED INTO

Consistent with Regulation 24, Council may extend a contract entered into:

- a) as specified in the contract or
- b) if the contract does not specify extensions, by an absolute majority.

8. EXEMPTIONS

The Regulations identify circumstances where Council is not required to issue a public tender process.

The exemption circumstances identified in Regulation 28 – Non application of the public tender process are:

- a) an emergency if, in the opinion of the general manager, there is insufficient time to invite tenders for the goods or services required in that emergency;
- b) a contract for goods or services supplied or provided by, or obtained through, an agency of a State or of the Commonwealth;
- c) a contract for goods or services supplied or provided by another council, a single authority, a joint authority or the Local Government Association of Tasmania;
- d) a contract for goods or services obtained as a result of a tender process conducted by another council, a single authority, a joint authority, the Local Government Association of Tasmania or any other local government association in this State or in another State or a Territory;
- e) a contract for goods or services in respect of which a council is exempted under another Act from the requirement to invite a tender;
- f) a contract for goods or services that is entered into at public auction;
- g) a contract for insurance entered into through a broker;
- h) a contract arising when a council is directed to acquire goods or services due to a claim made under a contract of insurance;
- i) a contract for goods or services if the council resolves by absolute majority and states the reasons for the decision, that a satisfactory result would not be achieved by inviting tenders because of–
 - i) extenuating circumstances; or
 - ii) the remoteness of the locality; or
 - iii) the unavailability of competitive or reliable tenderers;
- j) a contract of employment with a person as an employee of the council.

General Manager - responsibilities

The General Manager will authorise non use of the public tender process in accordance with the exemption directions identified above.



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9. ENGAGING A THIRD PARTY TO MANAGE A PROCUREMENT PROCESS

Council may engage third parties to manage the procurement process for individual projects. The use of a third party as an agent or consultant to advise on, arrange or manage a procurement process does not exempt Council from complying with Council procurement policy and procedures.

Should Council engage a third party to manage a procurement process, it will be ensured that material is included in the contractual arrangements with the third party that requires the third party to comply with Council procurement policy and procedures.

10. REPORTING PROCEDURES

Council is obliged to report at a minimum on a series of procurement matters.

10.1 PROCUREMENT AT OR ABOVE THE PRESCRIBED AMOUNT

As per Regulation 30, Council will report in its Annual Report details of any contract for the supply or provision of goods and or services valued at or above the currently legislated prescribed amount of \$250,000.

Council may also at its absolute discretion report detail of instances of procurement below \$100,000.

Detail that will be reported for 10.1 at a minimum as required under the Regulations is:

- a) a description of the contract;
- b) the period of the contract;
- c) the periods of any options for extending the contract;
- d) the value of any tender awarded, or if a tender was not required, the value of the contract excluding GST;
- e) the business name of the successful contractor; and
- f) the business address of the successful contractor.

10.2 CONTRACT EXTENSION

As per Regulation 24, Council will report in its Annual Report, the details of any extension of a contract, where Council agreed to extend a contract by an absolute majority and the pre existing contract did not specify extensions.

Detail that will be reported for 10.2 at a minimum as required under the Regulations is:

- a) a description of the contract;
- b) the period of the contract;
- c) the periods of any options for extending the contract;
- d) the value of any tender awarded, or if a tender was not required, the value of the contract excluding GST;
- e) the business name of the successful contractor; and
- f) the business address of the successful contractor.

10.3 EMERGENCY PROVISION

As per Regulation 28 Council will report in its Annual Report, the details of all instances where non application of the public tender process has been applied as a result of an emergency, where in the opinion of the General Manager, there was insufficient time to invite tenders for the goods and services required in that emergency.

Detail that will be reported for 10.3 at a minimum as required under the Regulations is:

- a) a brief description of the reason for not inviting public tenders;
- b) a description of the goods or services acquired;
- c) the value of the goods or services acquired; and
- d) the name of the supplier.



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10.4 OTHER CIRCUMSTANCES

As per Regulation 28 Council will report in its Annual Report, the details of all instances where non application of the public tender process has been applied because Council agreed by absolute majority, that a satisfactory result would not have been achieved if tenders were invited because of

- i) extenuating circumstances;
- ii) the remoteness of the locality;
- iii) the unavailability of competitive or reliable tenderers; and

Detail that will be reported for 10.3 and 10.4 at a minimum as required under the Regulations is:

- a) a description of the reason for not inviting public tenders;
- b) a description of the goods and or services acquired;
- c) the value of the goods and or services acquired; and
- d) the name of the supplier.

In addition to ensuring the above reporting occurs, as per Regulation 29(j), the General Manager will establish and maintain procedures for reporting to Council circumstances where a public tender or quotation process was not used and reasonably should have been.

Refer to Appendix C for Northern Midlands Council reporting procedures.

11. WORK HEALTH AND SAFETY

All tenderers are to comply with the Northern Midlands Council Work Health & Safety Policy, a copy of which is to be supplied to tenderers with the tender documentation.

All contractors engaged by the Council are required to complete an induction with the Council and provide copies of appropriate insurances, Safe Work Methods Statements and a list of training and competencies.

12. DELEGATION

Northern Midlands Council delegations can be found on its website

<https://www.northernmidlands.tas.gov.au/documents/strategic-annual-plan/council-policies-and-by-laws>

13. COMPLAINTS

The Council will deal promptly with any complaints about its tendering process. Each complaint will be recorded in writing and the complainant given an opportunity to discuss his or her complaint with the General Manager or a delegated senior officer.

14. REVIEW OF THE CODE

Consistent with the requirements identified in Section 333B of the Act, Council will formally review this Code at least every 4 years.

The Code may be modified on an as needs basis from time to time by Council to reflect changed operational requirements.

15. BREACH OF THE CODE

Council will take all reasonable steps to comply with this Code.

Council will not be liable in any way to a Service Provider or any person for a breach of this Code.

If any employee of the Council, or a body controlled by the Council breaches this Code, Council may take disciplinary action, if in its absolute discretion it considers it desirable to do so.



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If a Service Provider commits a breach of this Code, Council may, in its absolute discretion, take action against that Service Provider.

16. ACCOUNTABILITY

Consistent with Section 333B of the Act, as a measure of accountability and transparency, the General Manger will:

- a) make a copy of this Code and any amendments, available for public inspection at the Council's offices during ordinary office hours;
- b) make copies of this Code available for purchase at reasonable charge; and
- c) publish a copy of the Code on the Council's internet site – free of charge.

17. CONFIDENTIALITY

Council treats information provided by suppliers as confidential and will not provide this information to unauthorised persons.



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APPENDIX A

TENDERING PROCESS

1. SPECIFICATIONS

Council will develop specifications for tenderers, clearly setting out Council's expectations. Most specifications will focus on outcomes and quality requirements, rather than particular ways of delivering a service. Some specifications may include both input and output requirements for a service.

The tender documents will require tender proposals to indicate how the performance standards will be met, and how the tenderer would measure the satisfaction levels of service users.

The tender documents will require the tenderers compliance with Council's Work Health & Safety Policy, as well as any other applicable Council Policies, Codes of Conduct, legislation or Australian Standards.

In developing specifications, the Council will consider the requirements of service users and may seek the views of the providers of the existing service and others providing similar services, whether in the public or private sector.

The Council will identify in the specifications any Council assets to be made available to tenderers, whether in-house or external, and may set costs, terms and conditions for the use of the assets.

No potential tenderer, in-house or external, will have access to the final specifications prior to their formal approval and public release by the Council.

2. ADVERTISING

Public notice is required under the Act to start a tender process. The Council will advertise in the Public Notice Section of the Saturday edition of the Examiner Newspaper and may advertise in other newspapers or publications where appropriate. The Council will also place information on the tender on its website.

When advertising the Council will specify:

- 1) The nature of the goods or services required;
 - 2) Any identification details allocated to the contract;
 - 3) Where the tender is to be lodged;
 - 4) Particulars identifying a person from whom further or detailed information relating to the tender can be obtained;
- and
- 5) The period within which the tender is to be lodged.

3. VARIATIONS TO A TENDER

Where the Council seeks to amend or extend the closing date for a tender it will advertise the variation/s in the Examiner newspaper and on its website. If tender documents have been issued or a written tender has already been received then the General Manager will notify the recipients of the tender documentation and any tenderer in writing of the variation/s to the tender.

4. EXPRESSION OF INTEREST

The Council may use an "expression of interest" process before it invites tenders. If so, it will advertise publicly the purpose and nature of the contract or project and the date by which it will invite tenders. The aim at the expression of interest stage is not to elicit tenders, but rather to assess the capacity of the respondents to undertake the work or project, and to refine the specifications. The Council will make the evaluation criteria for registration available to all respondents.



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The Council will seek tenders from local business and industry if available.

The Council may invite tenders from some, all or none of the registrants, by the advertised date. If the Council does not invite tenders by that date, it will write to all registrants advising when tenders are to be invited. Respondents who are not invited to tender will be advised in writing. The Council will use this list of registrants to invite tenders for the advertised contract or project only.

5. INVITATION TO TENDER

The Council will offer the same tender documents to all those who respond to an invitation to tender. A copy of this Code will be attached to all tender documents.

The Council may impose a fee for tender documentation related to the cost of printing the tender documentation. The Council will not impose any additional fee for tender documentation unless it refunds the fee to each tenderer who submits a conforming tender.

The Council will not request a tender deposit. In all cases the Council will seek to minimise the cost to suppliers of participating in the tender process.

The tender documents will include the tender evaluation criteria and identify the order of importance accorded to the criteria.

In addition, the Council will ensure that prospective tenderers are provided with all relevant information, including:

- 1) Details of the goods or services required;
- 2) Details of the duration of the contract, including extensions;
- 3) The criteria for evaluating tenders;
- 4) The method of evaluating tenders against the evaluation criteria;
- 4) Any mandatory tender specifications and contract conditions; and
- 5) A reference to the Council's code of tendering.

If the Council gives advice, written or verbal, to a respondent clarifying the meaning of the tender documentation, it will give the same information to all other respondents in writing. The Council will keep a written record of any other verbal advice. The Council will respect the confidentiality of a respondent who discloses information which has commercial or intellectual property value. The Council will consider conducting a pre-tender briefing and may determine not to give additional information apart from the briefing.

Tenderers will generally be given a minimum of 21 days from the date on which tenders were invited in which to submit tenders. All tenders must be in writing. The submission period is determined by the nature of the tender and the Council will advise respondents in writing when it invites tenders if a longer or shorter submission period is to apply.

LATE TENDERS WILL NOT BE ACCEPTED.

Any proposal that does not conform to the tender conditions may be rejected as non-conforming. The General Manager will notify any tenderer of the rejection and the reasons for the rejection.

The Council will acknowledge receipt of all tenders in writing.

6. IN-HOUSE TENDERS

As an employer, the Council will assist its staff to become more competitive. At the same time, the Council is aware that competition must be fair, and be seen to be fair, to all parties.

Accordingly, the Council will treat an in-house tenderer on the same terms as an external tenderer. The Council will ensure there is a clear separation between the in-house tenderers and those who have responsibility for evaluating the tenders.



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In-house tenders will be prepared on the basis that all direct costs and indirect or overhead costs attributable to the tender are included.

In allocating overhead costs to in-house tenders, a Council will only exclude those costs which it would continue to incur even if all its services were contracted out. The excluded overhead costs are limited to:

- 1) *governance costs*: conduct of elections; administrative support for Councillors; Council meetings; making and enforcing local laws; property valuations; making and levying rates and charges; other statutory duties not related to the tender;
- 2) *strategic management of services costs*: long term planning and supervision of all services, including tendering and contract administration costs;
- 3) *core corporate costs*: administrative support for the governance and strategic management of services functions.

7. TENDER EVALUATION

Council officers will evaluate tenders according to the tender evaluation criteria outlined in the tender documentation, the requirements of the *Local Government (General) Regulations 2025* and the Northern Midlands Council Code of Tendering and Procurement.

Council officers will provide a written tender evaluation report to Council on its reasoning behind awarding/recommending a particular tender.

All tenders, quotations or any form of competitive bidding be treated in confidence and considered by Council 'In Committee'.

8. AWARD OF CONTRACT

The Council may negotiate with tenderers to determine the award of the contract but must have regard to the scope of the invitation to tender at all times. The Council will not trade the price of one tenderer against that of another tenderer. The Council will exhaust negotiations with one tenderer before beginning negotiations with another tenderer.

The decision to award a contract will be made by the Council or its delegated officer. If there is an in-house tender, the written report on the award of the contract prepared by the tender evaluation panel will be presented to an open meeting of the Council. The Council will award the contract on the basis of the best quality and value for money for the community.

The Council will have regard to the written tender evaluation report and may also have regard to other factors impacting on the best quality and value for money outcome.

The Council will promptly notify the successful tenderer by telephone and in writing, and unsuccessful tenderers will be notified in writing. It will advise them of the reasons for the award of the contract.

Also see Minute No. 294/06 – Ownership of Intellectual Property – the following clause is to be incorporated into all Agreements and/or the Terms of Engagement of Consultants:

“The Consultant,, agrees with the Northern Midlands Council to grant to the Council an irrevocable licence to use and to reproduce any reports, recommendations or associated material (including photographs, charts and electronic data) for purposes related to the engagement of the consultant without the payment of any fee. The Council acknowledges that when it does reproduce any of the material produced by the consultant it will, in so doing, recognise the consultant as the copyright owner.”

9. NOTIFICATION OF UNSUCCESSFUL TENDERERS

Once the successful tenderer has been notified the Council will promptly advise the unsuccessful bidders in writing of:

- 1) The tender outcome; and
- 2) The successful contractor.



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Details of the tenders awarded will be displayed on the Council's public notice board and on Council's website for 14 days. All unsuccessful tenderers will be offered the opportunity of attending a debriefing session, and document the proceedings of the debriefing sessions.



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APPENDIX B

MULTIPLE USE REGISTERS

From time to time the Council may utilise a multiple-use register process to establish a register of suppliers that Council has determined satisfy the conditions for participation in that register, and that Council intends to use more than once.

If it is determined that a such register will be established, the General Manager will invite expressions of interest from prospective applicants for inclusion on a register by publishing at least once in the Examiner Newspaper and on its website a notice specifying:

- a) a description of the goods and services, or categories thereof, for which the register may be used;
- b) the name and address of the council and other information necessary to contract the entity and obtain all relevant documents relating to the register; and
- c) any deadlines for submission of application for inclusion on the register.

The General Manager will advise all prospective tenderers of the results of their application including all categories for which they are registered and the reasons for rejection of inclusion on the register as soon as practicable.

When Council wishes to use the register, the General Manager will invite all successful applicants that are registered for the relevant category to tender for the provision of the required good or service, and the tender process as outlined in this policy will be utilised.

Council will review any established register at least once every 2 years.



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APPENDIX C

REPORTING PROCEDURES

Council will publish in its Annual Report in relation to all contracts for the supply or provision of goods and services valued at or above \$100,000 (excluding GST), awarded or entered in the financial year, including extensions granted:

- a) a description of the contract;
- b) the period of the contract;
- c) the periods of any options for extending the contract;
- d) the value of any tender awarded or, if a tender was not required, the value of the contract ex. GST;
- e) the business name of the successful contractor; and
- f) the business address of the successful contractor.

Where an exemption has been granted from a tender process the following details will be reported in Council's Annual Report:

- a) a brief description of the reason for not inviting public tenders;
- b) a description of the goods or services acquired;
- c) the value of the goods or services acquired; and
- d) the name of the supplier.

The General Manager will provide Council with a quarterly report of any instance where a purchase of a good or service is made where a public tender or quotation process is not used where an exemption applies from the tender process.



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COMMUNICATIONS

Originated Date: Adopted 2 May 2005 – Min. No. 117/05 (as Policy 41)

Amended Date/s: Amended 20 November 2006 – Min. No. 413/06
Amended 21 January 2013 – Min. No. 09/13
Amendment 21 February 2022 – Minute No. 22/53

Applicable Legislation: *Local Government Act 1993*

Objective To establish guidelines to ensure a co-operative and beneficial working relationship between Councillors and Officers is maintained.

Administration: Governance

Review Cycle/Date: Next review 2026

1. OBJECTIVES

Good governance relies on successful working relationships between all parties and a sophisticated understanding of role differences.

Communities expect their Councils to be well managed and run in a cost-effective manner. If elected members are to provide the necessary assurance to their communities about the performance of the Council, they must be kept appropriately informed by the General Manager.

Elected members need access to information on a wide range of subjects, and often need to discuss ratepayer issues with members of staff. The General Manager needs to ensure elected members have appropriate access to such information, and that they are readily able to raise any concerns they may have about the administration of the Council.

It is also important that there is ongoing communication between elected members, the General Manager and the Administration to ensure that the Council's goals, policies and strategies are implemented and objectives met.

However, certain protocols and procedures are necessary to ensure accountability, and a Communication Policy is essential to set out these guidelines to avoid confusion and misunderstandings, and to facilitate communication and understanding between the respective parties and the roles they play.

Councillors need to understand that accountable advice needs to go through an organisational process, and that staff have work priorities and reporting responsibilities.

Officers need to understand that they are accountable, through the management structure, to the whole Council, but also that elected members need prompt and reliable advice to perform their duties.

Protocols and procedures assist both elected members and Council's employees to understand the nature of these interactions and communications.

This policy has been put in place to ensure a co-operative working relationship between Councillors and officers is maintained. The guidelines are designed to assist Councillors receive prompt attention in the execution of their duties as well as enabling officers to manage work demands and allow the tracking of requests through to completion.

This policy also aims to assist officers in fulfilling their obligations to always act with integrity and in a way that shows proper concern for the public interest.

The policy also aims to ensure that due process is followed and that all Councillors and officers are accorded procedural fairness in their dealings with each other.



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2. ROLES

2.1 COUNCILLORS

Councillors have a number of roles to fulfil and they must do this with the support of the General Manager and Administration that is available.

Councillors represent and promote the interests of the community. Councillors, as the governing body of the corporation, have the responsibility of directing and controlling the affairs of the Council, setting goals, policies and strategies in accordance with the *Local Government Act* and monitoring and evaluating the performance of the Council against its own policies and plans.

2.2 MAYOR

The Mayor has a distinctive role within the Council, incorporating many facets of local government as set out in section 27 of the *Local Government Act 1993*. These include (but are not limited to):

governance, chairing council meetings, external relations, supporting the community, spokesperson, media relationships and ceremonial.

- chairing of council meetings
- promotion of good governance
- representation of council on regional organisations and at intergovernmental forums at regional, state and federal levels
- supporting the community
- act as spokesperson, media relationships
- civic and ceremonial functions
- liaison with the general manager.

The Mayor is in a position to facilitate good relationships with and between Councillors, between Councillors and the Administration, and between the Mayor and the General Manager.

In accordance with section 27(2) of the *Local Government Act 1993* the deputy mayor is to act in the position of mayor and exercise the powers and perform the functions of mayor if;

- a) the mayor is absent from duty as Mayor or from the State, otherwise unavailable for duty as mayor or unable to perform the functions of mayor; and
- b) the mayor or the council, by notice in writing, appoints the deputy mayor to act in the position.

2.3 GENERAL MANAGER

The General Manager has a statutory responsibility as set out in section 62 of the *Local Government Act 1993* which includes (but is not limited to), managing the organisation in the implementation of the goals, policies and strategies endorsed by the Council. The General Manager is responsible for staffing, including the organisational structure, and resources and all matters relating to the operational management of the Northern Midlands Municipal Area. The General Manager is the link between the elected members and the Administration.

2.4 ADMINISTRATION

The role of the Administration is to implement Council's goals, policies and strategies, and to advise and support Council. They may also assist an elected member with advice or information.

Definition

The "Administration" is considered to mean the officers of the local government tasked with the responsibility or duties assumed, in conducting the affairs of any office or employment.



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3. RELATIONSHIPS

3.1 COUNCILLORS/GENERAL MANAGER

The relationship between Council and the General Manager should be based on mutual trust and respect.

The General Manager has a formal accountability to the elected members sitting as Council. The General Manager and the Councillors are likely to be in regular contact about issues, problems and information, in both formal and informal settings. The General Manager will endeavour to accommodate Councillors who have different objectives and ways of working.

The General Manager is also an adviser to the Council, providing accurate and timely reports as required by the Council. The Council should seek and consider the General Manager's advice on matters of policy.

The General Manager will also have a close working relationship with the chairperson of any Council committees.

3.2 MAYOR/GENERAL MANAGER

This relationship is crucial if good relationships are to be maintained between elected members and the Administration. A good relationship can result in good planning, identification and resolution of issues, good communication between all parties, promoting good governance.

Both parties are in a position to inform the other of issues and matters relevant to the other's performance of their duties. Regular meetings are necessary to enhance communication and planning.

A clear understanding of their different roles is essential and should be the subject of ongoing discussion.

3.3 COUNCIL/ADMINISTRATION

The relationship between Council and its Administration is critical to achieving good governance and the objectives of Council.

The Administration is accountable to the Council through the General Manager. Council is responsible, through the General Manager, for Administration.

Both parties need to understand and demonstrate, respect and support the other's roles. Administration needs to respect the complex political environments in which Councillors operate. Councillors need to understand the complexity for the Administration in providing quality advice and service on a very wide range of issues.

4 PROTOCOLS AND PROCEDURES

4.1 The General Manager shall ensure that Councillors are given access to the information requested, that is in the possession of the Council, considered necessary for them to properly perform their functions and fulfil their responsibilities as elected members.

4.2 Councillors should, when receiving approaches from members of the community, encourage them to use the formal channels of access to information through the Customer Service Request system.

4.3 All aspects of communications from and between Councillors and officers should reflect the status and objectives of the Council.

4.4 Communications should be accurate, polite and professional.

4.5 Councillors should provide Customer Service Requests directly to the Customer Service Officers for processing. Confidential issues, should be referred directly to the General Manager.

4.6 Councillors should approach the General Manager for help or advice on matters, other than customer service requests, in the first instance.

If a Councillor wishes to meet with an officer about a particular matter the Councillor shall advise the General Manager who will approve the meeting and inform the officer of

4.6.1 the purpose of the meeting,

4.6.2 the subject matter of the meeting, and



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- 4.6.3 the parties that will be present at the meeting;
and the officer shall be entitled to
- 4.6.4 refer the matter to the respective Manager,
- 4.6.5 have a person of their choosing attend the meeting with the Councillor.
- 4.7 Councillors may deal directly with a particular officer on a matter of continuing concern where the matter has previously been brought to the attention of the relevant Manager or where an arrangement has been made to the satisfaction of the Manager.
- 4.8 If a Councillor has raised an enquiry that is likely to be ongoing and/or unreasonably extend the resources of the Council, the Councillor shall be advised of the situation and the request may be reported to the Council for direction.
- 4.9 If a Councillor asks for help or advice from an officer other than under these guidelines then the employee concerned shall inform the General Manager of the request as soon as possible.
- 4.10 Officers are not permitted to contact Councillors outside of formal meetings to discuss council business unless authorised to do so by the General Manager.
- 4.11 Councillors should not contact officers outside of formal meetings to discuss council business unless the officer's manager and/or the General Manager have authorised the contact.
- 4.12 These Guidelines do not apply to social or casual contact between Councillors and Council Officers, whether during or outside of formal work hours, other than where Council business is discussed.

These guidelines have been put in place to ensure a co-operative and beneficial working relationship between Councillors and officers is maintained. These guidelines are designed to assist Councillors receive prompt attention in the execution of their duties as well as enabling Officers to manage work demands and allow the proper tracking of requests to completion.

These guidelines are also designed to assist officers in fulfilling their obligations to always act with integrity and in a way that shows proper concern for the public interest.

NOTES

Sources:

- *Local Government Act 1993*
- *Policy: Code of Conduct for Elected Members*
- *Mayoral Handbook - Produced by Local Government Association of Tasmania (LGAT)*
- *Councillor Resource Kit 2018 – Produced by LGAT*



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CONTRACTUAL INSURANCES

Originated Date: Adopted 28 July 2003 – Min. No: 271/03 (as Policy 37)

Amended Date/s: 21 September 2015 - Min. No. 270/15
20 January 2020 - Min. No. 016/20
Reviewed 17 November 2025 – Min. No. 25/352

Applicable Legislation: *Local Government Act 1993*

Objective To provide criteria for use by Council officers in specifying the type and value of insurances required by contractors when providing works, goods and/or services to the Council.

Administration: Corporate Services

Review Cycle/Date: At least every 4 years. Next review 2029.

1. DEFINITIONS

1.1 CONTRACTOR

A person or company entering into a *contract* with the Council to use their labour; or their labour and goods; or their labour, goods and/or equipment to provide works, goods and/or services to the Council and where their appointment does not constitute an employee as determined by the Australian Taxation Office.

Classes of contractors are:

- 1.1.1 Civil Engineering Works Construction Contractor – contractors constructing roads; bridges; stormwater drainage; like civil works; and ancillary items.
- 1.1.2 Building Construction Contractors – contractors constructing or modifying public and Council-controlled buildings.
- 1.1.3 Professional Consultants – consultants providing advice, professional judgment, interpretations, designs or reports to assist Council in arriving at a decision or to commission a project on behalf of Council.
- 1.1.4 Project Managers – consultants acting as the principal’s representative in construction contracts and does not undertake any form of discretion in the design or modification of the works.
- 1.1.5 Service Provider Contractor – contractors providing non-technical services that generally are discrete and separate elements (examples: cleaner, cartage contractor (if separate from Civil Engineering Works Construction Contractor), painters, roadside slashing/spraying contractor, waste management collectors/attendants).
- 1.1.6 Tradesman Contractor – tradesmen who provide technical services generally associated with public or building utilities (examples: plumber, electrician, carpenter).

1.2 INSURANCE

1.2.1 PROFESSIONAL INDEMNITY INSURANCE

This is insurance indemnifying the insured against claims for breach of ‘Professional Duty’ arising out of any negligent act, error or omission whenever or wherever the same was or may have been committed or alleged to have been committed by the Insured in the conduct of the Insured” professional activities (their profession/business).



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1.2.2 PUBLIC LIABILITY INSURANCE

This is insurance indemnifying the Insured against legal liability for personal injury and/or property damage claims made by third parties as a result of an accident occurring in connection with the Insured's (Contractor's) business.

1.2.3 WORKERS COMPENSATION AND/OR PERSONAL ACCIDENT INSURANCE

This is insurance of the employer's liability to employees under the *Workers Compensation Act of Tasmania* and at common law.

All contractors who are self employed will be required to submit an appropriate personal accident insurance policy and/or Income protection policy.

1.2.4 WORKS & GOODS INSURANCE

This is insurance of works and goods under construction or stored on-site by the contractor and to be possessed by the Council after practicable completion of the works. The insurance shall replace the works and goods in the event of damage or thereof.

1.3 CONTRACT

A legally-binding agreement between the Council and another party.

1.4 INDEMNITY

In respect to an Insurance Policy, this term means that the insurance covers the Insured against any loss or compensation for which the Insured may be legally liable up to the amount of the sum insured (indemnity limit).

In respect to a Contractual Agreement, this term means that one party (the Contractor) agrees to pay/compensate the other party (the Principal) for costs that they (the Principal) would otherwise have to pay.

2. APPLICATION

2.1 The following and value of insurances shall apply to the class of contractors as specified in Schedule 1.

Contractor Class	SCHEDULE 1				Indemnity *2
	Insurance				
	Professional Indemnity Insurance	Public Liability Insurance	Workers Compensation/ Personal Accident Insurance	Works and Goods Insurance	
Civil Engineering Works Construction Contractor	x	✓ 20m*1	✓ employee	✓ value	✓ *3
Building Construction Contractor	x	✓ 20m*1	✓ employee	✓ value	✓ *3
Professional Consultant	✓ \$5/10m*1	✓ \$5/10m*1	✓ employee	x	✓
Project Manager	✓ \$5/10m*1	✓ \$5/10m*1	✓ employee	x	✓
Service Provider Contractor	x	✓ \$5/10m*1	✓ employee	x	
Tradesman Contractor	x	✓ \$5/10m*1	✓ employee	x	

Legend:

- x - does not apply.
- ✓ value - minimum value of insurance to be value of contract.
- ✓ employee - as required by State legislation – not required if self-employed. Self Employed Contractors will be required to produce appropriate personal accident and/or Loss of Income Insurance in lieu of Workers Compensation Premium Policy

Notes: *1 Can be reduced to \$5m if value of *contract* is less than \$100,000; or for *Professional Consultant* or *Project Manager* if the project under their control or providing advice on is likely to be valued at less than \$100,000. The values for Professional Indemnity and Public Liability Insurances are minimum values and each contractor shall be considered on a case-by-case basis. The higher values will generally be used if any ramifications (from wrongful decisions) could arise in the medium or long-term due to the nature of the works or likely claim period



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by third parties.

- *2 Indemnity – applies to *Public Indemnity Insurance* and *Public Liability Insurance*
- *3 Not required if value of *contract* is less than \$100,000.

- 2.2 The *insurances* and value that are specified in Schedule 1 shall apply for the whole term of the contract period. *Contractors* who renew *insurances* during the contract period shall provide certified copies of the renewed *insurances* to the Council contract manager before the expiry date or terminated date of the previous *insurances*.
- 2.3 All contractors are required to supply copies of appropriate insurance policies and sign the Contractor's Agreement in relation to insurances and occupational health and safety requirements prior to commencement of the contract.

3. REVIEW

The Council will review this policy at least every four years.



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COPYRIGHT

- Originated Date:** Adopted 21 July 2014 – Min. No. 171/14 (as Policy 75)
- Amended Date/s:** Reviewed 14 December 2020 – Min. No. 423/20
Reviewed 9 December 2024 – Min No. 24/0415
- Applicable Legislation:** *Copyright Act 1968 (Cth)*
Copyright Amendment (Service Providers) Act 2018 (Cth)
Copyright Amendment (Online Infringement) Act 2018 (Cth)
Fair Dealing Provisions (under the Copyright Act 1968)
- Objective** To outline responsibilities and procedures regarding the use of third-party copyright material.
- Administration:** Governance / Corporative Services
- Review Cycle/Date:** Every 4 years. Next review 2028

1. POLICY STATEMENT

The purpose of this Policy is to outline responsibilities and procedures regarding the use of third party copyright material, with the objectives of:

- reducing staff and Council exposure to the risks associated with the use of third party copyright material;
- assisting staff to make full legal use of the materials at their disposal by clearly identifying responsibilities;
- promoting copyright compliance; and
- aligning with current legislation, including the Copyright Act 1968 (Cth) and related amendments.

2. DEFINITIONS

The usage of copyright-protected materials depends on ownership, licensing, and the purpose of use. Definitions include:

Word/Term	Definition (with examples if required)
First party copyright material	Any material created by staff as part of their employment, in which copyright has not been transferred or exclusively licensed to a third party.
Third party copyright material	Includes both unlicensed and licensed third party copyright material.
Unlicensed third party copyright material	Material protected by copyright but not governed by a licensing agreement. Usage is determined by the Copyright Act.
Licensed third party copyright material	Material for which terms of use are governed by a licence or other agreement.
Use	Acts such as copying, communicating, adapting, publishing, performing in public, or rebroadcasting.

3. ROLES AND RESPONSIBILITIES

- Staff Responsibilities:
 - Ensure compliance with the Copyright Act 1968 (Cth) and Council policy when using third-party copyright material.
 - Verify permissions or licences before using materials for public or internal purposes.
- Manager Responsibilities:
 - Provide training and guidance to staff on this policy.
 - Ensure permission forms are completed and stored within the Council’s Information Management system.



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4. COPYRIGHT PROTECTION AND FAIR DEALING

a. Automatic Protection:

Copyright is automatic upon the creation of an original work.

b. Fair Dealing Exceptions:

The following uses may fall under fair dealing provisions:

- Research or study;
- Criticism or review;
- Reporting news;
- Parody or satire.

Staff must consult the Records Management team if unsure about fair dealing provisions.

5. USING THIRD-PARTY COPYRIGHT MATERIAL

a. Obtaining Permissions:

1. Confirm if the material is governed by an open licence (e.g., Creative Commons).
2. Request permission from the copyright holder, if necessary.
3. Store all permissions and licences in the Council's Information Management system.

b. Prohibited Uses:

- Do not use third-party materials, such as songs or images purchased for personal use, in Council projects without appropriate permissions.
- Avoid sharing copyrighted materials on social media unless explicitly authorised.

6. PHOTOGRAPHIC AND DIGITAL MEDIA

a. Photographer Rights:

Photographers retain rights to their photos unless created under a "work-for-hire" agreement.

b. Model and Property Releases:

Images featuring recognisable individuals or property require signed release forms before use.

- Forms are available on the Council intranet and must be submitted to the Records Management team.

c. Digital Content:

Staff must ensure that any use of digital media aligns with relevant copyright laws, including provisions for online content and social media.

7. PRACTICAL SCENARIOS

- Example 1: Sharing a song purchased on iTunes for a Council promotional video requires permission or licensing.
- Example 2: Using an image found online for Council materials requires confirmation it is public domain or obtaining explicit permission.

8. TRAINING AND MONITORING

- a. All staff must attend annual copyright training.
- b. Compliance will be monitored through regular audits by department managers.

9. REVIEW

This policy will be reviewed every 4 years or as required to align with legislative updates and best practices.



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COUNCIL CHAMBERS, LONGFORD – USE OF

Originated Date: Adopted 29 September 1997-Min. No. 366/97 (as Policy 3)

Amended Date/s: Reviewed 21 September 2009 – Min. No. 255/09
Reviewed 17 September 2012 – Min. No. 241/12
Reviewed 21 July 2014 – Min. No. 176/14
Reviewed 14 December 2020 – Min. No. 423/20
Reviewed 16 September 2024 – Min. No. 24/0308

Applicable Legislation: Section 205(1)(a) of the *Local Government Act 1993*

Objective To establish a policy for the use and charge of the Council Chambers, Longford by persons or groups for meetings, interviews or functions.

Administration: Governance

Review Cycle/Date: Every 4 years. Next review 2028.

POLICY

That Council make a charge for the use of the Council Chambers by persons, or groups (not including charity organisations, or Committees of Council); use of Council Chambers only to be during normal operating hours and in the event that no other Council venue is available for use at the day or time a venue is required.

The charges for use of the Council Chambers to be levied in accordance with the Fees & Charges set annually during the Budget process.

The charges for the Council Chambers are to be administered by the Corporate Services Department and shall be reviewed each financial year in accordance with the review of the Department of Treasury and Finance fee units.

POLICY REVIEW

This policy to be reviewed every 4 years.



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COUNCILLORS ALLOWANCES, TRAVELLING AND OTHER EXPENSES

Originated Date: Adopted 5 April 1993-Min. No. 12/93 (as Policy 4)

Amended Date/s: Revised 3 May 1999 – Min. No. 196/99
Revised 13 March 2001 – Min. No. 099/01
Revised 7 February 2005 – Min. No.44/05
Revised 19 December 2005 – Min. No.422/05
Revised 16 August 2010 – Min. No. 207/10
Revised 23 June 2014 – Min. No. 144/14
Revised 17 August 2015 – Min. No. 222/15
Revised 12 December 2016 – Min. No. 361/16
Revised March 2021 – Min. No. 113/21
Revised 12 December 2022 – Min. No. 22/410

Applicable Legislation: Section 340A of the *Local Government Act 1993*,
Schedule 5 Section 1 of the *Local Government Act 1993*
Reg. 42(2) of the *Local Government (General) Regulations 2005*

Objective To reimburse Councillors travelling and other expenses so that electors are not deterred by cost from seeking a position in Council.

Administration: Governance

Review Cycle/Date: Next review 2026

1. COUNCILLOR'S TRAVELLING EXPENSES

- 1.1 Travelling expenses will apply from each Councillor's place of normal residence to the authorised destination and return.
- 1.2 Reimbursement is to be paid monthly.
- 1.3 For the purpose of the "Corporation's business solely" the following policy is to apply:
 - i) Travelling inside the Council area to attend a meeting of Council or a Committee of Council Meeting, deputation, inspection or tour in respect of which notice has been given to attend, provided such travelling originates and concludes at the Councillor's normal residence, or his normal place of work, as the case may be.
 - ii) Travelling outside the circumstances of (i) above, either generally or specifically up to 2,000 kms or 10,000 kms for the Mayor per annum in excess of which Council to consider claims submitted.
 - iii) Travelling upon business of the Council outside the Council area in compliance with a resolution of the Council.
 - iv) Travelling to and from any seminar/conference in compliance with a resolution or policy of Council.
 - v) Travelling to be paid at the rates prescribed by the Australian Tax Office.

2. COMMUNICATION EQUIPMENT

For each term of office, Council will provide each councillor with

(i) COMPUTER & INTERNET

A laptop locked for corporate business systems with internet access is provided. The laptop remains the property of Council and at the conclusion of the term of office of a councillor the laptop is to be returned to Council.
and

(ii) A CAPITAL COST ALLOWANCE

- a) a capital cost allowance up to a maximum of \$2,000, to be increased by CPI annually, for purchase of a mobile phone, printer/scanner, and a filing cabinet to assist them in performing his/her duties,
- b) the capital cost allowance will be paid upon evidence of the purchase of equipment.



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Should a Councillor resign or the term of office be terminated prior to the normal four year term, as the laptop is the property of Council, it is to be returned and a pro-rata refund of the capital cost allowance may be payable by that Councillor (this shall be in the form of a cash refund or an equivalent deduction from any allowance payable to the Councillor under Section 7).

3. TELEPHONES

Council will reimburse Councillors for the cost of access charges for voice mail, telephone rentals, the cost of a separate line for internet access and the documented calls attributed to their role as a Councillor (where second lines are installed, all calls will be reimbursed on the dedicated line as calls associated with their function as a Councillor).

As soon as contact numbers for separate telephone lines, mobile phones, and/or faxes are available details will be circulated in Council documentation.

4. EXPENSES INCURRED FOR CHILD OR DEPENDANT CARE

Council will reimburse a Councillor for necessary, reasonable expenses in relation to care of any child or dependant of the Councillor, incurred whilst carrying out the duties of office, including:

- Attendance at Council and Council Committee meetings.
- To attend meetings arising as a result of a Councillor being appointed by Council to an internal or external body or committee except where the body or committee reimburses relevant child care expenses incurred by the Councillor.
- Upon inspections or business within the Council area, provided such inspections or business are undertaken in compliance with resolutions of the Council.
- To attend to business of the Council, outside the Council area, in compliance with a resolution of Council.
- Attend any seminar/conference in compliance with a resolution or policy of Council.
- Upon inspections or business as arranged by the General Manager or Departmental Managers.
- Claims will be paid upon presentation of a receipt from a licensed care provider as well as evidence of entitlement or non-entitlement to the Commonwealth Government Child Care Benefit Scheme or other applicable scheme. Any entitlement is to be off-set against the hourly rate charged by the registered care provider.
- At the General Manager's discretion, care may be paid at an hourly rate of \$20/hour when no licensed provider is available (evenings for example).
- Care costs are not eligible for reimbursement if care is provided by a person who normally or regularly lives with the councillor or is a member of the Councillor's immediate family.
- All claims must detail the date and time care was provided and the business of council it related to.
- Council will not reimburse any claims that are more than 3 months old.
- Care expenses will, unless there are exceptional circumstances, be paid in arrears.

5. INSURANCE

Council will provide personal accident insurance on the lives of Councillors and their accompanying partners/ spouses for the time being whilst travelling to and from and attending Council meetings or on Council business, whether authorised or not and shall include the attendance at Council Functions which a Councillor is expected to attend.

- Limit of liability for all claims - Councillors and officer's - \$5,000,000.
- Limit of liability for all claims – Personal accident insurance - \$20,000,000.

As per JLT renewal of insurance policy report.

6. CONFERENCES & SEMINARS

Council will make a budget allocation each year to reimburse delegates registration, travel costs and accommodation expenses ('mini-bar' expenses limited to \$10 per day). Partners will be reimbursed for meals at state conferences and the 'major dinner' at Federal conferences.

The budget will be allocated to the following conferences:

- LGAT & LGMA conference to be attended by up to 6 councillors
- ALGA conference attended by Mayor & Deputy Mayor
- Australian Roads conference attended by 1 councillor
- 'Other' conferences and seminar sessions as approved.

Attendance to all conferences, seminars and training sessions with a cost in excess of \$200 are to be in compliance with a



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resolution of the Council, except on emergency situations, where approval must be given by a unanimous approval from Council Executive.

Following attendance of a conference by any councillor, a report must be submitted to Council setting out the relevance to local government, and the benefits that can be further investigated by Council. Where two or more councillors attend a conference, a joint report may be submitted.

7. COUNCILLORS' ALLOWANCES

7.1 The Council shall pay allowances in accordance with Section 42 and Schedule 4 of the *Local Government (General) Regulations 2015*.

7.2 The increase in allowances payable to the Mayor, Deputy Mayor and Councillors take effect on 1 November each year.

NOTE:

In accordance with Section 340A(2A) of the *Local Government Act 1993*, the General Manager is obliged to pay Councillors the prescribed allowances. The Act states:

- i) A Councillor is entitled to prescribed allowances.
- ii) A Mayor and Deputy Mayor are entitled to prescribed allowances in addition to any allowances referred to in subsection (i).
- iii) A Councillor, Mayor or Deputy Mayor may decide not to receive part or all of an allowance.
- iv) A decision under subsection (iii) is to be written by notice to the General Manager of the relevant Council.

7.3 Allowances will be paid either fortnightly upon request to the Corporate Services Manager or on a monthly basis.

In accordance with Section 340A(3) and (4) of the *Local Government Act 1993* should a Councillor determine that he/she does not wish to accept all/part of the prescribed allowance or salary sacrifice to a Superannuation Fund, notification is to be provided to the General Manager in writing.

If a Councillor wishes to donate his/her entitlement to a charity or not for profit organisation then he/she shall be entitled to do so, and this does not require any disclosure by Council.

8. CLAIM FOR EXPENSES

8.1 Claims for travelling expenses or reimbursement of out-of-pocket expenses incurred in accordance with this policy shall be made to the General Manager not later than three (3) months after the claim has been incurred and shall be submitted on the prescribed form. Claims are preferred on a monthly basis.

8.2 Purchases or payment of expenses by the Mayor and Councillors on a Northern Midlands Council corporate credit card must be in accordance with Council's Business Credit Cards Policy and Procedures.

8.3 Where, in the opinion of the General Manager, a question arises as to whether a claim for reimbursement of expenses is ineligible under this policy, or the claim appears unreasonable or does not serve the interests of Council, the General Manager shall refer the matter to Council for decision and policy guidance.

NOTE:

Council is encouraged to regularly review and revise this Policy. It is incumbent upon the General Manager and Councillors themselves to provide Council with this opportunity by referring claims, even historically accepted claims, to Council for policy consideration. The General Manager should endeavour to refer the matter without disclosing the identity of the individual who submitted the claim.

9. STATIONERY

Council, shall upon request, provide Councillors with standard stationery held or obtained generally for the organisation's requirements. Requests for stationery will be by way of the completion of a requisition presented to the General Manager.

10. SECRETARIAL ASSISTANCE

Council will provide a reasonable level of word processing assistance to enable elected members to carry out their official duties. The General Manager will have discretion in determining the extent of assistance which can be provided.



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COUNCILLOR EXPENSES

CLAIM FORM

Name:

Address:

<i>Date Expense Incurred</i>	<i>Purpose</i>	<i>Total</i>
TOTAL CLAIMED		\$

I declare that the expenses claim on this form have been incurred by me whilst fulfilling my role as a Councillor for the Northern Midlands Council and have been made in accordance with Council's adopted policy. All claims for which receipts are available are hereby attached.

.....
Councillor

.....
Authorised for Payment
General Manager



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COUNCIL'S CCTV PROGRAM AND CODE OF PRACTICE

Originated Date:	Adopted 17 February 2014 – Min. No. 44/14 (as Policy 72)
Amended Date/s:	Reviewed 21 March 2016 – Min. No. 61/16 (adopting Local Business & community Organisations Participation in Council's CCTV Program (adopted 17 February 2014 – Min. No. 44/14 (as Policy 73) Reviewed 20 August 2018 – Min. No. 232/18 Reviewed 16 August 2021 – Min. No. 311/21 Reviewed 20 October 2025 – Min. No. 25/317
Applicable Legislation:	Tasmanian <i>Personal Information Protection Act 2004</i>
Objective	The objective of Council's CCTV Program is to reduce personal and property crime, deter anti-social behaviour, and promote public safety in association with a range of other crime prevention strategies. The Code of Practice contains standards to guide the operation of the CCTV Program.
Administration:	Governance
Review Cycle/Date:	Every 4 years. Next review 2029.

1 BACKGROUND

Council is committed to taking action to reduce crime and increase public safety in the Northern Midlands. Council's CCTV Program is one of a number of initiatives designed to facilitate greater community safety by preventing and reducing crime. It assists Council and Tasmania Police to work together to help provide a safer environment, reduce criminal and anti-social behaviour levels by deterring potential offenders, and aid in crime detection, apprehension and prosecution of offenders.

2 STRATEGY

The CCTV Program has two key components:

- 2.1 Council purchasing cameras for use in public places and in Council buildings and facilities.
- 2.2 Council providing financial assistance to businesses and community organisations in Northern Midlands towns to assist with the purchase and installation of CCTV cameras that will provide surveillance of their premise's frontage and agreed aspects of the surrounding public area.

The CCTV Program is only one of a range of strategies that Council utilises to prevent or reduce crime and anti-social behaviour. Other strategies include designing out crime through urban environmental design, effective street lighting, access control and signage.

3 POLICY STATEMENT:

The Code of Practice has been developed in consultation with Tasmania Police and complies with:

- Australian Standard Closed Circuit Television (CCTV) AS 4806.1-2006/ AS 4806.2-2006.
- The *Tasmanian Personal Information Protection Act 2004*
- The Tasmanian Crime Prevention and Community Safety Council's "Policing Requirements for Closed Circuit Television".

4 COMPLAINTS

Complaints are to be considered through Council's customer request system.



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5 CODE OF PRACTICE: KEY PRINCIPLES

5.1 PRINCIPLE 1: PURPOSE, PRIVACY AND THE PUBLIC INTEREST

The CCTV Program will be operated fairly, within applicable law, and only for the purposes for which it is established or which are subsequently agreed in accordance with this Code of Practice. The purposes of the CCTV Program are to:

- Assist in reducing personal and property crime levels;
- Assist in the detection and prosecution of offenders;
- Promote a safer and more liveable environment in the Northern Midlands.

The CCTV Program will be operated with due regard to the privacy and civil liberties of individual member of the public, and particularly with a view to minimising false association.

The public interest in the operation of the CCTV Program will be recognised by ensuring the security and integrity of operational procedures.

It must be accepted that CCTV cameras cannot be placed to cover all conceivable areas. Rather, Council will install, or assist with the funding of, cameras at 'priority' locations.

** the definition of priority locations includes those areas in a Northern Midlands town where there is a recent or regular history of criminal and/or anti-social behaviour.*

Council owned CCTV cameras installed in locations that are later deemed to be non-priority locations, or not assisting Council achieve the objectives of this policy, will be removed and reallocated as required.

5.2 PRINCIPLE 2: OWNERSHIP OF THE PROGRAM, RESPONSIBILITIES AND ACCOUNTABILITY

Council is responsible for compliance with the objectives of the CCTV Program and the protection of the interests of the public in relation to the Program.

Council is accountable for the effective operation and management of the CCTV Program.

5.3 PRINCIPLE 3: PUBLIC INFORMATION AND COMMUNITY CONSULTATION

Council will provide the public with clear and easily accessible information in relation to the CCTV Programs' objectives, operation and outcomes.

Copies of this Code of Practice will be made available to the public at the Council Offices and on the Council's website.

Where appropriate signs advising that CCTV cameras are operating will be conspicuously displayed at the location of the CCTV camera. These signs will clearly:

- Inform the public that the area is under video surveillance;
- Identify Council as the responsible body for the CCTV Program.

5.4 PRINCIPLE 4: INSTALLATION, CONTROL AND OPERATION OF CAMERAS

Council staff responsible for installing CCTV cameras must follow the requirements of the Work Place Health and Safety Act, and AS1657: Fixed platforms, walkways, stairways and ladders.

Information recorded will not exceed that necessary to fulfil the purposes of the CCTV Program, and will be obtained fairly and in accordance with the privacy provisions in this Code of Practice.

Council owned cameras will not be used to look onto adjacent premises, buildings, commercial premises or private residences unless requested by Tasmania Police.

The cameras will only be controlled and operated by authorised Council officers. These officers must act in



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accordance with the highest standard of probity and must control cameras to record subjects or particular places strictly in accordance with the purposes of the CCTV Program, this Code and applicable legislative requirements.

5.5 PRINCIPLE 5: RETENTION AND ACCESS TO RECORDED MATERIAL

Council owned, and wherever possible – cameras Council provides funding towards - will comply with the attributes of a good CCTV system as documented in the Tasmanian Crime Prevention and Community Safety Council's "Policing Requirements for Closed Circuit Television".

The retention of, and access to, recorded material will be only for the purposes provided by this Code of Practice and will not be kept any longer than is necessary for the purposes of the CCTV Program. Recorded material no longer required will be disposed of in a manner which protects the privacy of persons identified in the material.

Recorded material will be treated according to all relevant and appropriate legislation and standards.

Subject to the concurrence or request of Tasmania Police, the release of material recorded on Council owned cameras to the media may be referred to Council for approval. Use of recorded material by the media must only occur to gain public information with respect to the identity of a person/s wanted. The recognisable characteristics of other people in the footage must be obscured.

Authorised Council Officers are to access video footage at the request of Tasmania Police and provide Tasmania Police with requested footage. Council Officers providing images to Tasmania Police may be called as witnesses in a court of law, and they must have a thorough understanding of the operation of the CCTV system, how the images were recorded and the process followed to download the images from the camera.

It is acknowledged that only Tasmania Police has the authority to take action to identify and prosecute an offender detected via the Council's CCTV Program.

Council's disciplinary procedures will be activated in the event of unauthorised access to, alteration, disclosure, accidental loss or destruction of recorded material.

Council will generally retain images for not more than 30 days, and they will thereafter be deleted, unless they are required to be retained in relation to the investigation of crime, or for Court proceedings notified to Council, or for ongoing intelligence and investigation.

If in the rare circumstances that IT hardware fails and the current recorded images of up to 30 days are deleted, Council will take all reasonable efforts to repair or replace equipment and retrieve images.

Council retains ownership of and has copyright in all recordings, photographs and documentation relating to the Council owned CCTV system.

5.6 PRINCIPLE 6: EVALUATION OF THE PROGRAM

Evaluation of the CCTV Program will be undertaken as required to identify whether the purposes of the Program are being complied with. The evaluation will extend to whether Council's Policy and Code of Practice are being adhered to. The evaluation scope and the person/s to perform the evaluation will be agreed by the Council's General Manager and the District Superintendent of Tasmania Police.

At a minimum the evaluation will:

- Identify and report any changes required to the Policy and Code of Practice;
- Recommend actions that will safeguard and enhance the CCTV Program.

5.7 PRINCIPLE 7: COMPLIANCE AND BREACHES OF THE CODE

Responsibility for ensuring the Code of Practice is adhered to rests with the Council. This responsibility includes ensuring breaches of the Code are investigated and remedied to the extent that the breaches of the Code are within the ambit of Council's power to remedy.



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Where surveillance is required for the security of employees or Council assets, such surveillance devices will only be used in accordance with Council's Work Health & Safety Policy.

6 GRANTS TO LOCAL BUSINESS AND COMMUNITY ORGANISATIONS PARTICIPATING IN COUNCIL'S CCTV PROGRAM

The rationale behind this Council CCTV Grants Program is that good quality, colour CCTV systems that are well installed and maintained can provide footage of offenders of a quality admissible as evidence in a court of law.

If such evidence is obtained from a poor quality, incorrectly installed, poorly maintained and malfunctioning CCTV system it is highly unlikely to be accepted as evidence in a court of law. Therefore, Council seeks to assist local businesses and community organisations in priority locations to purchase good quality, colour CCTV systems.

Offering a grant encourages community organisations in priority locations to purchase, install and operate high quality, colour CCTV systems to provide surveillance of their premise's frontage and agreed aspects of the surrounding public area.

6.1 AVAILABLE FUNDING:

Council will fund applications to the CCTV Grants Program through the Special Projects annual budget allocation. Council will fund up to 75% of the cost of purchasing and installing a CCTV system at a business or community organisation's premises; with an upper cap of \$1,000. This is a one-off grant. The CCTV system is owned by the business/community organisation which will be responsible for funding the maintenance, operation and insurance of the CCTV system, as well as any future upgrades/replacement of the system.

If the Special Projects allocation is fully committed during a financial year, Council has the option of reviewing the budget allocation and providing further funding into Special Projects, or holding applications for consideration at the commencement of the next financial year.

6.2 APPLICATION PROCESS:

Council will accept completed Grants Program Application Forms from businesses and community organisations in Northern Midlands towns on a rolling basis.

Each application will be assessed by Council Officers in collaboration with Tas Police with selection criteria including:

- Whether there has been a recent or regular history of criminal and/or anti-social behaviour in the public space adjacent to the premises;
- The quality of the proposed CCTV system;
- The applicant's level of commitment to installing, maintaining and operating the CCTV system at a high standard.
- The applicant's level of commitment to meeting all relevant legislation and standards.
- The level of pedestrian traffic flow through the area;

All applicants will be informed in writing of the outcome of their application.

Successful applicants will enter into a Service Agreement with Council.

Unsuccessful applicants have the right of appeal as per the Council's Customer Charter.

7 POLICY REVIEW

This policy shall be reviewed every four years.

ACKNOWLEDGEMENT:

It is acknowledged that this Policy and Code of Practice is based on the Wollongong City Council CCTV Program Policy and Code of Practice.



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APPLICATION FORM

1. Name of the business/community organisation:

.....

2. Address of applicant's premises

.....

3. Applicant's postal address:

.....

4. Contact person's Name:

.....

Phone number: Email address:

5. Rationale for installation of CCTV system at the applicant's premises:

.....

.....

6. Preferred CCTV system

- Attach technical specifications
- Attach quote for the purchase and installation of the system

Indicate below how compliant the preferred CCTV system is with the recommendations of the Tasmanian Crime Prevention and Community Safety Council's "Policing Requirements for Closed Circuit Television":

Is it a colour CCTV system? Yes No

Will it operate on a 24hour basis? Yes No

If no: please explain rationale for lesser hours of operation:

.....

Will images be recorded on a DVR? Yes No

Will all recorded images be watermarked with time, date, camera number/ description that recorded the image? Yes No

Can the system generate a copy of the recorded vision? Yes No

Can you supply an uninterrupted power supply to the system? Yes No

7. Provide a plan showing the proposed location of the camera outside your premises

Has this plan been developed in consultation with Tas Police and/or a CCTV consultant?

Yes No

If YES please provide the name and contact details for the personnel consulted

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Will the camera be:

- Positioned out of the reach of passers-by? Yes No
- Have an anti-tamper bracket? Yes No
- Positioned to capture facial details of passers-by? Yes No

8. Do you commit to:

- Cleaning the glass front housing of the camera at least monthly Yes No
- Checking the system's date and time against an accurate clock at least monthly Yes No
- Reviewing the vision recorded to ensure images are still being captured with desired view and clarity at least fortnightly Yes No
- Check camera mounting to ensure it is still firmly fixed at least fortnightly Yes No
- Maintaining a written maintenance log Yes No

9. Data Management:

Do you commit to:

- Maintaining the integrity of the recorded vision Yes No
- Ensuring the data cannot be manipulated or changed Yes No
- Ensuring the data is only accessible to authorised persons Yes No
- Developing a Privacy Policy for your business/organisation as required under the Tasmanian Personal Information Protection Act 2004, and appointing a member of staff/ organisation as your Personal Information Protection Officer: the person to have a sound understanding of the Personal Information Protection Act and the ability to convey this knowledge across the business/organisation Yes No

Signed:

Date:

Name:

Designation:

COUNCIL APPROVAL:

Approved: Yes No

Signed:

Date:



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CUSTOMER SERVICE CHARTER

- Originated Date:** Adopted 5 May 2003 – Min. No. 156/03 (as Policy 46)
- Amended Date/s:** Revised 19 December 2005 – Min. No. 427/05
Revised 21 September 2009 – Min. No. 255/09
Revised 28 May 2012 – Min. No. 119/12
Revised 26 May 2014 – Min. No. 118/14
Revised 27 June 2016 – Min. No. 160/16
Endorsed 20 July 2018 – Min. No. 217/18
Revised 16 August 2021 – Min. No. 319/21
Revised 16 October 2023 – Min. No. 23/0375
- Applicable Legislation:** Section 339F of the *Local Government Act 1993*.
Regulation 31 of the *Local Government (General) Regulations 2015*
- Objective** To provide responsive and consistent services to all members of the Northern Midlands community.
This Customer Services Charter defines our commitment to how we serve our community and our expectations of how our community interact with us.
- Administration:** Corporate Services
- Review Cycle/Date:** Within 12 months after a Council election. Next review due before October 2027.

OUR COMMITMENT TO YOU

Council aims to provide innovative, efficient, equitable and quality service for **all** the community.

We will deal with our customers in an open, honest and courteous manner and respect their privacy at all times.

Our decision-making processes will be fair and accountable, considering the economic, environmental and social sustainability of any proposed action.

HOW WE CAN WORK TOGETHER

To ensure fast, efficient, quality service we request that our customers:

- promptly report any concerns they have to Council
- provide us with accurate information
- respond to our requests for further information as soon as possible
- treat Council Officers with respect
- make appointments to see Council officers
- respect the privacy, safety and needs of other members of the community.

COUNCIL SERVICES

To support a safe and healthy community Council offers the following services:

- Infrastructure construction and management (roads, footpaths, bridges, parks, reserves, recreation grounds, pools and halls).
- Planning and development assistance and supervision (planning, building and plumbing)
- Environmental health and public safety monitoring (food premises registration, immunisations, fire hazard abatements, animal control, emergency management)
- Promotion and support for economic development, community development and tourism.



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IMPROVING OUR SERVICE

Council aims to continually improve its customer service by:

- undertaking regular customer satisfaction surveys
- listening to customer suggestions on how we can improve our services
- providing employee training
- adopting appropriate new technology.

MAKING A COMPLAINT (INCLUDING FEEDBACK)

If you are dissatisfied with a decision of Council, level or quality of service, or behaviour of an employee or agent, you are entitled to make a complaint to the Council.

Complaints should be made directly to the Manager of the Department relevant to the matter. Please ensure your complaint identifies as simply as possible your issue, providing enough information for Council to investigate the matter.

IN WRITING:

Via post: PO Box 156, Longford, Tasmania 7301
Via email: council@nmc.tas.gov.au

IN PERSON:

Municipal Office: 13 Smith Street, Longford
(open from 8.45 am to 4.30pm)
(if you wish to speak to a specific Council officer an appointment is required)

PHONE

Council Office -telephone number: 6397 7303

RESPONDING TO A COMPLAINT (INCLUDING FEEDBACK)

The relevant Department Manager will provide a response to your complaint:

- i) in writing, if you have lodged a written complaint; or
- ii) verbally, if your complaint was given in person or over the telephone.

Council will endeavour to respond to your complaint within twenty (20) working days. If a Councillor has submitted a complaint on your behalf we will also endeavour to respond to the Councillor within twenty (20) working days.

Sometimes it is not possible to meet this deadline, e.g. where a complaint is complex and Councillors are to be briefed on the outcome of the investigations. In these cases we will endeavour to keep the customer informed of progress.

REVIEW OF THE OUTCOME OF YOUR COMPLAINT

Experience has shown that the majority of complaints will be satisfactorily resolved by the relevant Manager. However, if you are not satisfied with the outcome of your complaint you may request a review of the complaint by Council's General Manager.

A request for a review of the complaint to the General Manager is to be in writing.

The General Manager will inform the customer of the findings on completion of an investigation.

If appropriate the relevant Manager or the General Manager may request to meet with you with a view to resolving the complaint.

- The Ombudsman located at NAB House, Level 6, 86 Collins Street, Hobart 7000.



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- Phone: Free call from landlines in nationally 1800 001 170
- Email: ombudsman@ombudsman.tas.gov.au; or
- Write to: Ombudsman Tasmania, GPO Box 960, Hobart TAS 7001
- Local Government Division, located at Executive Building, Level 5, 15 Murray Street, Hobart
 - Phone: (03) 6232 7022
 - Email: lgsd@dpac.tas.gov.au
 - Write to: Local Government Division, GPO Box 123, Hobart, 7001

While you are entitled to refer a complaint directly to these bodies at any time, we encourage you to allow the Council to investigate the complaint first.

PERSONAL INFORMATION PROTECTION

Council has a commitment to protection of Personal Information provided by a customer to Council in accordance with the requirements of the *Personal Information Protection Act 2004* and the *Right to Information Act 2009*.

REPORTING

The General Manager is to provide Council with a report at least once a year of the number and nature of complaints received in accordance with section 339F(5) of the *Local Government Act 1993*.

AVAILABILITY

This *Customer Service Charter* is available:

- For public inspection at the Council Office during normal office hours.
- On the Council's website free of charge.
- For purchase from the Council Office.

REVIEW

This *Customer Service Charter* is to be reviewed within 12 months after a Council election in accordance with section 339F(4) of the *Local Government Act 1993*.



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Service	Standard	Service	Standard	Service	Standard
Customer Service		Drainage / Stormwater		Planning / Subdivision	
Answer your telephone call	Within 10 rings	Respond to drainage emergencies	24 hours / 7 days	Permitted application	28 days
Return your call	5 business days	Respond to seepage/drainage problems	20 business days	Discretionary application	42 days
Reply to your correspondence	10 business days	Environmental Health		Plumbing	
Acknowledge your correspondence if a detailed reply is required that may take additional time to research	10 business days	Respond to food complaints	2 business days	Process Certificate of Likely Compliance application	21 days
Respond to messages and comments on social media (if required)	5 business days	Respond to urgent environment nuisances	24 hours / 7 days	Undertake Plumbing Inspections	Within 1 business day
Respond to complaints (dissatisfaction of service) <i>*acknowledgement generated on receipt of complaint</i>	20 business days	Inspect registered food premises	as per statutory requirements	Grant (or refuse) Certificate of Completion	Within 5 days of receipt of application
Notify you if there is likely to be a delay in our service commitment		School immunisation clinics	as per recommended schedule	Building	
Leave a 'visit card' with contact details if we call to your residence and you are not home		Finance		Process a Building Permit	7 business days
Endeavour to refer you to an appropriate service provider if council cannot provide the service you require		Payment of accounts	by due date	Process a Building Certificate	as per statutory requirements
Provide an after hours service for emergencies		Respond to written rates enquiries	10 business days	Issue Building Completion Certificates	5 business days
<i>**An emergency is regarded as an incident that threatens life or property or one that may cause environmental harm</i>		Governance		Roads	
Waste#		Conduct Annual General Meeting and publish Annual Report	each November / December	Inspect, assess and respond to requests about potholes, edge breaks and cracks	20 business days
#Depending on the area in which you live, some services may not be available		Publication of news in Country Courier	fortnightly / monthly	Grade unsealed roads	1 to 2 times per year if required
Garbage Collection	fortnightly	Ordinary council meeting agenda made available	4 days prior to meeting	Pick up identified large quantities of roadside litter on Council owned roads where a nuisance exists	10 business days
Recyclable Collection	fortnightly	Special council meeting agenda made available	2 days prior to meeting	Attend to identified damage road furniture	20 business days
FOGO Collection	fortnightly	Human Resources		Road Sweeping of Council owned roads with kerb and gutter	quarterly
Fire Hazards		Respond to outcomes of applications on conclusion of appointment process	5 business days	Privacy information protection	
Respond to fire hazard notifications	10 business days	Dogs		Personal information provided by a customer to council is protected in accordance with the Personal Information Protection Act 2004, the Right to Information Act 2009 and Council's Privacy policy.	
		Respond to urgent incidents	24 hours / 7 days		
		Respond to routine incidents	5 business days		



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DISPUTE RESOLUTION FOR ELECTED MEMBERS

Originated Date:	Adopted 17 March 2025; Minute No. 25/00108
Amended Date/s:	
Applicable Legislation:	<i>Local Government Act 1993</i> <i>Local Government (General) Regulations 2015</i> <i>Local Government (Code of Conduct) Order 2024</i> <i>Public Interest Disclosures Act 2002</i>
Objective	To ensure a structured and effective approach to dispute resolution for Elected Members with a focus on improving working relationships and Council governance.
Administration:	Governance
Review Cycle/Date:	First review of policy 12 months from date of endorsement and subject to legislative change or at least every 4 years following local government elections, next scheduled review 2029

1. PURPOSE

To establish the principles and procedures for dispute resolution with, and between, councillors related to matters outlined under the Code of Conduct in accordance with *Local Government Act 1993* Section 28JA, the *Local Government (General) Regulations 2015* and Council's Work Health and Safety and Employee Wellbeing Policy.

2. SCOPE

This policy applies to disputes with, and between, councillors. Matters of dispute include those under the Code of Conduct and behaviour of councillors towards each other, council employees and community members more broadly.

2.1 RELATIONSHIP TO THE CODE OF CONDUCT

This policy is to support the resolution of disputes with, and between, councillors before a Code of Conduct complaint is lodged.

Where a Code of Conduct complaint is lodged, the *Local Government Act 1993* requires that a complainant details why the outcome from the dispute resolution process was not satisfactory¹, or if the process was not used, why the dispute resolution process was not appropriate for the circumstances². An exception is where the dispute resolution process is not appropriate to resolve the dispute.

2.2 WHEN THIS POLICY MAY NOT BE APPROPRIATE

A Code of Conduct complaint may be required where either party is unable, or unwilling to participate in some, or all, of the dispute resolution process, such as mediated discussions. These reasons will be documented by the Dispute Resolution Officer.

Other matters such as, but not limited to, health and safety risks, criminal misconduct, discrimination, breaches of the *Local Government Act 1993* are to be addressed outside this policy.

¹ *Local Government Act 1993*, Section 28V (fc).

² *Local Government Act 1993*, Section 28V (fd).



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3. PRINCIPLES

3.1 PROCEDURAL FAIRNESS

The principles of procedural fairness, or natural justice, will apply when dealing with a dispute under this Policy.

In particular:

- (i) the parties in the dispute will be afforded equitable opportunities to be heard
- (ii) any recommendations, or dispute resolution plans will be based on genuine consideration of the circumstances and evidence
- (iii) the roles in the process will support procedural fairness.

3.2 ROLES

<i>Complainant</i>	The person raising the dispute about a relevant matter.
<i>Respondent</i>	The councillor(s) that are subject to a dispute.
<i>Mayor</i>	The mayor as Chairperson of the council may ask for parties to engage in the dispute resolution process.
<i>General Manager</i>	<p>The General Manager is responsible for identifying a council officer to act as the Dispute Resolution Officer. Where the Dispute Resolution Officer has an actual or perceived conflict of interest with the parties in dispute, the General Manager may appoint an alternative officer. The General Manager may appoint themselves where no other person is able to perform this role, and they can meet the requirements of this policy.</p> <p>The General Manager is to identify a panel of Dispute Resolution Advisors for use under this Policy. Alternatively, councils may access the provider panel developed by the Local Government Association of Tasmania (LGAT).</p>
<i>Dispute Resolution Officer</i>	The Dispute Resolution Officer manages the process, is responsible for maintaining the records of the process and appoints the Dispute Resolution Advisor. The Dispute Resolution Officer does not have a role in assessing the dispute.
<i>Dispute Resolution Advisor (Mediator)</i>	The Advisor is a person external to the council who undertakes the dispute resolution process with the parties in dispute. Refer to Annexure A for more detail on the Advisor.
<i>Support person</i>	The support person is a person who may support the complainant or respondent as part of the dispute resolution process.

3.3 PERSONAL AND SHARED RESPONSIBILITY

Councillors represent the views of the community, so at times they may hold and express views that are different, and opposing, to their fellow councillors. The democratic process means that there may be active debate that should be considered and respectful.

However, this debate may become a conflict or dispute. Where this happens, the parties should use their best endeavour to resolve the issue or dispute in an informal and courteous manner.

Where the parties have been unable to resolve the issue or dispute themselves, or it is not appropriate, then the dispute resolution process can then be applied. The process is to be approached by the parties in good faith to find a resolution.



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3.4 CONFIDENTIALITY

All parties will take all reasonable steps to maintain confidentiality when dealing with the dispute, to protect both the complainant and respondent.

With the mutual agreement of the complainant and respondent a closed meeting of Council may be advised that the parties are participating in dispute resolution process.

3.5 PROTECTED DISCLOSURE

Individuals making disclosures in good faith are protected from detrimental actions such as injury, loss, damage, intimidation, harassment, and discrimination

3.6 ACCESSIBILITY

The Council will ensure that information on how to lodge a dispute, including this Policy, is available on the Council's website. The Council will make information available in accessible formats if requested. Any person wishing to lodge a dispute may contact the Dispute Resolution Officer if they require assistance in completing the dispute resolution form or otherwise navigating the dispute resolution process.

3.5 VEXATIOUS COMPLAINTS

A vexatious complaint is one made without sufficient grounds, intended to cause annoyance or disruption rather than address a legitimate issue. These complaints are often based on false or insufficient information, aimed at harassing or harming the respondent.

All complaints will be reviewed by the Dispute Resolution Officer. If the complaint is determined to be vexatious, it will not be progressed to the Dispute Resolution Advisor. The complainant will be informed of this decision in writing.

3.7 EQUITABLE ACCESS

This Policy and process is designed to address the different needs and priorities of all persons, including of different genders. It provides measures that address different levels and types of experiences, power, information and influence. These measures include:

- Addressing power imbalances with an external neutral Dispute Resolution Advisor to support dispute resolution and providing for support person(s), detailing access to information, and maintaining accurate, clear records.
- Providing a safe environment through confidentiality and neutral party lodgement.
- Requiring Dispute Resolution Advisors with appropriate training for inclusiveness, gender responsiveness and trauma.

4. PROCEDURES

4.1 LODGING AND WITHDRAWING DISPUTES

Any person may lodge a dispute regarding a councillor's behaviour.

The Dispute Resolution Form must be completed in full to lodge a dispute. Completed forms must include the name and contact details of the complainant. A dispute must specify the part(s) of the Code of Conduct and/or Council's Work Health and Safety and Employee Wellbeing Policy that the behaviour relates to.

Anonymous disputes cannot be accepted. Where an individual wishes to remain anonymous or does not want to put their complaint in writing the Dispute Resolution Officer may direct them to alternative avenues outside this Policy.



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Where a Dispute Resolution Form omits required details, the Dispute Resolution Officer will invite the complainant to provide this information for the dispute to be progressed.

The dispute lodgement fee is 25 fee units. Fee units are set by state legislation, for the current value of each fee unit, please refer to <https://www.treasury.tas.gov.au/economy/economic-policy-and-reform/fee-units>

Separate costs and processes apply to Code of Conduct complaints.

Disputes may be withdrawn by the complainant by writing to the Dispute Resolution Officer. The Dispute Resolution Officer will provide written notice of the withdrawal to the respondent. Notice will not be provided if the withdrawal is prior to the respondent being notified of a dispute being lodged (Refer Section 4.3).

4.2 NOTICE TO COMPLAINANT

Within 10 business days after receiving a dispute, the Dispute Resolution Officer will provide written notice to the complainant that:

- (i) confirms receipt of the dispute
- (ii) outlines the process that will be followed
- (iii) notes the confidentiality requirements of section 3.4 of this Policy
- (iv) includes a copy of this Policy.

4.3 NOTICE TO RESPONDENT

Within 15 business days after receiving a dispute, the Dispute Resolution Officer will provide written notice to the respondent that:

- (i) advises that a dispute has been made in accordance with this Policy
- (ii) includes a completed Dispute Resolution Form
- (iii) outlines the process that will be followed
- (iv) notes the confidentiality requirements of section 3.4 of this Policy
- (v) includes a copy of this Policy.

4.4 APPOINTMENT OF DISPUTE RESOLUTION ADVISOR

The Dispute Resolution Officer is to engage a Dispute Resolution Advisor (Mediator) to conduct dispute resolution. The Advisor must:

- not be an employee of Council
- not have any direct relationship to the parties
- must be objective and impartial, with no real or perceived bias
- must be able to demonstrate that their practice is gender and trauma aware
- be accredited under the National Mediator Accreditation System (NMAS), or its successor, the Australian Mediator and Dispute Resolution Accreditation Standards (AMDRAS); or have a minimum of a Diploma in Mediation or Dispute Resolution.

In selecting a person to act in the capacity of the Advisor, the Dispute Resolution Officer will consider the nature of the issue under discussion, knowledge/experience of local government and interpersonal skills that can most likely assist in resolving matters of conflict.

The Dispute Resolution Officer will provide written notice of the appointment of the Advisor to the complainant and the respondent.

The parties may object to the Dispute Resolution Officer if they believe that the Advisor does not meet the requirements detailed in this section and will provide evidence to substantiate their view. The Officer will consider an objection and determine whether an alternate Advisor is to be appointed.



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It is expected that there be no conflicts of interest between the Advisor and the complainant or respondent. If during the review process a conflict of interest arises between any party, the party must notify the Dispute Resolution Officer promptly. Where the Dispute Resolution Officer determines there is an actual conflict of interest, an alternative Advisor is to be appointed.

4.5 DISPUTE RESOLUTION PROCESS

4.5.1 Commencement

In commencing the dispute resolution process, the Advisor will bring together the parties to conduct an initial facilitated discussion or mediation. Where needed they may also undertake initial individual interviews with the parties and others.

The initial discussion is to provide a general picture of the dispute and to allow the Advisor to provide an estimate of the timeframe for the process based on the parties' willingness and availability. This discussion will support the Advisor's consideration of the appropriateness of undertaking the process including:

- the parties' willingness to participate in the process
- health and safety risks to the parties, or others.

The Advisor may determine that the process cannot continue due to:

- the risk that the process may cause harm to the health and safety of either of the parties; or
- one of the parties is unwilling or unable to participate; or
- initial engagement reveals circumstances that must be addressed through a different process, such as those outlined in Section 2.2

Where the Advisor has determined the process cannot continue, they will provide a report to the Dispute Resolution Officer. The report will provide their reasons and state their determination that the dispute will need to be resolved through alternative avenues. The Advisor may make recommendations regarding these avenues.

4.5.2 Process

The Advisor will determine the appropriate resolution processes based on their expertise and experience. This may include, but not be limited to, approaches such as mediation and facilitated restorative processes.

Resolutions may include, but not be limited to:

- a commitment to changing behaviours
- a commitment to cease the behaviour
- a commitment to apologise
- counselling
- undertaking professional development.

The Advisor may also make a recommendation to the Council that it review a policy, procedure, or other document related to the dispute.

The parties must represent themselves.

The maximum timeframe for a dispute resolution process is three months. At this time the Advisor is to provide a report to the Dispute Resolution Officer and close the dispute. This timeframe may be extended on the Advisor's recommendation and with the mutual agreement of the parties.

4.5.3 Mediation Cost

The Council will cover the costs of the mediation process for parties involved, up to a maximum amount of \$3,000. This support is provided to facilitate the resolution of disputes in a fair and efficient manner. Any costs exceeding this amount will be the responsibility of the parties involved.



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4.5.4 Information requests

Councillors and council staff are to respond to the Advisor's reasonable requests for information about the dispute. Information pertaining to a third party will require their consent for the information to be released.

The Advisor may request the Dispute Resolution Officer to search for any relevant records or information in the Council's Record Management System. The Advisor must provide the complainant and respondent with a copy of any records that are identified.

In addition, where a clarification or additional information has been sought from the complainant by either the Dispute Resolution Officer or the Advisor, copies must also be provided to the complainant and respondent.

4.6 ORDER OF DISPUTES

Disputes will normally be dealt with in the order in which they are received. If more than one dispute is received that relates to the same alleged breach, the Dispute Resolution Officer may progress those disputes concurrently, provided confidentiality can be maintained.

4.7 SUPPORT PERSON

Complainants and respondents may include a support person as part of the dispute resolution process.

The role of the support person is to observe and provide emotional support. They are not to provide views on the process or on legal context. The support person must not be an Australian lawyer.

The parties are to provide written notice to the Dispute Resolution Officer of their intention to include a support person in the dispute resolution process. This notice is to include the person's name, occupation and relationship to the party.

The Advisor is to consider, before and during the process, the impact of the support person's participation on the principles in this Policy. The Advisor has absolute discretion to remove, or not to allow the person to participate in some, or all, of the process. The Advisor's determination will be provided in writing to the parties and to the Dispute Resolution Officer.

5. REPORTING OBLIGATIONS

5.1 REPORT FROM DISPUTE RESOLUTION ADVISOR

The Advisor must include in the confidential report to the Dispute Resolution Officer and to the parties:

- (i) the process and methods that were used
- (ii) outcomes of the process including commitments made by one or more of the parties
- (iii) the views of the parties regarding the outcomes of the process.

5.2 COUNCIL

In accordance with *Local Government (General) Regulations 1993*, Regulation 30B, Council is required to maintain a record of the number of disputes, including whether they were determined, withdrawn or underway, and their total costs. This information is to be reported in its Annual Report.

6. IMPLEMENTATION AND COMMUNICATION

The General Manager is responsible for the implementation of this Policy in accordance with responsibilities outlined.



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Dispute Resolution Form

Instructions for Use

This form is for lodging a dispute under the Northern Midlands Council's Dispute Resolution Policy.

This form has been provided to ensure that you include all the information required under the *Dispute Resolution Policy* in your dispute. You will need to complete all the sections in this form.

To make a valid dispute, you will need to:

- Complete this form.
- Lodge the dispute with the General Manager of Council within two months of the alleged behaviour by the councillor or councillors.
- Pay the fee for lodging a complaint to the relevant council. 25 fee units (\$46.75 in 2024-2025), fee units are adjusted annually through State Government legislation, please refer to <https://www.treasury.tas.gov.au/economy/economic-policy-and-reform/fee-units>

The Complainant is to pay via direct payment at the Council Offices located at 13 Smith Street, Longford Tasmania.

The fee may be waived if the applicant can demonstrate to the satisfaction of the General Manager that they would find it difficult to pay the fee, for example they are receiving income support or are in financial hardship.



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Contact Details (of person lodging the dispute – the complainant)

Name:	Telephone (mobile):
Address (Residential):	Telephone (work):
Address (Postal):	Telephone (home):
Email address:	Preferred mode of contact:

Summary of dispute

Name of councillor who you are in dispute with (the respondent):	
Part(s) of the Code of Conduct or Council's Work Health and Safety and Employee Wellbeing Policy that you believe have been infringed:	
Date(s) of incident(s):	
Location(s) of incident(s):	



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Details of the dispute (FURTHER INFORMATION MAY BE ATTACHED)

Witnesses (INCLUDE ANYONE WITH KNOWLEDGE OF WHAT HAPPENED)

Have you previously made a dispute about this matter?

- Yes NO

If yes, when and to whom did you make the dispute?



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Have you made any efforts to resolve the dispute directly with the respondent?

(Note: this section is compulsory. Incomplete forms will be returned)

Yes

Briefly describe the efforts that you have made (**Note: You must complete this section**)

No

Include a brief statement explaining why you have not made any efforts to resolve the issue with the respondent.

Desired outcome of dispute

Please explain what you would like to happen because of lodging this dispute.

Please sign and date

Signature:

Date:

Privacy Statement

The Northern Midlands Council abides by the Personal Information Protection Act 2004 and views the protection of your privacy as an integral part of its commitment towards complete accountability and integrity in all its activities and programs.

Collection of Personal Information: The personal information being collected from you is for the purposes of the Personal Information Protection Act 2004 and to undertake assessment of your application. This information will be used solely by Council in accordance with its Privacy Policy.

Disclosure of Personal Information: The Council will take all necessary measures to prevent unauthorised access to or disclosure of your personal information. Personal information may be disclosed to external organisations as required. This information will not be disclosed to any other external agencies unless required or authorised by law.



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"ANNEXURE A"

LIST OF REGISTERED MEDIATORS FOR 2025

Positive Solutions	manager@positivesolutions.com.au	03 622 35612
Remediation	info@remediation.net.au	0409 232 010
Resolve First	alex@resolvefirst.com.au	0408 867 602



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DOG MANAGEMENT POLICY AND CODE OF RESPONSIBLE DOG OWNERSHIP

Originated Date: Adopted (as Policy 30)

Amended Date/s: Amended 23 April 2007 – Min. No. 111/07
Amended 15 December 2010 – Min. No. 351/10
Amended 27 June 2016 – Min. No. 173/16
Amended 20 August 2018 – Min. No. 222/18
Reviewed 19 August 2019 – Min. No. 242/19
Reviewed 19 August 2024 – Min. No. 24/0271
Reviewed 17 November 2025 – Min. No. 25/350

Applicable Legislation: *Dog Control Act 2000*
Local Government Act 1993
Dog Control Regulations 2021
Animal Welfare Act 1993
Animal Welfare (Dogs) Regulations 2016
Land Use Planning and Approvals Act 1993
Guide Dogs and Hearing Dogs Act 1967
Personal Information Protection Act 2004
Archives Act 1993
Law of Animals Act 1962
Disability Discrimination Act 1992

Objective The objectives listed in this section have been developed to guide the Dog Management Policy and to ensure that Council consistently and effectively fulfils its responsibilities under the *Dog Control Act 2000*, particularly with regard to the protection of residents' rights.

The objectives of the Policy are:

1. To ensure that owners of dogs comply with their obligations under the *Dog Control Act 2000*.
2. To prevent the danger caused by dogs to the public and to other dogs and animals.
3. To minimise the distress and nuisance caused by dogs to the public.
4. To actively promote the responsible ownership of dogs.
5. To provide for the reasonable exercise and recreational needs of dogs.
6. To provide routine patrols during normal business hours.
7. To provide an emergency after-hours dog management service to collect dogs at large provided that the dog has been secured.
8. To provide an emergency after-hours dog management service if a dog attack occurs.

Administration: Governance

Review Cycle/Date: Every five years in accordance with section 7(5) of the *Dog Control Act 2000* or before if any change of legislation occurs. Next review 2026.

1. INTRODUCTION

Section 7 of the *Dog Control Act 2000* specifies that Council must implement a policy relating to dog management in the Northern Midlands. The Northern Midlands Council has identified a number of goals to ensure residents and visitors are



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protected, and to ensure Council consistently and effectively fulfils its responsibilities under the *Dog Control Act 2000*.

2. DEFINITIONS

Where indicated (*), the definition is derived from section 3 of the *Dog Control Act 2000*:

- **Accredited Trainer:** A trainer accredited to train dogs in Level 3 and 4 obedience.
 - **Act:** the *Dog Control Act 2000*.
 - **Adoption Dog:** Any dog adopted from the Dogs Home of Tasmania, RSPCA, Greyhound Adoption Program, or other recognised dog welfare facility.
 - **Animal*:** Any live vertebrate animal other than a human being.
 - **Animal Control Officers:** Council's Animal Control Officers who have been delegated powers to manage animals within the municipality by the General Manager.
 - **Animal Welfare Act 1993:** Part 2 section 6 (Duty of Care) under that Act.
 - **Annual due date:** In any given year, the date that dog registration fees are due.
 - **Annual registration expiry date:** In any given year, the date that dog registrations expire.
 - **Approved*:** Approved by the Director of the Local Government Division, Tasmanian State Government.
 - **Approved hunting dog:** A hunting dog that, immediately before 1 July 2011, has been tattooed by an approved organisation with a tattoo that identifies the dog as being a part of that organisation.
 - **Assistance Dog:** A dog which is an 'assistance animal' as defined in section 9 of the *Commonwealth Disability Discrimination Act 1992* (Commonwealth). For the purposes of it, an assistance animal is a dog or other animal:
 - (a) accredited under a law of a State or Territory that provides for the accreditation of animals trained to assist a persons with a disability to alleviate the effect of the disability; or
 - (b) accredited by an animal training organisation prescribed by the regulations for the purposes of this paragraph; or
 - (c) trained:
 - (i) to assist a person with a disability to alleviate the effect of the disability; and
 - (ii) to meet standards of hygiene and behaviour that are appropriate for an animal in a public place.
- Note: For exemptions from Part 2 for discrimination in relation to assistance animals, see section 54A of the of the *Commonwealth Disability Discrimination Act 1992* (Commonwealth).
- **Attack*:** Includes bite, menace or harass.
 - **Authorised person or officer*:**
 - A Police Officer
 - A General Manager
 - A person appointed by a General Manager to be an authorised person
 - A person who is a ranger under the *Nature Conservation Act 2002*
 - A person who is a ranger under the *National Parks and Reserves Management Act 2002*, or
 - A person appointed as a bailiff of Crown lands under the *Crown Lands Act 1976*.



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- **Boarding Facility:** A boarding facility is any premises, building, structure, or enclosure where animals, typically dogs, are temporarily housed, cared for, and maintained. This may include kennels, shelters, or pounds operated for the purpose of holding animals, either for commercial gain or under municipal authority; and it is not including veterinary clinics, private homes, and facilities operated solely for breeding or sale of animals. Boarding facilities may serve various functions such as:
 - Providing temporary accommodation for owned pets (e.g., during travel or emergencies);
 - Holding stray, abandoned, or impounded animals under local government or contracted care;
 - Ensuring the health, safety, and welfare of animals through appropriate housing, feeding, exercise, and veterinary care.
- **Code:** means the Code of Responsible Dog Ownership contained at section 3 of this policy. The Code provides clear guidance on what responsible ownership means within the Northern Midlands community, underpinned by a practical approach to dog choice, care, respect for others, and compliance with regulations. Its purpose is to help dog owners and prospective owners understand the importance of responsible ownership and to ensure a caring, safe environment where dogs are healthy, well-trained, and do not negatively impact the community.
- **Concession dog:** A dog owned by a person who is an eligible pensioner as defined under Regulation 4 of the *Local Government (Rates and Charges Remissions) Regulations 2014*.
- **Companion Dog:** is a dog that is primarily kept for a person's company, protection, or entertainment rather than for work or breeding purposes.
- **Council:** The Northern Midlands Council.
- **Dangerous Dog*:** A dog declared dangerous under sections 29 or 30 of the Act.
- **Declared area*:** An area declared under Division 2 of Part 3 of the Act.
- **De-sexed dog*:** A dog that has been rendered permanently incapable of reproduction.
- **Dog*:** An animal of the species *Canis familiaris* or *Canis familiaris dingo*.
- **Domestic animal:** An animal kept as a domestic pet.
- **Effective Control*:** As defined in section 4 of the Act.
- **Entire Dog:** A male or female dog that has not been de-sexed (neutered or spayed).
- **Exercise area*:** An area declared under section 20 of the Act.
- **Formal Notice of Complaint:** A complaint referred to under section 47 of the Act.
- **General Manager*:** The general manager of a council appointed under the *Local Government Act 1993*.
- **Guide dog*:** A guide dog as defined by the *Guide Dogs and Hearing Dogs Act 1967*, or a dog training to be a guide dog.
- **Hearing dog*:** A hearing dog as defined by the *Guide Dogs and Hearing Dogs Act 1967*, or a dog training to be a hearing dog.
- **Hunting dog:** A dog use to flush game.
- **Impound:** To confine a dog within an authorised dog transport vehicle, or at a pound.
- **Lead*:** A lead, leash, cord, or chain of sufficient strength to restrain a dog.
- **Licence*:** A licence to keep on premises:
 - more than 2 dogs over the age of 6 months, or
 - more than 4 working dogs over the age of 6 months.



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- **Microchip:** An identification chip inserted in a dog in an approved manner.
- **Owner of Dog*:** As defined in section 6 of the Act.
- **Planning approval:** approval (granting of a permit) under s.57 or s.58 of the *Land Use Planning and Approvals Act 1993*
- **Pound*:** A pound established under section 193 of the *Local Government Act 1993*.
- **Premises*:** Includes land or any part of any premises or land.
- **Prohibited area:** An area declared under section 22 of the Act, which, despite anything in the Act, dogs other than guide dogs, hearing dogs or assistance dogs, are prohibited from entering.
- **Public notice*:** A notice published in a daily newspaper.
- **Public Place*:** A public place as defined by the *Police Offences Act 1935*; a road; or a road-related area.
- **Register*:** A register kept under section 15 of the Act.
- **Registered dog*:** A dog registered under the Act.
- **Registration disc*:** A disc or tag referred to under section 10 of the Act.
- **Relevant registration period:** Refers to a current registration year.
- **Residential zone:** any land zoned General Residential, Inner Residential, or Low-Density Residential under the Tasmanian Planning Scheme – Northern Midlands (as amended).
- **Restricted area (at all times):** An area declared under section 23 of the Act, which, despite anything in the Act, dogs other than guide dogs, hearing dogs or assistance dogs, are restricted from entering at all times.
- **Road*:** An area that is developed for, or has as one of its main uses, the driving or riding of motor vehicles and is open to, or used by, the public; a part of the kerb; or an unsealed part of a sealed road.
- **Road-related area*:** An area that divides a road; a footpath or nature strip adjacent to a road; or a footpath or track that:
 - is not a road,
 - is designed for use by cyclists or pedestrians, and
 - is open to the public
- **Shopping centre*:** A collection of shops in an enclosed area covered by a roof or forming a courtyard or square, excluding any area provided for the parking of vehicles.
- **Training area*:** An area declared under section 21 of the Act.
- **Treatment:** Veterinary attention or surgery provided to a dog.
- **Veterinary surgeon:** A person registered as a veterinary surgeon under the *Veterinary Surgeons Act 1987*.
- **Working dog*:** A dog used principally for:
 - droving or tending livestock
 - detecting illegal substances
 - searching, tracking, or rescuing, or
 - working with police officers.
- **Young Dog:** A de-sexed and microchipped dog under 12 months of age.



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3. CODE OF RESPONSIBLE DOG OWNERSHIP

Council is committed to promoting responsible dog ownership and has adopted this Code of Responsible Dog Ownership (“the Code”) to outline best practice principles and reflect community expectations. This Code requires dog owners to:

- Ensure that the dog is kept under control at all times.
- When in a public place the dog must be on a lead not exceeding 2 metres (excluding declared off lead areas).
- Ensure that the dog is registered in accordance with the Act, with a financial incentive provided for owners to de-sex dogs that are not being kept for intentional breeding purposes.
- Ensure that the dog receives necessary care and attention in accordance with good veterinary practice, and is supplied with adequate food, clean water and shelter.
- Ensure that the dog receives adequate exercise.
- Ensure the dog, by age 6 months, has an approved microchip implanted.
- Take all reasonable steps to ensure that a dog does not cause a nuisance to any other person, whether by persistent or loud barking/ howling or by any other means.
- Take all reasonable steps to ensure that a dog does not injure, endanger, intimidate, or otherwise cause distress to any person.
- Take all reasonable steps to ensure that a dog does not injure, endanger, or cause distress to any other animal.
- Take all reasonable steps to ensure that a dog does not damage or endanger any property belonging to any other person.
- Comply with all regulations under the Act, including the requirement for the person in charge of a dog to immediately remove and dispose of faeces left by the dog in a public place or in a place not owned by the person.

To ensure that prospective dog owners or carers are aware of their responsibilities, the following statement will be included on both the paper and online Dog Registration Forms:

“I have read and understand my rights and obligations as a responsible dog owner and will abide by the rules and regulations set out in the Northern Midlands Council dog policy, and The Dog Control Act 2000. I will abide by the rules relating to effective control of dogs on and off a lead.

Information relating to the Northern Midlands Council Dog Policy and The Dog Control Act 2000 can be found at the following link: <https://northernmidlands.tas.gov.au/living/animals/dog-control>.”

*“**Note:** Dog owners are reminded that under the Animal Welfare (Dogs) Regulations 2016, it is an offence to allow a female dog (bitch) to have more than two litters within any 18-month period. All dog owners are expected to comply with the Animal Welfare Act 1993 and associated regulations.*

Council Officers will report any suspected breaches of these animal welfare regulations to the RSPCA or other relevant enforcement authorities”

4. EDUCATION

Council makes available a pamphlet which includes information on:

- the requirements of the Act;
- the Code;
- the role and function of Council and Council’s responsibilities to the community regarding dog management;
- services available to assist community members to be responsible dog owners.

Council Officers will, upon request, visit local schools to make presentations to students on dog ownership issues and responsibilities.



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5. FEE STRUCTURE

Council strives to set dog registration fees that are affordable for dog owners, yet provide a return for the costs associated with the delivery of dog control services.

Dog owners are encouraged to register their dogs early in the financial year. Encouragement in this regard is offered by the way of a discount if registration fees are paid prior to the 31st of August each year.

In setting registration fees each year Council utilises the following principles:

- Owners of de-sexed dogs are levied an amount as affordable as possible.
- Owners who choose to keep entire dogs (either male or female) are required to pay a higher level of fees.
- Pensioners are provided with an opportunity to register their first dog at a discounted rate.
- Owners with disabilities who keep either guide dogs or hearing dogs are not charged.
- Owners of dogs kept for breeding purposes and registered with the Dogs Tasmania (Tasmanian Canine Association Inc (TCA Inc)) are levied a fee that recognises the purpose for which they are kept. The fee will, however, be discounted from that which would normally apply to an entire animal.

Owners seeking concessional registration need to produce written evidence of eligibility as prescribed in the Act. In the case of working dogs, a demonstration of working stock may be required. Breeders must produce a current Stud Prefix issued by Dogs Tasmania (Tasmanian Canine Association Inc (TCA Inc)).

Council sets its dog fees at its ordinary Council meeting held in **May/June** of each year. The fees are advertised and standard renewal notices are provided to all those who have registered a dog previously.

6. DECLARED AREAS – OFF LEAD

Under the Act, Council can declare dog exercise areas on land solely under the jurisdiction of the Council, where dogs can be exercised off the lead if under effective control at all times. (You must be able to demonstrate that your dog is immediately responsive to your commands in an off leash area.)

The following areas have been declared:-

Avoca:	Area near river - Storys Creek Road
Campbell Town:	Open area to North of Blackburn Park
Cressy:	Stock Route (Longford end only as signposted) Cressy Recreation Ground (excluding the playing oval)
Evandale:	Honeysuckle Reserve (off Leighlands Road) Saddlers Court Reserve
Longford:	Union Street (fenced area between Union Street and Railway line) Coronation Park (Catherine Street)
Perth:	Mulgrave Street Reserve (fenced land between Mulgrave Street and Arthur Street)
Ross:	Dog Park at the Community Sports Ground

Council will continue to investigate the suitability of these and other areas and their facilities for this purpose and undertake upgrades or declare new sites as needed.

7. MUNICIPAL DOG POUND

Council has a contract arrangement with a local dog pound to meet its obligations under the Act.

After 3 days, if the owner cannot be identified, every effort is made to secure an alternative home for dogs which are



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impounded and have not been claimed. However, dogs will be euthanised as a last resort when required.

When a dog owner has lost their dog, they are encouraged to call Council in the first instance on 6397 7303 during business hours, or the after hours Animal Control on-call number.

8. KENNEL LICENCES

Under the Act, a person must apply to Council's General Manager for a kennel licence if more than two dogs over the age of six months, or more than four working dogs over the age of six months, are to be kept on their premises for any period of time.

Council requires a kennel licence applicant to advertise the licence application, including the specific number of dogs and their breed/kind, in the Examiner newspaper. Any person residing within 200 metres of the boundary of the premises may object to the granting of the licence. Council will inform by letter all residents within 200 metres of the premises where the licence is applied for and all owners of properties within that 200 metre range who do not live at the property.

Kennel Licences must be renewed annually, prior to the start of the financial year. A licence holder must submit a new application if they intend to keep more dogs on the premises than their current licence allows, or if they wish to modify any conditions of their existing licence. Upon payment of the prescribed fee, Council may renew the licence and will carry out random inspections to ensure ongoing compliance with the licence conditions.

Upon request, Animal Control Officers may conduct a preliminary site assessment and provide advice to potential applicants before they lodge a formal application.

Applicants who rent their property must provide written approval from the landlord (or their authorised agent) confirming that they are permitted to keep the number and type of dogs stated in the application.

Council will not consider a Kennel Licence application until 28 days have passed following the publication of the public notice in the local newspaper or other required advertisement under the Act, and all objections have been reviewed and considered.

Council reserves the right to refuse a Kennel Licence application where the applicant for the licence has previously breached any requirement of the Act, subject to sections 54 and 55(1) of the Act.

When processing applications, Council will take into account the number and type of dogs proposed in relation to the size and suitability of the premises. To ensure the physical and psychological welfare of all dogs involved, Council may also consult authorised officers of the RSPCA where relevant, particularly in relation to any known breaches of the *Animal Welfare Act 1993*.

An initial property inspection will be conducted to assess the suitability of the premises for the licence applied for. In particular, the following conditions will be considered during the inspection:

- The premises are suitable for housing the number and type of dogs specified in the application;
- Provisions for the health, welfare, and control of the dogs are adequate and sustainable;
- No nuisance is likely to be caused to neighbouring properties;
- Only the dogs listed in the application are being kept on the property; and
- All dogs over six months of age are registered and microchipped.

Once a licence has been issued, Council may from time to time conduct inspections of the relevant premises to ensure that all conditions of the licence are being complied with.

Kennel Licence inspections may be conducted randomly or by appointment, at Council's discretion.

If granted, a Kennel Licence will expire on 30 June each year and must be renewed annually to remain valid.



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a. Objections to Kennel Licence Applications

Under section 52 of the Act, persons residing or owning land within 200 metres of the boundary of the premises to which a Kennel Licence application relates, may object to the granting of a licence. Any objection is to be made within fourteen (14) days of the public notice being published. It is to be addressed in writing to the General Manager and outline detailed and valid reasons for objection.

Council will consider all objections received in accordance with standard operating procedures and the Act.

b. Kennel Licence Categories and Conditions

For the purposes of applying for a Kennel Licence, a **companion dog** is defined as a dog primarily kept for a person's company, protection, or entertainment.

For the purposes of applying for a Kennel Licence, a **hunting dog** will be included in the Kennel Licence 1 (KL1) – Companionship, as if it were a **working dog**.

For the purposes of applying for a Kennel Licence, a **breeding dog** will be included in the Kennel Licence 1 (KL1) – Companionship.

A **commercial kennel** refers to a facility that boards dogs for profit.

There are two categories of licence which the Council may issue:

KENNEL LICENCE NAME	DESCRIPTION
Kennel Licence 1 (KL1) – Companionship	This is the Licence required for the housing of more than 2 companion dogs or 4 working dogs . It applies to dogs kept primarily for companionship, protection, or entertainment, and also includes working dogs (such as hunting dogs) and dogs kept for breeding purposes.
Kennel Licence 2 (KL2) – Commercial	It is the Licence required for the boarding of dogs which occupy a commercial kennel. Please be advised this activity may also need Planning approval.

The Council notes that there is a need to maintain control over the numbers of dogs kept in an ever-increasing higher density urban environment. Council must consider both the reasonable peace and amenity of adjacent neighbours, as well as the general health and wellbeing of dogs.

Applications for kennel licences are assessed in accordance with the criteria set out in the Act. In determining whether to grant or refuse a licence, the General Manager (or delegate) must consider whether the premises is suitable for the intended purpose, whether granting the licence is in the public interest, and whether the statutory requirements are met.

Factors such as land zoning, property size, and surrounding residential density may be considered where relevant to the assessment. However, these factors alone do not determine the outcome of an application.

c. Cancellation of a Kennel Licence

Under section 58 of the Act, the General Manager or delegate may notify a Kennel Licence holder of intention to cancel a licence, if satisfied that:

- the provisions of the Act, or any other relevant Act are not being complied with
- any conditions of the licence are not being complied with
- the situation or condition of the premises is creating a nuisance, and/or
- it is in the public interest that the licence be cancelled.



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Before cancelling a Kennel Licence, the General Manager will give: to the Kennel Licence Holder one (1) month's notice in writing to show cause why the licence should not be cancelled; and consider any representations which the holder may make in that respect.

Under section 59 of the Act, should Council notify a licensee that it has cancelled or refused to renew a licence, an applicant or licensee may appeal that decision to the Tasmanian Civil and Administrative Tribunal for a review of that decision.

An applicant should seek guidance directly from the Tribunal and further information is available on the Tribunal's website: <https://www.tascat.tas.gov.au/home>.

9. DOG AT LARGE

It is a requirement of the Act that a dog be under effective control at all times whilst in a public place. This means on a lead held by a person able to control the dog or, if in an area where a lead is not required, the dog is within sight of the person and is immediately responsive to the person's commands.

A dog that is not under effective control within a public place or is in or on premises without the consent of the occupier is considered a 'dog at large'.

Council will, on a first offence, seek to reunite dogs at large with their owners with no penalty. However, fees and charges will apply where after hours call out or impounding are required. Subsequent offences may incur further penalties in accordance with the regulations under the Act.

10. DANGEROUS DOGS

The Act makes specific provision for dogs that may be considered a danger to other animals or persons within the community. A dog may be declared dangerous by the General Manager if it has caused serious injury to a person or another animal or there is reasonable cause to believe that the dog is likely to cause such injury.

Council's Animal Control Officer will undertake an investigation of any alleged incident or assertion that such an incident is likely. Matters such as the temperament of the dog, physical evidence, witness and participant statements and past history will inform the investigation. Based on the investigation, the Animal Control Officer will make a recommendation to the General Manager in regard to the making, or otherwise, of a dangerous dog declaration and the application of any other penalties.

If a dog is declared dangerous, the General Manager will serve a notice on the owner of the dog advising of the declaration, the reasons for it and the owner's appeal rights in the Tasmanian Civil and Administrative Tribunal.

When a dog is declared dangerous, the owner or person in charge of the dog has to meet specific control provisions in accordance with the Act.

Animal Control Officers will perform random inspections each year to ensure a declared dog is being kept in accordance with the requirements of housing a dangerous dog.

11. POLICY REVIEW PERIOD

This dog management policy will be reviewed in accordance with the Act. Section 7(4) of the Act requires Council to review its dog management policy at least once every 5 years. Council may review its dog management policy sooner in the event of any change in the legislation.



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DONATIONS

Originated Date: Adopted 12 February 2001 – Min. No. 59/01 (as Policy 28)

Amended Date/s: Reviewed 21 September 2009 – Min. No. 255/09
Reviewed 21 February 2011 – Min. No. 40/11
Reviewed 17 February 2014 – Min. No. 47/14
Reviewed 17 July 2017 – Min. No. 234/17
Reviewed 24 June 2019 – Min. No. 181/19
Reviewed 27 June 2022 – Min. No. 22/216

Applicable Legislation: Section 77 of the *Local Government Act 1993* (Details of any grant made or benefit provided are to be included in the Annual Report of Council).

Objective Guidelines to ensure consistency in the granting of donations by Council.

Administration: Corporate Services

Review Cycle/Date: Every 4 years. Next review 2026.

The donations policy is to be implemented within the allocation provided in the annual budget. Any additional expenditure to be specifically authorised by Council.

To gain consistency when considering requests for donations, the following guidelines apply:

A) NON-PROFIT/WELFARE/COMMUNITY GROUPS

The Mayor or General Manager be authorised to grant donations of an amount not exceeding \$200 in any one case for any recognised welfare, community service group or individual he/she may consider worthy of support.

Groups who conduct annual appeals will not be given donations by Council as residents have an opportunity to donate on an individual basis.

B) YOUTH, OLDER PERSONS AND PEOPLE WITH DISABILITIES

The following groups are to be allocated annual donations:

- | | |
|--|----------|
| • Longford Care-a-car | \$ 1,500 |
| • Northern Midlands Helping Hand Association | \$ 1,500 |
| • Chaplaincy Service primary schools | \$ 800 |
| • Chaplaincy Service district high schools | \$ 1,600 |

C) EDUCATION

School leaver achievement award donations to schools within the Northern Midlands Council area upon request:

- | | |
|---------------------|--------|
| • Secondary Schools | \$ 100 |
| • Primary Schools | \$ 50 |

Council awards five Further Education Bursaries each year. Applicants must be in Year Ten, have a Northern Midlands home address, and be intending to pursue further education or training post-Year Ten. Applicants are assessed on economic need, passion for pursuing a further education/training pathway, and academic performance and attendance in Year Ten.



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D) SPORT & RECREATION ACHIEVEMENTS

Individuals or teams of the Northern Midlands Council area who achieve representation for Tasmania in national or international events of amateur status be given a donation upon request as follows:

- Individual
 - National \$ 100
 - International \$ 200
- Teams
 - National \$ 200
 - International \$ 400

Where possible, all payments be made to the individual participants rather than the sporting or recreational organisations to ensure the proper recognition of the Council's assistance to the municipal resident.

Only one application per individual /organisation per year will be considered.

E) WASTE TRANSFER STATION FEES

Community groups can apply for reimbursement of tip fees where the work performed is to the benefit of the community to a maximum cost of \$325. The rubbish must be sorted for recycling purposes where possible.

F) POLICY REVIEW

The Donations Policy be reviewed every 4 years.



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ELECTED MEMBERS PROFESSIONAL DEVELOPMENT

Originated Date:	Adopted 21 January 2019 - Min. No 009/19
Amended Date/s:	Reviewed 14 December 2020 – Min. No. 423/20 Amended 18 September 2023 – Min. No. 23/0330
Applicable Legislation:	<i>Local Government Act 1993</i>
Objective	Council is committed to providing training and development activities for its elected members and defines this responsibility in this Policy.
Administration:	Governance
Review Cycle/Date:	2027 within 6 months after each Council election

1. OBJECTIVE

In order to meet the obligations of their Oath of Office, taken upon election, Councillors are to engage in ongoing professional development in order to maintain and improve their skills and effectiveness.

Council will develop and adopt a Professional Development Plan so as to ensure that activities available to all Council Members contribute to the achievement of the strategic and good governance objectives of Council.

Particular emphasis will be given in the Professional Development Plan of new Members joining Council following an election.

2. SCOPE

In considering professional development requirements, it should be noted that as decision and policy makers, Councillors are not expected, or required to hold specialist technical knowledge regarding Council activities, as the provision of qualified advice is the responsibility of the General Manager, in accordance with section 65 of the *Local Government Act 1993*.

Council recognises that some of the training needs of elected members will be specific to their roles and functions such as:

- Role and function of elected members
- Relationship between elected members, the General Manager and employees
- Meeting Procedures
- Conflict of Interest
- Code of Conduct
- Media Training

Other training issues will emerge that are directly related to specific service areas and other community issues and address environmental, social, cultural, community and economic challenges facing the community.

It is recognised that a range of delivery methods will be required to support the training needs of Council Members, including;

- Seminars and informal (briefing) sessions conducted by Council with appropriate guest speakers and trainers;
- Attendance at seminars and conferences offered by organisations such as the Local Government Association of Tasmania, Australian Local Government Association, Local Government Managers Association and other private providers that provide an opportunity for elected members and employees from within and outside of Tasmania;
- Purchase of training booklets and discussion papers that could be distributed to elected members for information;
- On-line training delivery, including through Department of Premier and Cabinet;
- "In house" sessions with key internal/ external speakers



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3. FRAMEWORK

This policy provides the framework for the delivery and management of Council participation in professional development activities which are provided by the Council via the following framework:

3.1 POST-ELECTION INDUCTION PROGRAM

Following their election Councillors will be supported in their roles through access to a comprehensive induction program which will be offered as soon as possible after the induction of a new Council, and normally occur during the first months of office.

An effective induction program provides the opportunity for Councillors to become familiar with the structure of the organisation and how it interacts with its community and assists the newly elected Council build effective working relationships.

Induction programs are normally delivered in-house by Council, local government related entities such as the Local Government Association of Tasmania, Local Government Office; or subject matter specialists such as the Integrity Commission.

Topics include, but are not limited to the following issues:

- (i) Organisational structure and operations; including the structure and cycle of Council business delivery, meeting procedures and the role of Chairperson;
- (ii) Roles and responsibilities of the Mayor, Deputy Mayor and Councillors of the Council, including Code of Conduct, conflict of interest, ethical decision making and building effective working relationships;
- (iii) The Council's role as the planning authority;
- (iv) Community engagement;
- (v) Strategic business planning including annual plans, policy development, delegations, strategic plan, financial management plans, budgetary framework and asset management;
- (vi) Briefings on specific issues affecting the Northern Midlands Council at the time.

3.2 ONGOING IN-HOUSE TRAINING & AWARENESS ACTIVITIES

The legislative provisions of the Local Government Act 1993 provide the formal framework for the presentation and discussion of the business of Council, via an approved schedule of meetings.

In addition to the formal legislative structure which governs the flow of Council business through meetings of the Council and its appointed committees, there is a need for Councillors to be aware of a wide range of issues relating to their roles as elected representatives of Council.

Matters may include legislative updates, Council specific projects and inter-government matters, as well as refresher training and awareness on issues including WH&S responsibilities, ethical decision making and Code of Conduct.

Information on such matters will be presented to Councillors as the need arises, using the most appropriate forums, including training sessions, briefings, presentations and workshops.

3.3 OTHER ELECTIVE PROFESSIONAL DEVELOPMENT ACTIVITIES

In keeping with the Oath of Office, ongoing professional development will involve participation by Councillors in training and development activities to improve their knowledge, competence and effectiveness.

Activities may be provided through a number of avenues which suit individual needs, including:

- formal study;
- workshops; briefings, seminars and business forums;
- peer programs;



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- local government sector activities; and
- conferences.

All professional development activities must be conducted within Australia.

It is the responsibility of the Mayor to oversee the performance of the Councillors in accordance with section 27 of the Local Government Act 1993.

Accordingly the Mayor* will approve an annual professional development plan for the Council, having discussed individual needs with Councillors, in accordance with the policy guidelines.

*In all instances involving elective professional development planning for the Mayor, the Deputy Mayor will act in lieu of the Mayor.

In support of individual planning, Councillors may access a training needs facilitator should they so wish, in accordance with the policy guidelines.

In determining individual requirements for professional development, the Mayor will be mindful of the available budget; equity of expenditure and distribution of activities; and any other issues considered to be relevant at the time.

The Mayor will inform the Council of the annual professional development plan, for noting purposes only, together with any approved variations as they occur.

Councillors will be required to report to the Council on their professional development training and development activities, in accordance with the policy.

The total cost of Councillor participation in professional development activities will be attributed to individual Councillors under this specific category.

4. FUNDING

An annual budget allocation will be provided to support the training and development activities undertaken by Council, and progress against expenditure of the budget allocation will be reported on an annual basis.

Council will determine the size of its annual budget allocation at budget time, which may change annually, depending on the nature of issues for which training and development activities may be required to be offered. For example, when a new Council is elected there may be specific issues and costs required to be incorporated.

The General Manager has delegated authority to approve training courses that are within the budget, any expenditure in excess of the budget must be approved by the Council.

5. ATTENDANCE AT TRAINING PROGRAMS/ACTIVITIES

Following attendance at an external training program or activity, individual Council Members are required to prepare a report outlining the nature of the training program/ activity and the benefits gained through attendance along with feedback on ideas to enhance the program/ activity.

Such reports are not required for 'in house' training programs or activities.

6. PAYMENTS/REIMBURSEMENTS

Where approval has been granted by Council for attendance at a training program/ activity an elected member may seek reimbursement of expenses in accordance with the relevant provisions of the Local Government Act and Regulations using the Council Member Reimbursement form attached to Council Policy - Councillor Allowances, Travelling and Other Expenses.



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7. ANNUAL REPORTING

Council's Annual Report will include a reference regarding the operation of this Policy, the nature of Professional Development activities attended by elected members and expenditure allocated and used for training of Council Members.

8. STATEMENT OF ADOPTION AND REVIEW

This Policy was adopted by Council at its meeting held on 21 January 2019 (Min. No 009/19) and will be reviewed within 6 months of each council election

9. OTHER RELEVANT POLICIES/PROCEDURES

- Councillors Allowances, Travelling & Other Expenses
- Meeting Procedures
- Information & Communication Technology Recourses and Electronic Communication Acceptable Use Policy
- Privacy Policy Statement
- Code of Conduct for Elected Members
- Recording of Meetings Policy
- Live Streaming of Council Meetings.



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EXEMPT TEMPORARY BUILDINGS OR WORKS (INCLUDING SHIPPING CONTAINERS)

Originated Date: Adopted 16 April 2018, Min. ref. 92/18

Amended Date/s: Amended 24 October 2022 – Min. ref. 22/347
 Amended 21 August 2023 – Min. ref. 23/0285
 Amended 23 June 2025 – Min. ref. 25/182

Applicable Legislation: *Tasmanian Planning Scheme – Northern Midlands Land Use Planning & Approvals Act 1993*

Objective To regulate a time period for developers to place a temporary building on premises under the exemption in the *Tasmanian Planning Scheme – Northern Midlands*

Administration: Community and Development

Review Cycle/Date: Every 4 years. Next review 2029.

1. BACKGROUND

The following is exempt from requiring a permit under the *Tasmanian Planning Scheme – Northern Midlands*-clause 4.3.5:

	<i>Use or Development</i>	<i>Requirements</i>
4.3.5	<i>temporary buildings or works</i>	<i>If: (a) to facilitate development for which a permit has been granted or for which no permit is required or for an occasional use that is exempt under this clause; (b) not occupied for Residential use; and (c) removed within 14 days of completion of development or occasional use.</i>

A temporary building to be used by a developer may therefore be placed on a site that is to be developed in accordance with a planning permit, or in accordance with the no permit required/exemption criteria of the planning scheme.

Occasional Use is defined under Table 4.1 of the *Tasmanian Planning Scheme - Northern Midlands* as: *If for infrequent or irregular sporting, social or cultural events.*

Table 4.1 Exempt Uses

	Use	Requirements
4.1.2	Occasional Use	If for infrequent or irregular sporting, social or cultural events.

2. PURPOSE AND APPLICATION

The purpose of this policy is to stipulate a timeframe for a temporary building to be placed on land prior to a development commencing - to ensure temporary buildings are not left on land for prolonged periods, as well as regulating the location of the temporary building.

A person must make a written application to the General Manager to place a temporary building on a premises before development commences. The application must include a site plan to scale showing the intended location of the temporary building and the date that the development is to commence. The temporary building must not be placed on site without written approval from the General Manager regarding the location of the temporary building.



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3. TIMEFRAMES

A temporary building must not be placed on a premises prior to the issue of a building permit for the associated development, unless:

1. A building permit is not required, in which case, not prior to the issue of a planning permit.
2. The use/development is *no permit required or exempt*, in which case, not more than 2 weeks prior to the works commencing, or as otherwise approved with the express permission of the General Manager.

4 LOCATION AND USE

Unless otherwise approved by the General Manager, a temporary building must be located within the title boundaries of the property to which the permit/exemption relates in an unobtrusive location, and must not be used for any other purpose, such as advertising. In determining whether a location is 'obtrusive', consideration must be given to the proximity of the temporary building to the street and public viewpoints, site constraints, the location of future buildings and structures and whether the site is within an area of any heritage significance.

5. REMOVAL

Council will commence enforcement action for removal of a temporary building under the *Land Use Planning & Approvals Act 1993*, where the placement exceeds the timeframes stipulated in part 3 of this policy, clause 4.3.5 of the *Tasmanian Planning Scheme – Northern Midlands*, or as approved by the General Manager.

6. REVIEW

This policy is due for review every four years.



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FENCING RESERVES: CONTRIBUTION

Originated Date: Adopted 23 August 1999 – Minute No 354/99 (as Policy 5)

Amended Date/s: Revised 20 January 2003 – Min. No.019/03
Revised 18 September 2006 – Min. No. 332/06
Revised 21 September 2009 – Min. No. 255/09
Revised 21 September 2015 – Min. No.270/15
Revised 15 March 2021 – Min. No. 113/21
Revised 21 August 2023 – Min. No. 23/0289

Applicable Legislation: *Boundary Fences Act 1908.*

Objective To clearly define Council’s position in relation to boundary fence contributions.

Administration: Corporate Services

Review Cycle/Date: Next review 2027

CONTRIBUTION TO FENCING OF RESERVES

That Council have decided to voluntarily make an ex-gratia financial contribution to the repair of boundary fences that abut Council owned or managed reserves. Council acknowledges the *Boundary Fences Act 1908 (the Act)* does not apply to public reserves, however Council has decided to voluntarily contribute towards boundary fences of its reserves as provided for within this Policy.

SCOPE

1. This policy applies only in circumstances where Council owns, or has accepted responsibility for the management of, the ‘reserve’.
2. This policy only applies to the repair of an existing boundary fence. It does not apply to initial fencing of land following subdivision, in this circumstance the cost of fencing shall be the total responsibility of the adjoining property owner.
2. This policy does not apply to boundary fences adjoining a road, as defined by Act, or reserves or land predominantly used by motor vehicles.
3. Council will not make any contribution where the existing fence is in sound condition, but the adjoining owner wishes to upgrade it or alter its style.
4. This policy does not apply where the negligent actions of the owner/occupier of the adjoining land has caused unnecessary damage to the existing fence.
5. This policy is not retrospective, and Council will not retrospectively pay for boundary fencing works.

POLICY

The following conditions apply to this policy:

1. The owner of the adjoining land is to obtain three (3) quotes from recognised fencing contractors and provide copies to Council for consideration. The Council will then elect its preferred contractor to be engaged by the adjoining property owner.
2. The rate of contribution by Council towards repairs of boundary fences of reserves shall be:
 - ◆ For a paling fence - 50% of the accepted quotation, with a maximum contribution of \$60.00per metre; or



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- ◆ For a post and wire fence – 50% of the accepted quotation, with a maximum contribution of \$12.50 per metre.
3. The replacement fence shall be the standard of fencing predominant in the area. For a paling fence, this is a 1.8m high fence constructed using “C” section posts, 3x 75mm x 50mm rails, overlapped 150mm palings and using galvanised nails. Any higher standard or material shall be the sole responsibility of the person making the request.
 4. That Council makes a budget allocation each financial year for fencing of Council reserves contributions.

PAYMENT

5. The ex–gratia contribution shall be made after the work is completed to a standard and in a workmanship like manner satisfactory to the Manager, Works Department.
6. The total limit of payments in one financial year shall be as allowed in the budget allowance for that year.
7. The ex–gratia payment will be on a “first in–first served” basis and must be by written agreement between Council and the property owner prior to any work starting.
8. Any special case which does not comply with this policy may be raised with the Council for decision on a case-by-case basis.
9. Residents shall be advised of this policy on a regular basis.



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FESTIVALS, EVENTS AND PROMOTIONS

Originated Date: Adopted 13 March 2000 – Min. No. 120/00 (as Policy 23)

Amended Date/s: Reviewed 21 January 2013 – Min. No. 13/13
Reviewed 17 July 2017 – Min. No. 237/17
Reviewed 20 July 2020 – Min. No. 237/20
Reviewed 20 January 2025 – Min. No. 25/0035

Applicable Legislation: Section 77 of the *Local Government Act 1993*

Objective To establish a policy relating to the allocation of assistance to Festivals, Events and Promotions that:

- Increase the well-being of residents
- Attract economic benefits through growth in the number and length of stay of visitors
- Promote the establishment of industry related business activity and employment opportunities for residents.

Administration: Governance

Review Cycle/Date: Next review 2028.

1. GENERAL

- 1.1 Assistance to be made available from the General Rate Account for the program.
- 1.2 Assistance may be “in kind” or grant, or a combination of these methods.
- 1.3 Council to give notice by advertisements in at least the Examiner and on the website of opening and closing dates for applications. Closing dates will generally be 31 March and 30 September.
- 1.4 Applications shall provide such information as Council requires including:
 - 1.4.1 Copy of Articles of Association and/or their Constitution
 - 1.4.2 Project Budget and copies of appropriate insurance policies
 - 1.4.3 Copy of Organisation Balance Sheet as at 30 June in preceding year
 - 1.4.4 ABN number if the organisation is registered for the Goods & Services Tax (GST) system.

2. ELIGIBLE EVENTS

The Council will consider requests for assistance by community, sporting and non-profit organisations holding major festivals, events or promotions in the Northern Midlands.

Major festivals, events and promotions are defined as significant events that are the only one of their kind in the Northern Midlands in any one year, and attract significant numbers of people to the event and/or attract significant media coverage for the Northern Midlands.

3. ELIGIBLE ORGANISATIONS

Any community group, organisation or club that is legally incorporated or operating under the auspices of an incorporated body. The organisation must hold and produce evidence of public liability cover for the event.



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4. ELIGIBLE ASSISTANCE

In-kind support includes provision of such items as wheelie-bins, barricades, photocopying paper and provision of services such as preparation of fliers, delivery and collection of bins, erection of barricades and advertising of street closures. The cost to Council of any in-kind assistance approved will be calculated and costed against the application.

Requests for direct financial assistance may be considered e.g. by an organisation in the south of the municipal area where it is impractical for photocopying to be done at the Council Chambers in Longford and therefore application is made for funds to cover photocopying expenses incurred locally.

The maximum allocation to an event is \$2,000 (excl. GST), except in the case of a major new event which can be eligible for a one-off seeding grant of up to \$3,500 (excl. GST).

5. PRIORITIES

The funding available is limited. Priority will be given to events that:

- Have a significant benefit for a wide range of Northern Midlands residents and businesses
- Are unique within the Northern Midlands
- If profit making, put the funds back into the community, preferably through community projects that will benefit a wide cross-section of the community.

6. APPLICATIONS

Applicants are requested to complete the application form in its entirety, and return the completed form by the due date to:

The General Manager
Northern Midlands Council
PO Box 156
LONGFORD TAS 7301

Organisations seeking clarification when completing the form are welcome to contact Council's Customer Service Team on telephone number 63 977 303.

7. POLICY OUTCOMES

The outcomes of this policy will be to:

- Meet the needs of residents and visitors for enjoyment, sport, recreation, art and culture
- Promote healthy lifestyles of residents through participation in events
- Provide a great place to live where residents are provided with both free and paid entertainment of a standard that meets or exceeds their expectations
- Improve residents and visitors understanding of the cultural diversity of the Northern Midlands
- Increase the number and length of stay of visitors to the Heritage Highway area
- Maintain a vibrant and dynamic calendar which encourages cutting edge events
- Improve the economic development of the Northern Midlands area.

8. ASSESSMENT CRITERIA

The assessment criteria for funding under this policy will include:

- The potential for significant impact on the local economy and on the number and length of stay of visitors
- Financial viability and the potential to be self-supporting
- The event must not clash with or be in conflict with an existing significant event



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- Whether the applicant group has the community support and financial and organisational skills necessary to carry out the project.

All applications received will be referred to Council who will determine which event, festival or promotion will be assisted, and to what extent.

Applicants will be notified of the outcome of Council's deliberations.

9. POST-EVENT EVALUATION

An evaluation of the project by the Organising Committee favoured for continued funding.



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FINANCIAL ASSISTANCE HARDSHIP

Originated Date: Adopted 27 April 2020 – Min No. 116/20
Amended Date/s: Reviewed 13 December 2021 – Min No. 21/490
Reviewed 17 November 2025 – Min. No. 25/352

Applicable Legislation / Council Policy: This policy relates to and depends on other Council policies, as well as Tasmanian Government legislation, including:

- *Local Government Act 1993*, Part 9 – Rates and Charges, particularly:
 - Section 86A – General principles in relation to making or varying rates
 - Sections 125-127 – Postponement of payment
 - Section 128 – Late payments
 - Section 129 – Remission of rates
- *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*
- *COVID-19 Disease Emergency (Commercial Leases Code) Act 2020*

Rates and Charges Policy (pursuant to section 86B of the *Local Government Act 1993*)

Objective The purpose of this policy is to enable Council to provide assistance to community members who are suffering financial hardship by providing an appropriate level of relief from Local Government rates.

Administration: Corporate Services

Review Cycle/Date: Initial review July/August 2021; and thereafter, every four years. Next review 2029.

1 PURPOSE

The purpose of this policy is to enable Council to provide assistance to community members who are suffering genuine and serious financial hardship by providing an appropriate level of relief from rates.

2 APPLICATION

2.1 APPLICATION AND INTENT

This policy applies to ratepayers experiencing genuine and serious financial hardship and needing assistance to meet both their basic needs and their rate payment obligations to Council. It is not intended to be used to maintain financial positions for those who do not need it and are not genuinely impacted by serious financial hardship.

This policy applies only to Council rates and charges levied in accordance with Part 9 – Rates and Charges of the *Local Government Act 1993*. This policy does not apply to rates or fees collected on behalf of other authorities in accordance with section 88 of the *Local Government Act 1993*, such as fire service contributions collected pursuant to section 79B of the *Fire Service Act 1973*.

2.2 BACKGROUND

This policy was developed and implemented during the 2020 COVID-19 coronavirus pandemic that spread across the world. To respond to the disease, governments around the world shut down social activities and interaction to prevent transmission, which caused significant impacts on many economic activities and transactions. As a result, many people lost jobs, their clients or their business, destroying incomes and spending. To assist those most critically impacted by the economic slowdown caused by the pandemic Council adopted a robust and a fair hardship



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policy.

Serious financial hardship can occur at any time, so this policy is designed to address a range of circumstances.

2.3 PRINCIPLES

This policy will be applied in accordance with the following principles:

- i) Consistent, equitable and respectful treatment of residents and ratepayers that is sensitive to their specific circumstances.
- ii) Maintaining Council's ability to provide essential services to our community through appropriately applied rating processes.
- iii) Assisting ratepayers who are suffering genuine and serious financial hardship.
- iv) Ensuring that those able to contribute to local services, continue to do so.
- v) Minimising the opportunity for misuse, exploitation or fraud by ensuring decisions made to provide special relief or assistance are supported by sufficient evidence.
- vi) Maintaining confidentiality and privacy of applicants, their applications and any information provided.

3 POLICY

3.1 GENUINE FINANCIAL HARDSHIP

According to the Australian Taxation Office (ATO), individuals are considered to be in serious hardship when they are unable to provide the following for themselves, their family or other dependants:

- i) Food;
- ii) Accommodation;
- iii) Clothing;
- iv) Medical treatment;
- v) Education;
- vi) Other basic necessities.

A number of factors can contribute to or trigger serious financial hardship, including:

- i) Loss of employment of the property owner, family member or household primary income earner;
- ii) Serious illness, including physical incapacity, hospitalisation, or mental illness of the property owner or family member;
- iii) A natural disaster;
- iv) A public health emergency or declared state of emergency;
- v) Family tragedy;
- vi) Family breakdown;
- vii) Financial misfortune;
- viii) Other serious or complicating circumstances.

Community wide issues and circumstances, such as the COVID-19 pandemic, may impact financial hardship, but hardship is always assessed at an individual level, and requires reviewing personal circumstances.

Serious financial hardship involves both low income/cash flow and a low asset base.

Personal property portfolios beyond a primary residence or a business's primary operating space can be used to improve an applicant's cash flow and financial sustainability. Applications for assistance on residential investment properties will not be considered.



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3.2 EVIDENCE OF FINANCIAL HARDSHIP

Applicants under this policy will need to provide evidence of their circumstances of financial hardship to justify Council's special consideration of their case. The type of evidence required will depend on individual circumstances and may include, for example, one or more of the following:

- Assessment by an independent accredited financial counsellor demonstrating an inability to both pay rates and to rearrange asset portfolios to facilitate payment;
- A statutory declaration from an appropriate and independent professional, familiar with the applicant's circumstances (e.g. a family doctor for health-related evidence, a bank official, insurance policy manager, etc.);
- Pending disconnection of essential services, like water, electricity, gas (does not include mobile phone or internet bills);
- Notice of impending legal action;
- Letter from charitable organisation regarding loss of employment or inability to provide for basic necessities;
- Bank notice for example, overdraft call or mortgaged property repossession;
- Employer notice of redundancy or termination of employment;
- Overdue medical bills;
- Letter from doctor verifying the inability to earn an income due to illness or caring for a sick family member;
- Final notice from school regarding payment of mandatory fees;
- Funeral expenses;
- Repossession notice of essential items, e.g. a car.

3.3 HOW COUNCIL CAN HELP

The *Local Government Act 1993* provides Council with three methods of rate relief:

- Postponing rate payments (sections 125-127)
- Remission of late payment penalties or interest (section 128)
- Remission of rates (section 129)

3.3.1 POSTPONING RATE PAYMENTS – DEFERRAL ARRANGEMENTS

A postponement of rates is a deferral of payment in part or full and can be for a specified period and subject to any condition determined by Council.

In confirmed cases of financial hardship, a postponement of individual rates payments within a defined period, in whole or in part, will still have to be paid back at a later date, the obligation to pay is only deferred. The postponement arrangement applies to specified payments and other rate payments are not affected and continue to accrue as normal.

The terms of rate postponement arrangements will be proportionate to the applicant's demonstrated financial hardship circumstances, so supplying sufficient evidence of these circumstances is important for developing the appropriate terms.

Rate payment deferrals approved under this section are typically deferred by 3 to 6 months. However, rate deferral arrangements will not exceed two (2) years unless exceptional circumstances exist.

All deferred payments must be repaid as specified in accordance with the deferral arrangement along with any new rates which have been raised, otherwise regular late payment penalties and/or interest will apply.

Ratepayers who are subject to a deferral arrangement who overcome their financial hardship circumstances are encouraged to begin repaying their deferred rates payments as early as they are able.



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Council may revoke any postponement of rates payments at any time, in accordance with section 127 of the *Local Government Act 1993*, by giving 60 days notice in writing to the ratepayer.

3.3.2 REMITTING LATE PAYMENT PENALTIES AND INTEREST

For typical circumstances that are not of financial hardship, rates must be paid by the due date and Councils may charge a penalty or daily interest or both for each late payment. However, for confirmed cases of financial hardship, Council may waive late payment penalties, or the interest accumulated, or both, for a specified period that relates to the period of financial hardship.

During a declared state of emergency (e.g. 2020 Covid-19) interest and penalties may be waived for eligible ratepayers for a period of 6 months.

3.3.3 REMITTING RATES

Remission of any rates, late payment penalties or interest, in part or in full, is reserved only for the most serious and exceptional cases of financial hardship. Even in these cases, deferral of rate payments must be applied for and approved first, before an application for rates remission can be considered.

After the applicant has entered into a deferral arrangement, the applicant may apply for remission of rates. The application must demonstrate:

- i) Financial hardship;
- ii) Exceptional and serious circumstances;
- iii) How the applicant's exceptional financial hardship circumstances make the maximum term deferral arrangement under section 3.3.1 unfeasible and unreasonable to fulfil; and
- iv) How enforcing fulfilment of the maximum term deferral arrangement would only deepen the seriousness of applicant's financial hardship and critically impact their ability to provide for the basic living necessities (food, accommodation, clothing, medical treatment) of the applicant and dependents.

In the interests of community fairness and equity, wherever possible and appropriate in determining rates remission applications:

- i) Deferral arrangements are preferable to rates remission;
- ii) Amounts or proportions of rates to be remitted are to be minimised, for example, below \$1,000 or 50% of rates owed; with the remainder subject to an agreed payment arrangement;
- iii) Instances of rates remission are to be minimised to no more than one rates remission per applicant.

4 APPLICATIONS

4.1 APPLYING FOR FINANCIAL HARDSHIP ASSISTANCE

To seek financial hardship assistance from Council, an application must be made in writing, addressed to the General Manager, and submitted as follows:

- Emailed to council@nmc.tas.gov.au or
- Mailed to P O Box 156, Longford TAS 7301.

Applications must:

- Demonstrate and provide evidence for financial hardship and circumstances (see section 3.2 *Evidence of Financial Hardship*);
- Describe the type of assistance sought, being:
 - Postponing rate payments (a deferral arrangement);
 - Postponing or waiving late payment penalties or interest;
 - Remitting rates, late payment penalties or interest, in part or in full;



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- Address the requirements of the relevant subsections of section 3.3 *How Council Can Help*.

4.2 ASSESSING APPLICATIONS

Postponement

Applications for postponement arrangements will be determined with a delegation provided under Section 22(2)(ab) of the LGA 1993:

- i) For amounts less than \$2,500 – the Corporate Services Manager; or
- ii) For amounts of \$2,500 or greater – the General Manager.

Interest & Penalties

Applications for remission of late payment penalties or interest charges will be determined by the General Manager in accordance with delegation provided under Section 22(2)(b) of the LGA 1993.

Remission of Rates

Applications for remission of rates will be determined as follows:

- i) the General Manager may authorise a remission of rates of up to \$1,000 per property in a financial year in accordance with a delegation provided under Section 22(2)(b) of the LGA 1993.
- ii) In circumstances where it is recommended a remission greater than \$1,000 should apply the matter will be referred to the Council in Closed Session.

All applicants will be advised of Council's decision in writing.



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APPENDIX A: COMMERCIAL ADDENDUM TO FINANCIAL HARDSHIP ASSISTANCE POLICY

1 INTRODUCTION

1.1 PURPOSE

An Addendum to the Hardship Policy has been provided to achieve a consistent approach to rates assistance for commercial operators across the Northern Midlands Council.

1.2 SCOPE

This Addendum applies to commercial/business ratepayers within the Commercial Land Use Category and Sport & Recreation Land Use Category who are experiencing hardship due to the loss of operating revenue or reduced disposable income.

It is not intended to be used to maintain financial positions for those who do not need it and are not genuinely impacted by serious financial hardship.

1.3 PRINCIPLES

The principles are as outlined in the Hardship Policy with only one additional principle that applies to this Commercial Addendum. That is, the principle of proportionality – namely, that any agreed arrangements will take into account both individual and community wide circumstances (such as the COVID-19 pandemic) on commercial ratepayers, with specific regard to their revenue, expenses, and profitability.

2 ADDENDUM

2.1 HOW COUNCIL CAN HELP

The *Local Government Act 1993* provides Council with three methods of rate relief:

- (1) Postponing rate payments (sections 125-127);
- (2) Remission of late payment penalties or interest (section 128); and
- (3) Remission of rates (section 129).

Remission of any rates is reserved only for the most serious and exceptional of financial hardship cases. Even in these cases, deferral of rate payments must be applied for and granted first, before an application for rates remission can be considered – see the Hardship Policy for further information.

2.2 IMPLEMENTATION

The Hardship Policy and Addendum were developed and implemented in response to the 2020 COVID-19 pandemic. The circumstances surrounding the pandemic were unprecedented. However, serious hardship can occur at any time.

2.2.1 GENUINE HARDSHIP

Providing assistance to commercial ratepayers who are able to supply evidence of genuine and serious financial hardship.

Evidence may include, for example, one or more of the following:

- Details of closure - including Government enforced closure as a requirement of a natural disaster;
- Tenant correspondence requesting relief (if applicable);
- Other documentation demonstrating that your business is experiencing financial hardship.



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All arrangements to support businesses will be proportionate to the evidence of hardship provided.

3. APPLICATIONS

See the Hardship Policy for information on the assessment of applications.



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APPENDIX B: APPLICATION FOR FINANCIAL HARDSHIP ASSISTANCE

If you are a Northern Midlands Council ratepayer, you may be eligible for hardship assistance in the payment of overdue rates and charges where you are experiencing genuine and serious financial hardship.

For further information, see Financial Hardship Assistance Policy.

APPLICANT INFORMATION

This application is to apply the following concession(s) on the basis of financial hardship (**please select at least one**):

- Postponing rate payments (extension of time);
- Waiver of late payment penalties or interest for the period of financial hardship; or
- Rates remission.

Remission of any rates is reserved only for the most serious and exceptional cases of financial hardship. Even in these cases, deferral of rate payments must be applied for and approved first, before an application for rates remission can be considered.

If you are applying for assistance for more than one property you must complete an application for each property, as the nature, type and ownership of each may differ.

The following questions are designed to provide the Council with as much information as possible to assist in the application assessment process.

Name of the Property Owner(s):

Name of Applicant:

Please tell us why you are applying for hardship assistance:



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- Are you the owner of the property? Yes No
- For what type of property are you applying? Residential Commercial
- Is the property a rental property? Yes No

Rateable Property Details (information as it appears on your rates notice):

Account Number:

Street Address:

Please provide details of how we can contact you:

Name:

Phone Number/s:

Email Address:

FOR RESIDENTIAL PROPERTY APPLICATIONS ONLY:

Current Weekly Income Details:

Pension or other government benefit (complete details below) \$

Compensation/Superannuation/Insurance or Retirement income \$

Spouse or partners income (if applicable) \$

Other income (rental income, child support) \$

Interest from banks and financial institutions \$

Total weekly income \$

Pension/Benefit details (if applicable):

Type of Pension/Benefit

Compensation/Superannuation/Insurance or Retirement income

Date of Issue

Expiry

Do you have a current pensioner remission on your rates? Yes No

Current Weekly Expenses:

Mortgage(s) \$

Other loans / credit cards \$

Utilities \$



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Insurance(s)

\$

Other living expense

\$

Total weekly expenses

\$

Please attach documentary evidence to assist us to review and assess your hardship application

(noting that as much supporting documentation as possible should be provided).

- Evidence of you qualifying for Job Seekers support.
- Assessment by an independent accredited financial counsellor demonstrating an inability to both pay rates and to rearrange asset portfolios to facilitate payment.
- A statutory declaration from an independent professional, familiar with your circumstances.
- Notice of impending legal action.
- Employer notice of redundancy or termination of employment.
- Letter from charitable organisation regarding loss of employment or inability to provide for basic necessities.
- Accountant or bank statements and notices.
- Overdue medical bills.
- Letter from doctor verifying inability to earn an income due to illness or carer responsibilities.
- Funeral expenses.
- Final notice from school regarding payment of mandatory fees.
- Repossession notice of essential items, like a car or motorcycle.
- Other documentation demonstrating that you are experiencing financial hardship (please describe below):



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FOR COMMERCIAL PROPERTY APPLICATIONS ONLY:

Company Name:

Who is currently paying rates for this property?

Please attach documentary evidence to assist us to review and assess your hardship application (noting that as much supporting documentation as possible should be provided).

- Evidence of your business qualifying for the JobKeeper support package – this alone will qualify as evidence of experiencing genuine financial hardship.
- Assessment by an independent accredited financial counsellor demonstrating an inability to both pay rates and to rearrange asset portfolios to facilitate payment.
- Accountant or bank statements and notices.
- Details of closure - including Government enforced closure as a requirement of COVID-19.
- Tenant correspondence requesting relief (if applicable).
- Commercial and leasing arrangements as a direct result of the COVID-19 pandemic;
- A statutory declaration from an independent professional, familiar with your circumstances.
- Notice of impending legal action.

Please describe and provide other documentation demonstrating the quantum of revenue lost (compared to the same period in the previous year):

SUBMISSION AND ASSESSMENT

Please make sure your application and documentary evidence is addressed to the General Manager, and submitted as follows:



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- Emailed to [e.g. council@nmc.tas.gov.au]; or
- Mailed to The General Manager, Northern Midlands Council, P O Box 156, Longford TAS 7301.

Please use the title '**Hardship Assistance Application**' to assist our staff to identify your application quickly. We will be in contact with you as soon as possible to acknowledge your application and provide advice regarding the assessment process. If you have any enquiries or need assistance completing your application, please contact Council's Customer Service Team].

DECLARATION AND SIGNATURE

I confirm that the information provided within this Application for Financial Hardship is accurate, and there have been no misrepresentations or omissions of fact that would otherwise influence the review and decision of Northern Midlands Council.

Signature:

Name:

Date:

PERSONAL INFORMATION PROTECTION STATEMENT

The personal information that Council is collecting from you is deemed personal information for the purposes of the *Personal Information Protection Act 2004*. The supply of the information by you is voluntary. However, if you cannot provide or do not wish to provide the information sought, Council may be unable to process your application or request.

You may make application for access or amendment to your personal information held by the Council. Enquiries concerning this matter can be addressed to the General Manager].



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FIRE ABATEMENT

Originated Date: Adopted 18 February 2013 – Min. No. 50/13 (as Policy 69)

Amended Date/s: Amended 21 November 2016 – Min. No. 311/16
Amended 23 January 2017 – Min. No. 07/17
Reviewed 4 March 2021
Amended 19 January 2026 – Min. No. 26/021

Applicable Legislation: Local Government Act 1993

Objective Provide a fair and consistent approach to the reduction of potential fire risk within the settlement areas of the Northern Midlands.

Administration: Community and Development

Review Cycle/Date: Next review 2029.

INTRODUCTION

Wildfire is a natural hazard throughout Tasmania and it is the ongoing responsibility of all landowners to take reasonable measures to minimise the risk to their own property and that of their neighbours.

The *Local Government Act 1993*, part 12, division 6, defines a nuisance to include anything that is, or is likely to be, a fire risk. Further, the Act requires that, where Council is satisfied that a nuisance exists, the General Manager must serve a notice requiring abatement of the nuisance.

Council's authorised officers have the training and authority to inspect properties and when a fire risk is identified, prepare the relevant abatement notices to be issued by the General Manager.

Council recognises that different fire risks exist on individual properties depending upon matters such as the location of the land, its terrain and vegetation cover.



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OPERATION

1 EXPECTATION

Rural Properties

It is expected that owners and occupiers of rural properties will manage their risk of fire transfer, either to or from their properties, through the use of fire breaks at their boundaries. Depending on the slope and potential fuel load, fire breaks should be between 10m and 20m wide and should be cut to a height not exceeding 10cm or be ploughed. Fire breaks should be regularly inspected and maintained to ensure the fuel load is at a minimum.

Urban Fringe – Low Density Residential

It is expected that owners and occupiers of properties on the urban fringe or in designated low density residential or rural living areas will manage their risk of fire transfer, either to or from their properties, through the use of fire breaks at their boundaries. Depending on the slope and potential fuel load, fire breaks should be between 5m and 20m wide and should be cut to a height not exceeding 10cm or be ploughed. Fire breaks should be regularly inspected and maintained to ensure the fuel load is at a minimum.

Urban areas

It is expected that owners of vacant lots within urban areas will maintain a 5m wide fire break, at a height of not more than 10cm, with all shrubs and lower (less than 1m) limbs of trees removed. Grass throughout the balance of the property should be maintained at approximately 10cm, trees and shrubs may be retained. Debris fuel load should be removed annually.

Grazing to abate risk

The use of sheep, or other stock, to graze vacant land and so keep the grass short and thus abate potential fire risk can be effective if commenced early enough and if weeds – particularly thistles and gorse - are additionally dealt with. Placing sheep onto vacant land once an abatement notice has been served, or after significant growth, is unlikely to produce a satisfactory result. In many cases, the trampling, by stock, of the fuel load may simply make its removal more difficult.

2 INSPECTION

Council's authorised officer will respond and inspect all sites where a fire risk concern is brought to Council's attention.

In addition, in spring of each year Council's authorised officer will conduct inspections of the residential areas in the municipality, for potential fire hazards.

3 PROCESS

- i* *Advertise:* Council will place fire season hazard advertisements in newspapers circulating in the municipality, in September and October each year. The advertisements are also to be shared on Council's Facebook page.
- ii* *Friendly Reminder:* In October each year friendly reminders will be sent to people who received an abatement notice regarding fire hazards in the previous year.
- iii* *Inspection:* Following an initial inspection, an authorised officer will send a letter to the owner or occupier of all properties where, in the opinion of that officer, a fire risk may eventuate if the existing fuel load is not reduced.
- iv* *Follow Up Inspection:* An authorised officer will conduct a follow up inspection of all properties identified from the inspection referred to in clause ii after 14 days to confirm the fire risk has or has



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- not been reduced.
- v *Abatement Notice:* Where, in the opinion of an authorised officer, there is, a continued fire risk, a notice will be served upon the owner or occupier of the land formally requiring the risk to be abated within fourteen (14) days.
 - vi *Appeal or carry out work:* The owner or occupier of the land must abate the risk or appeal to a magistrate within 14 days of the service of the notice, in accordance with the provisions of the *Local Government Act 1993*.
 - vii *Risk not abated:* If the owner or occupier does not abate the risk or lodge an appeal within the prescribed 14-day period, a letter will be sent to the owner or occupier advising that Council will carry out the works at the owner or occupier's expense.
 - viii *Send Contractor:* Once the letter referred to in step (vii) is sent, the authorised officer will engage a contractor to enter the land and do anything reasonably necessary to abate the fire risk. The contractor will cut locks or remove gates etc. if necessary to gain entry.
 - ix *Charge to owner:* All costs associated with the contractor, plus an administration fee, will be invoiced to the owner or occupier. This cost will be incurred even if the owner or occupier abates the risk, after the expiry of the prescribed period, but prior to the arrival of Councils contractor.



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FIREWORKS POLICY

Originated Date: Adopted 19 November 2007 – Min. No. 357/07 (as Policy 54)

Amended Date/s: Revised 19 August 2013 – Min. No. 214/13
Revised 20 February 2017 – Min. No. 57/17
Reviewed 1 April 2021
Reviewed 19 January 2026 – Min. No. 26/022

Applicable Legislation: *Explosives Act 2012*
Explosives Regulations 2012

Objective To establish a policy to guide Council response to fireworks display permits

Administration: Community and Development

Review Cycle/Date: Next review 2029

1. INTRODUCTION

This policy is to ensure that any fireworks displays within the built-up and rural residential areas of the Northern Midlands are conducted in such a manner to minimise any impact on residential amenity and the safety of horses and domestic animals.

This policy is intended to qualify Council's blanket objection to all fireworks displays within built-up and rural residential areas.

2. DEFINITIONS

<i>Act</i>	means the <i>Explosives Act 2012</i>
<i>Regulations</i>	means the <i>Explosives Regulations 2012</i>
<i>Type 1 fireworks</i>	means a cap, party popper, snap for bonbon or sparkler as defined in the Regulations.
<i>Type 2 fireworks</i>	means fireworks that are Shopgoods fireworks within the meaning of AS 2187.3 and are not Type 1 fireworks.
<i>Type 3 fireworks</i>	means fireworks other than Type 1 fireworks or Type 2 fireworks and are also known as professional display or large event fireworks.
<i>Fireworks display permit</i>	means a permit issued under regulation 88 of the Regulations.
<i>Residential area</i>	Includes rural residential areas.
<i>Secretary</i>	means the Secretary of the Department administering the Explosives Act and Regulations (Department of Justice).



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3. BACKGROUND

The Northern Midlands Council respects the concerns of residents that fireworks displays, involving fireworks with a report, are potentially disturbing to domestic animals and horses. Such displays are generally discouraged within residential (including low density) areas.

The Northern Midlands Council endorses the RSPCA document “Fireworks are no Fun for Animals” attached to this policy.

4. OPERATION

Where complaints are made to Council about a fireworks display, Council will review the complaint and decide whether to lodge an objection against the display with the Secretary.

Where Council becomes aware that a fireworks display was conducted within 5.5 km of the Launceston Airport, it will lodge an objection against the display with the Secretary.

5. PROPOSED DISPLAYS

- Displays, within residential areas, involving rockets and/or other air burst style fireworks are considered inappropriate and likely to distress domestic animals. Such displays shall not be supported;
- Council shall forward an objection in response to all applications including rockets and/or other air burst style fireworks in residential areas;
- Displays, within residential areas, not including rockets or other air burst fireworks and displays not within residential areas will not be opposed, provided:
 - Neighbours and pet owners in the immediate vicinity are given appropriate notification;
 - Previous displays for the site, or by the applicant, have been satisfactory (i.e. have not resulted in multiple complaints).

6. APPROPRIATE NOTIFICATION

In accordance with WorkSafe Tasmania’s Application for Type 2 Fireworks Permits, a person issued a permit must give at least 7 clear days’ notice of the display to the council’s general manager and the owner or occupier of each property adjoining the site, **OR** give public notice of the display in a daily newspaper published and circulating generally in the region that the display is to be held in.

7. FAILURE TO NOTIFY

If Council becomes aware that notification was not given as required, it will lodge an objection with the Secretary.

The sight and sound of a fireworks display can pose a serious risk to your animal's safety.

Many animals are terrified by fireworks.

Unfortunately our celebrations can inspire fear and distress in animals, so it's essential responsible pet owners adequately prepare their animals for fireworks displays in their area.



Animal behaviorists believe that animals become fearful during fireworks displays because the sights, sounds and smells are extreme and unfamiliar to them.

Animals not accustomed to fireworks are likely to react in a negative way, and sadly, it is common for pets to panic and escape during suburban fireworks displays.

In their panic, these animals may become disoriented and/or lost, and some may be killed or severely injured.

Horses and other livestock may panic and try to escape the overwhelming impact of a fireworks display.

It is a condition of Fireworks Permits issued in Tasmania that surrounding residents are notified of your intention to use fireworks.

Noise generated from fireworks has the potential to cause conflict and concern to people in the immediate area of the display, as well as frighten pets and other animals such as horses and other farm animals. At least 48 hours prior to the date of your fireworks display please ensure that you properly inform residents in the surrounding area of the display, as well as inform property owners who have animals. The timing of this notice must be such so as to allow sufficient time for persons to manage their pets and animals. In any event at least 48 hours prior notice of the intended fireworks display must be given to people in the immediate area.

If you are planning a fireworks display on your property,

Please be a Good Neighbour and give surrounding residents as much notice as possible to allow them to make adequate arrangements for their pets

RSPCA 
Tasmania

FIREWORKS ARE NO FUN FOR ANIMALS



To keep your animals safe and calm during a fireworks display, it is essential to take precautionary steps:

The RSPCA recommends that pet owners stay home with their pets.

If your pet begins to show signs of distress, encourage calm behaviour with praise and attention. Do not pat and comfort a scared dog, it will only increase the problem.

Instead be calm, cheerful and in control.

If someone cannot be at home, ensure your pets are indoors in a room that is safe and familiar.

Leave a radio on and some of their favorite things, or some old clothes with the your scent on them in the room for added comfort.

In case of escape, make sure your pets are well-identified with a microchip and collar and tag.

Make sure you leave plenty of water.

It can also help take your dog out on a lead for plenty of exercise well before the fireworks start, but dogs that panic can choke themselves on a collar or lead, so never use a check chain or slip collar to restrain your dog.



Also give them a good filling meal. A tired and well-fed pet will be far less anxious during the night.

OTHER ANIMALS

Rabbits, guinea pigs, birds and other small animals should be safely secured in a garage or outbuilding, away from the sight and sound of fireworks.

As an alternative, making sure there is sufficient ventilation, you can cover the cage with thick fabric to help muffle the sounds.

Horses, goats and other livestock should be securely stabled or moved to a different location during fireworks displays in their immediate area.

DO NOT TETHER YOUR ANIMALS

Tethered animals are likely to feel trapped and will panic even more. They can seriously injure themselves (and others), become entangled, or even choke in their efforts to escape



If you build a bonfire remember that it may attract small animals and birds looking for food or shelter during the day, so be sure to give it a good shake and make some noise before you light it.

Desensitisation may help to calm pets afraid of loud noises.

By regularly exposing animals to small samples the kind of sounds that frighten them, you may begin to desensitise them.

Start very quietly. Play the recorded sound just loud enough that you begin to notice some irritation, such as ear-twitching. Attract your dogs attention. Play, act as if everything is normal, and reward calm behaviour with praise and attention. Keep this up for a few minutes at a time, and try to leave the sounds on after you leave the room.

Repeat the process on a daily basis, gradually increasing the volume over the course of a few months. You will need to allow three to six months in advance to complete this kind of training, and with some animals you will need to continue it indefinitely or they will become sensitive again in between fireworks displays.

Unfortunately for some pets the fear of loud noises is completely overwhelming.

When pets have this kind of abnormal and excessive fear, it may feel like there is nothing you can do to calm them down.

If your pet suffers from an unmanageable phobia of fireworks or thunder, then it is at risk of injury when it panics.

To help keep your pet safe, you should take the time to make an appointment with your vet well before the date of the fireworks display. Discuss the problem with your vet or an animal behaviourist, who may recommend behavioural therapy, and in some cases may prescribe some calming medication.



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FRAUD AND CORRUPTION

Originated Date: Adopted 17 March 2014 – Min. No. 73/14

Amended Date/s: Reviewed 14 December 2020 – Min. No. 423/20
Reviewed 9 December 2024 – Min. No. 24/0415

Applicable Legislation: *Criminal Code Act 1924 (Tas)*
Integrity Commission Act 2009
Police Offences Act 1935 (Tas)
Privacy Act 1988 (Cth)
Public Interest Disclosure Act 2003 (Tas)
Right to Information Act 2009 (Tas)

Objective To prevent, deter and detect incidents of fraud and corruption by raising the awareness of the risk of fraud and corruption, taking necessary actions for its prevention, providing processes for the reporting and investigation of incidents, and protecting those who report suspected fraud or corruption incidents.

Administration: Corporate Services

Review Cycle/Date: Every 4 years. Next review 2028.

1. PURPOSE

Northern Midlands Council (Council) is committed to acting in the best interest of the community and to upholding the principles of honesty, integrity and transparency, which are all key components of good governance. Council aims to prevent, deter and detect incidents of fraud and corruption by raising the awareness of the risk of fraud and corruption, taking necessary actions for its prevention, providing processes for the reporting and investigation of incidents, and protecting those who report suspected fraud or corruption incidents.

2. SCOPE

Councillors, employees, and contractors are required to comply with the spirit of this policy and its associated procedures and undertake any relevant training as required.

3. DEFINITIONS

Fraud: dishonest activity which obtains a benefit or causes a loss by deception or other means.

Corruption: dishonest activity in which a person acts contrary to the interests of Council and abuses his/her position of trust in order to achieve some personal benefit for themselves, or provide an advantage/disadvantage for another person or entity.

Examples of fraud and corruption include, but are not limited to:

- theft;
- obtaining property, a financial advantage or any other benefit by deception (benefits and advantages can be either tangible or intangible);
- causing a loss, or avoiding or creating a liability by deception;
- providing false or misleading information to Council, or failing to provide information where there is an obligation to do so;
- making, using or possessing forged or falsified documents;
- bribery, corruption, collusion or abuse of office;



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- unlawful use of Council's computers, vehicles, telephones, equipment, inventory and other property or services; and
- any offences of a like nature to those listed above.

4. POLICY STATEMENT

Council will not tolerate fraud or corruption amongst its Councillors, employees or contractors.

Council is committed to:

- ensuring internal controls are developed to deter, detect and prevent fraud;
- providing a sound ethical environment in which fraud is difficult and honest behaviour is encouraged;
- complying with legislation and relevant policies, procedures and controls;
- proactively managing any allegations or incidences of fraud in accordance with approved procedure including reporting of allegations to law enforcement agencies;
- providing sufficient resources to facilitate the implementation of this policy within Council;
- protecting disclosers in accordance with the Public Interest Disclosure Act 2003 (Tas); and
- ensuring awareness of the Fraud and Corruption Control Policy and associated procedures through the provision of appropriate training and awareness raising strategies to employees.

5. RESPONSIBILITIES

This policy assigns responsibility for fraud and corruption prevention management to all Councillors, Managers and employees. All Departments will be required to implement practices consistent with this policy and associated procedures, and actively contribute to fraud and corruption prevention strategies.

6. PROCEDURES

Procedures relating to the minimisation, detection and reporting of Council's fraud and corruption risk are contained in the *Fraud and Corruption Control Plan*.

7. LEGISLATION AND REFERENCES

- *Criminal Code Act 1924 (Tas)*
- *Integrity Commission Act 2009*
- *Police Offences Act 1935 (Tas)*
- *Privacy Act 1988 (Cth)*
- *Public Interest Disclosure Act 2003 (Tas)*
- *Right to Information Act 2009 (Tas)*
- *Employee Code of Conduct*
- *Code of Conduct for Elected Members*
- *Fraud and Corruption Control Plan*
- *Public Interest Disclosures Procedures*

8. POLICY REVIEW

The Council will review this policy every 4 years.



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FRAUD AND CORRUPTION CONTROL PLAN

1. OBJECTIVE

Northern Midlands Council (Council) is committed to acting in the best interest of the community and to upholding the principles of honesty, integrity and transparency, which are all key components of good governance. Council does not tolerate fraudulent and/or corrupt activity of any kind.

Council's Fraud and Corruption Control Plan is designed to reduce the overall risk of fraud and corruption and reflects Council's commitment to promoting ethical and honest behaviour in the workplace.

The purpose of this plan is to:

- outline management's key leadership responsibilities in regard to fraud and corruption;
- inform all employees and Councillors of their responsibilities regarding fraud and corruption, and detail the actions required when fraud and corruption is suspected; and
- summarise Council's anti-fraud strategies.

2. SCOPE

The Fraud and Corruption Control Plan has been developed in accordance with the Australian Standards on Fraud and Corruption Control 8001-2008 and applies to Councillors, employees and any external party involved in providing services to any part of Council, for example, contractors, consultants, outsourced service providers and suppliers.

Employees and Councillors are expected to perform their duties for, and on behalf of Council legally, ethically and with integrity and professionalism. Embedding these requirements into day-to-day operations will protect Council by reducing the likelihood of financial loss or reputational damage as a result of misconduct by employees and others.

3. DEFINITION OF FRAUD AND CORRUPTION

The Australian Standard on Fraud and Corruption Control AS 8001-2008 defines fraud as:

"Dishonest activity, causing actual or potential financial loss to any person or entity including theft of moneys or other property by employees or persons external to the entity and where deception is used at the time, immediately before or immediately following the activity. This also includes the deliberate falsification, concealment, destruction or use of falsified documentation used or intended for use for a normal business purpose or the improper use of information or position for personal benefit. The theft of property belonging to an entity by a person or persons internal to the entity but where deception is not used is also considered 'fraud' for the purposes of this standard."

The Australian Standard on Fraud and Corruption Control AS 8001-2008 defines corruption as:

"Dishonest activity in which a director, executive, manager, employee or contractor of an entity acts contrary to the interests of the entity and abuses his/her position of trust in order to achieve some personal gain or advantage for him or herself or for another person or entity. The concept of 'corruption' within this standard can also involve corrupt conduct by the entity, or a person purporting to act on behalf of and in the interests of the entity, in order to secure some form of improper advantage for the entity either directly or indirectly."

Please refer to Appendix B for an example of activities that would be viewed as fraud or corruption that relate specifically to Council, Councillors, employees and third party providers.

4. RESPONSIBILITIES

4.1 COUNCILLORS

Collectively, as the decision making body, Councillors are responsible for ensuring that Council:



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- promotes community awareness of Council's commitment to the prevention of fraud and corruption;
- provides adequate security for the prevention of fraud and corruption. This includes the provision of secure facilities for storage of assets, and procedures to deter fraudulent or corrupt activity from occurring;
- provides mechanisms for receiving allegations of fraud or corruption, including the appointment of the Corporate Services Manager or his/her delegate as Fraud Control Officer;
- ensures that, where appropriate, proper investigations are conducted into allegations that involve fraud or corruption;
- ensures that all Employees are aware of their responsibilities in relation to fraud and corruption through the provision of appropriate and regular training;
- promotes a culture and environment in which fraud and corruption is actively discouraged and is readily reported should it occur; and

4.2 MANAGEMENT

Management and any other person supervising employees or contractors carry a shared responsibility and accountability to actively support and implement the strategy including:

- understanding and supporting the Fraud and Corruption Control Plan, and providing employees within their department the necessary information to implement this plan;
- identify and understand the risks of fraud and corruption within their departments;
- undertakes a fraud and corruption risk assessment on a regular basis.
- implement and maintain appropriate internal controls to reduce those risks to an acceptable level;
- promote the importance of ethical conduct and compliance with the Northern Midlands Council Policy Manual (or its equivalent) and related policy and procedures, set and enforce acceptable standards of behaviours;
- receive and pass on reports of suspected fraud or corruption in accordance with Council's Fraud and Corruption Control Plan and Public Interest Disclosure Policy;
- support individuals who have made reports in accordance with this Plan and Council's Public Interest Disclosure Policy. Protect and maintain the confidentiality of the individual and ensure they are protected from detrimental action;
- formally consider ongoing commercial relationships with contractors or third parties when it is deemed that there is a heightened risk of fraud or corruption in continuing to deal with that party;
- ensuring that new Employees for whom they are responsible are aware of their responsibilities in relation to fraud and corruption; and
- leading by example to promote ethical behaviour.

4.3 EMPLOYEES

Employees and others engaged to work for Council have a responsibility to demonstrate fairness, integrity and sound professional and ethical practice at all times in every aspect of their employment.

Employees have a responsibility to understand, observe and comply with Council's Code of Conduct and related policies and procedures and to embrace and promote an ethical culture and work environment that is not permissive of fraudulent behaviours or other forms of corrupt conduct.

Employees should:

- be vigilant in their work to prevent and detect fraud or corruption;
- perform their functions and duties with care, diligence, honesty and integrity;
- take care for Council's property which includes avoiding the waste or misuse of Council's resources;
- report any suspected fraud or corruption of which they become aware or suspect on reasonable grounds;
- assist in any investigations of fraud and corruption as required;
- refrain from any activity that is, or could be perceived to be victimisation or harassment of a person who



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makes a disclosure of reportable conduct;

- protect and maintain the confidentiality of a person they know or suspect to have made a disclosure of a reportable conduct.

4.4 FRAUD CONTROL OFFICER

The Fraud Control Officer has responsibility for the development and review of Council's Fraud and Corruption Control Plan and ensuring that the Plan requirements are implemented and functioning at Council. The Fraud Control Officer will conduct preliminary investigations into reports of fraud or corruption, for the purpose of deciding further action.

5. PREVENTION

Council recognises that the most effective way to prevent the occurrence of fraud and corruption is to promote an ethical environment fully supported and demonstrated by management and in which internal control mechanisms have been implemented. Council's fraud and corruption prevention strategies include the following elements:

- A Code of Conduct which outlines a statement of values and details unacceptable behaviour;
- Recognition from Management who adhere to, promote and maintain an ethical culture and actively promote such a culture;
- A program for communicating Council's Code of Conduct. through regular dissemination of material;
- Ongoing training in the use of codes of behaviour and ethical standards; and
- A mechanism to report ethical complaints or concerns inside and outside the normal channels of communication.

5.1 ENSURING MANAGEMENT COMMITMENT TO CONTROLLING THE RISK OF FRAUD AND CORRUPTION

Management must have a high level of commitment to controlling the risk of fraud and corruption. Management should maintain an understanding of the types of fraud and corruption common within local Government and any types of fraud and corruption that have been detected in Council within the last five years.

Management should have strong knowledge of the internal control environment and its ability to prevent and detect the types of fraud and corruption likely to occur.

Management (including any person supervising employees or contractors) have a responsibility to be aware of their accountabilities for the prevention and detection of fraud and corruption. In order to reinforce this, Council's Fraud and Corruption Control Plan includes the following elements:

- The responsibility to implement policies and procedures, including the Fraud and Corruption Control Plan, is incorporated within managers position descriptions; and
- Managers receive appropriate training on fraud and corruption control and during this training are informed of their specific fraud and corruption accountabilities.

5.2 MAINTAINING A STRONG INTERNAL CONTROL SYSTEM AND INTERNAL CONTROL CULTURE

Internal controls are often the first line of defence against fraud and Council will ensure the maintenance of a strong internal control system that addresses all business processes, particularly those assessed as having a higher predisposition to the risks of fraud and corruption. In respect to the internal controls, Council will:

- document internal controls;
- communicate internal controls effectively to all employees. The level and means of communication will be based on level of responsibility and position of each employee;
- provide access to documented internal controls to appropriate and relevant employees;
- regularly review internal controls and documentation to ensure continuous improvement at least every 3 years; and
- regularly review adherence to internal controls.



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Council aspires to achieve a strong culture in which all employees understand the importance of adhering to internal controls and will implement appropriate compliance assessments including regular performance review programs to measure and monitor adherence.

5.3 FRAUD AND CORRUPTION RISK ASSESSMENT

Focused fraud risk assessment will be undertaken at least annually as part of a structured risk management process or when there is significant change to operations.

Council's main objective in the prevention and control of fraud and corruption is to minimise the occurrence of fraud and corruption within Council. This objective is generally achieved by:

- identifying and assessing fraud and corruption risks;
- determining strategies to control those risks; and
- defining responsibility for and, the timeframe within which the strategies will be implemented.

Controlling strategies that result from a fraud risk assessment will be monitored and reported to the General Manager via the Fraud Control Officer in accordance with developed risk management strategies.

To assist with the identification of fraud and corruption risks Managers must be alert to the potential of fraud and corruption to occur and remain aware of factors which may leave Council vulnerable to fraud and corruption, including:

- changes to Council delegations;
- implementation of cost cutting measures;
- contracting out and outsourcing;
- the impact of new technology; and
- changes to risk management practices.

Refer to Appendix B – Examples of activities considered Fraudulent or Corrupt and Appendix C – Fraud and corruption Risk Indicators for items to be considered during the performance of fraud and corruption risk assessments.

5.4 COMMUNICATION AND AWARENESS OF FRAUD AND CORRUPTION

Council recognises that the success and credibility of this Plan will largely depend upon how effectively it is communicated throughout the organisation and beyond.

5.4.1 Community Awareness

Council will take proactive steps towards ensuring that the wider community is aware of the zero-tolerance stance towards fraud and corruption.

Council will increase community awareness by:

- promoting Council's initiatives and policies regarding the control and prevention of fraud and corruption on Council's website and at Council offices;
- making reference to Council's fraud and corruption initiatives in the Annual Report; and
- facilitating public access to all policy documents that reflect Council's governance and probity framework.

5.4.2 Council Awareness

All employees, contractors and Councillors should have general awareness of fraudulent and corrupt conduct and how he or she should respond if this type of activity is detected or suspected.

Council will provide training in fraud and corruption awareness and control through:

- Ensuring all employees and Councillors receive training in Council's Code of Conduct, Public Interest Disclosures Procedures, Fraud and Corruption Control Policy, Fraud and Corruption



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Control Plan and other relevant policies and procedures;

- Ensuring all employees, and Councillors receive fraud awareness training appropriate to their level of responsibility and risk;
- Ensuring contractors are made aware of Council's Fraud Control Policy and Fraud and Corruption Control Plan;
- Ensuring fraud and corruption awareness and standards of conduct are promoted regularly through meetings or internal publications, for example employees newsletters or intranet articles to promote and support the ongoing commitment by senior management;
- Ensuring updates and changes to fraud related policies, procedures and other ethical policies or procedures are effectively communicated to all employees;
- Ensuring employees, contractors and Councillors are aware of alternative ways in which they can report allegations or concerns;
- Encourage all employees, contractors and Councillors to report any suspected incidence of fraud or corruption.

5.5 EMPLOYMENT SCREENING

Council requires pre-employment screening for new employees to be undertaken prior to appointment of positions being considered.

The types of enquiries which may be carried out as part of the employment screening process include but are not limited to:

- Verification of identity;
- National police check;
- Reference checks with the most recent employers;
- A consideration of any gaps in employment history and the reasons for these gaps; and
- Verification of formal qualifications or licences

Employment screening will be undertaken in line with the Australian Standard on Employment Screening AS 4811-2006 (or relevant standard, regulation, Act).

5.6 POLICIES DEALING WITH ANNUAL LEAVE

Reluctance to take regular leave may increase the risk of occupational injury or disease due to exhaustion or fatigue. It is also a possible indicator that a person may be concealing evidence of fraud or corruption. Where possible Council may address this by limiting the amount of leave an individual can accrue at any one time in accordance with the Enterprise Agreement.

5.7 SUPPLIER VETTING

Managers and other appropriate employees who are responsible for purchasing goods and services on behalf of Council are to undertake all transactions in accordance with Council's approved Procurement Policy whereby effective vetting of suppliers is required.

These processes have been established to ensure transactions are undertaken in an open, honest and ethical manner, promotes fair and open competition, and seek value for money for Council, whilst supporting measures aimed at controlling the risks of fraud or corruption.

6. DETECTION AND REPORTING

6.1 FRAUD AND CORRUPTION DETECTION STRATEGIES

Council has established systems that enable post-transaction review and monitoring to identify suspicious transactions and/or instances of fraud or corruption by analysing and matching data extracted from computer



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systems and through review and analysis of management accounting reports.

These systems increase the level of monitoring and control over transactions, thereby reducing the likelihood of fraudulent and corrupt activity. Overall responsibility for developing the systems to detect fraud and corruption rests with the Fraud Control Officer who will work with Management in applying the findings from the fraud and corruption risk assessment process to formulate effective fraud and corruption detection systems and procedures.

Examples of detection strategies include:

- Annual review of rating and billing master file
- Annual review of supplier master file
- Annual review of capital programs' significant contractors
- Annual review of payroll master file
- Internal audit
- Public Interest Disclosure Program
- Financial accounts month-end reconciliation and reporting processes
- KPI monitoring and reporting
- External Audit
- Review of delegations register and authority.

6.2 REPORTING SUSPECTED FRAUD AND CORRUPTION INCIDENTS

Any employee, contractor, or Councillor who has knowledge of fraudulent activity or incident, or has reason to suspect that fraud or corruption has occurred, has an obligation to immediately report the matter through the following alternative channels:

- Their immediate manager
- Higher level managers
- The Human Resources Officer
- Councillors
- In accordance with the Public Interest Disclosure Policy

NB - If anonymity is required, reports can be made in accordance with the Public Interest Disclosure Policy.

6.3 IMPLEMENTING A DISCLOSURE PROTECTION PROGRAM

Council has implemented Public Interest Disclosures Procedures. This policy sets out Council's approach to the protection of disclosers and witnesses and is based on the requirements of the *Public Interest Disclosures Act 2002* and has been implemented in order to encourage and prompt reporting of concerns and suspicions.

Management must ensure that all employees are made aware of this policy through training and communication programs and will promote and support Council's commitment to the policy content.

7. RESPONDING

7.1 PROCEDURES FOR THE INVESTIGATION OF DETECTED OR SUSPECTED INCIDENTS

All allegations or suspicions of internal or external fraud or corruption raised must be reported by the notified person to the General Manager or Fraud Control Officer or their delegates immediately. No attempt should be made by any other employee to conduct any formal investigations or interviews in order to determine if fraudulent and/or corrupt behaviour has occurred or is suspected.

An investigation into apparent or suspected fraud and corruption shall be conducted by appropriately skilled and experienced personnel who are independent of the business unit in which the alleged fraudulent or corrupt conduct occurred.

This independent party can be an external law enforcement agency, a manager or other senior person within



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Council, or an external consultant operating under the direction of an independent senior person within Council.

A formal directive will be issued by the General Manager or Fraud Control Officer to the investigating party authorising the collection of information relevant to the investigation.

Formal terms of reference must be agreed between the General Manager or Fraud Control Officer and the independent party conducting the investigation before the investigation may commence. The terms of reference must include the protocols to be followed during the investigation to ensure appropriate collection and custody of evidence.

7.2 INTERNAL REPORTING AND ESCALATION OF ISSUES

Council's Fraud Control Officer will maintain a fraud and corruption incident register which will include information in relation to all reportable fraud and corruption incidents.

The Fraud Control Officer will regularly supply a report to the management team outlining any recent fraud and corruption events and the actions undertaken in respect to these events.

The General Manager will report fraud and corruption events to Council or appropriate Council Committee.

7.3 DISCIPLINARY PROCEDURES

Where there is proven evidence of fraud, appropriate disciplinary measures will be taken.

7.4 EXTERNAL REPORTING

Where fraudulent activity has been identified as criminal, the General Manager in conjunction with the Fraud Control Officer will determine the appropriate process for notifying the police and any other relevant authorities.

Unless there are exceptional circumstances, fraud or corruption that involves the committing of a crime will be reported to the police or relevant authority. If the activity is not reported, the General Manager will notify the Council regarding the decision made and the reasons supporting the decision.

Council will take all reasonable steps to assist the authorities in their investigation into alleged fraudulent and/or corrupt conduct.

7.5 POLICY FOR CIVIL PROCEEDINGS TO RECOVER THE PROCEEDS OF FRAUD OR CORRUPTION

Recovery actions will be undertaken at the discretion of the General Manager. The General Manager will make a notification to the Council in relation to the action to be undertaken.

7.6 FALSE DISCLOSURE

A person who knowingly makes a false or misleading statement in a complaint or report may face disciplinary action.

7.7 INTERNAL CONTROL REVIEW FOLLOWING DISCOVERY OF FRAUD

Following an investigation where fraud was substantiated, the General Manager and/or Fraud Control Officer will conduct a review of the relevant controls and determine at which point the system of internal control failed and whether corrective action needs to be taken.

7.8 MAINTAINING AND MONITORING ADEQUACY OF INSURANCE

Insurance will be obtained and maintained to safeguard against damage and ensure continuation of business processes appropriate to Council's risk exposure and expectations. Adequacy of insurance policies is to be assessed by management at least annually.

8. REVIEW

Management will review the adequacy of this plan at least every three (3) years.



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APPENDIX A: IMPLEMENTATION PLAN

This table summarises the actions that are required to be performed according to this plan, the person responsible for ensuring that the action is performed and the timeframe for each action. The implementation date by which time the action must commence to be considered and inserted by the Corporate Services Manager in consultation with the General Manager.

What Stage	Component	How: Action Plan	Who: Oversight	When: Time Frames	Implementation Date
Responsibilities	Fraud and Corruption Control Plan	<ul style="list-style-type: none"> Senior Management to endorse and promote the Plan 	Relevant Managers	Ongoing	
Prevention	Strategies	<ul style="list-style-type: none"> Codes of Conduct for all employees and Councillors to be maintained Awareness of Code of Conduct to be promoted through a combination of Communication and Training Programs Ethical conduct assessment to be included in the annual performance appraisal process 	Fraud Control Officer	Annually or earlier when required due to change	
Prevention	Internal Control	<ul style="list-style-type: none"> Responsibility to perform Fraud Risk assessments and implement mitigating controls to be included in relevant management position descriptions 	Fraud Control Officer	Upon commencement of role by employee or next staff appraisal	
Prevention	Internal Control	<ul style="list-style-type: none"> Internal controls to be documented in policies, procedures and process descriptions and made available to relevant employees 	Relevant managers	Every 3 years or earlier when required due to change	
Prevention	Risk Assessment	<ul style="list-style-type: none"> The risk of fraud or corruption must be considered and documented as part of the regular risk reviews according to the Risk Management Policy 	Relevant Managers	Annually	
Prevention	Risk Assessment	<ul style="list-style-type: none"> Risk registers to be reviewed for inclusion of fraud and corruption risk factors and appropriate treatment actions and reported to the General Manager 	Fraud Control Officer	Annually	
Prevention	Communication and Awareness	<ul style="list-style-type: none"> Awareness of fraud and corruption risk and control plans and procedures to be created and maintained through a combination of communication and training 	Fraud Control Officer	Every 3 years or earlier when required due to change	
Prevention	Employment screening	<ul style="list-style-type: none"> Pre-employment and ongoing screening procedures to be carried out 	Human Resources Officer	Before commencement of employment	
Prevention	Annual leave	<ul style="list-style-type: none"> Monitor compliance to annual leave policies 	Human Resources Officer	Annually	
Prevention	Supplier Vetting	<ul style="list-style-type: none"> Compliance to procurement policies and guidelines to be monitored 	Accounts Payable	Monthly	



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What Stage	Component	How: Action Plan	Who: Oversight	When: Time Frames	Implementation Date
Detection and Reporting	Detection Programs	<ul style="list-style-type: none"> Detection programs to be implemented and maintained 	Fraud Control Officer	Ongoing	
Detection and Reporting	Disclosure	<ul style="list-style-type: none"> Awareness of channels available to report suspected or alleged incidents of fraud or corruption to be maintained through a combination of communication and training programs 	Fraud Control Officer	Annually	
Detection and Reporting	Disclosure	<ul style="list-style-type: none"> Discloser Protection Program to be implemented and maintained 	Public Interest Disclosure Officer	Ongoing	
Response	Investigation and reporting	<ul style="list-style-type: none"> When fraud or corruption allegations are not externally reported, reasons are to be provided to Council 	General Manager	When required	
Response	Investigation	<ul style="list-style-type: none"> Investigators to be appointed with letter of authorisation and terms of reference 	Fraud Control Officer or General Manager	When required	
Response	Disciplinary process	<ul style="list-style-type: none"> Disciplinary process to be conducted in accordance with Disciplinary Policy 	General Manager	When required	
Response	Civil proceedings	<ul style="list-style-type: none"> Recovery strategies must be considered and implemented where appropriate 	General Manager	When Required	
Response	Internal control review	<ul style="list-style-type: none"> A review of internal controls are to be performed where instances of fraud or corruption have been identified 	General Manager	To commence within one month of identifying an instance of Fraud or Corruption	
Response	Maintaining Insurance	<ul style="list-style-type: none"> Appropriate insurance policies are to be maintained and reviewed 	Risk Management Officer	Annually or earlier when required	
Review	Fraud and Corruption Control Plan	<ul style="list-style-type: none"> The plan is to be reviewed on a regular basis 	Fraud Control Officer	Every 3 years or earlier when required due to change	



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APPENDIX B: EXAMPLES OF ACTIVITIES CONSIDERED FRAUDULENT OR CORRUPT

The following list is provided for illustrative purposes and contains examples of activities or actions that would be considered as Fraudulent or Corrupt in terms of this Plan. This list is intended to be consulted during the performance of risk assessment activities to assist with the identification of pertinent fraud and corruption risks.

This list is not exhaustive and any activity identified which seem to represent items on this list will have to be investigated and considered in terms of this Plan.

1. Faking timesheets by taking personal time or performing personal activities during work time and not taking leave (i.e. charging the time to a service or job).
2. Using Council equipment for personal activities without authorisation. This may include the use of administrative equipment such as stationary and office machines or operational equipment such as tools or vehicles.
3. Creating false suppliers, with payment being made to the fraudster's nominated bank account.
4. Obtaining kickbacks or bribes from suppliers or contractors.
5. Associates of employees providing services to Council at inflated prices.
6. Inflated or false reimbursement claims.
7. Manipulation of financial data to receive performance based bonuses.
8. Private purchases through business accounts or business cards without approval.
9. Not returning unused material and inventory to the stores after the completion of a job and using it for personal benefit.
10. Providing information to suppliers who are in the process of supplying a tender to Council without providing the same information at the same time to all suppliers who are tendering to deliver the same product or service whilst receiving a personal benefit in return, including hospitality.
11. Preferring and promoting the use of specific suppliers in return for any personal benefit, that has not been disclosed to Council.
12. Taking or removing any property of Council without proper authorisation for personal use, including cash, vouchers, tools, equipment, stationary, inventory or any other goods, even if the person intend to return the items after use.
13. Forging or falsifying any document (including purchase orders, receipts, payment advice, timesheet, Council letter etc.) to gain a benefit.
14. Not reporting the misappropriation of Council assets in return for any benefit.
15. Altering customer pricing arrangements or payment terms in the rating system in return for a benefit.
16. Issuing customers with rebates, discounts or reimbursements in return for a benefit.
17. Changing payment details of suppliers or intercepting payments that are made to suppliers to enable someone other than the intended supplier to gain a benefit.
18. Approving receipt of goods or services ordered without actually receiving the physical goods or services in return for a benefit.
19. Misleading Council by approving reimbursement of expenses that were not incurred on behalf of Council.
20. Using Council's equipment, inventory and employees to perform private works for members of the public, any employee or for any Councillor in return for a personal benefit.



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21. Using Council's telephone or mobile phone for personal use without appropriate authorisation.
22. Disclosing customer information including credit card information to any third party without appropriate authorisation or legal requirement to do so in return for a benefit.
23. Collusive tendering (the act of multiple tenderers for a particular contract colluding in preparation of their bids).
24. Payment or solicitation of donations for an improper political purpose.
25. Serious nepotism and cronyism where the appointee is inadequately qualified to perform the role to which he or she has been appointed.



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APPENDIX C: FRAUD OR CORRUPTION RISK INDICATORS

The following list contains examples of activities or outcomes that may indicate an increased risk of fraud or corruption.

These indicators do not constitute evidence of fraud or corruption, but should be considered as part of the risk management process and may assist with the identification of suspicious behaviour. If any of these indicators are identified, then they must be reported in accordance with this Plan.

This list is not exhaustive and serves for illustrative purposes only.

1. Consistent procurement of goods or services that does not provide the best value for money for Council.
2. Unexpected or inexplicable overspend on service orders or projects. This would include delivery of projects at greater cost and timeframe than to the norm.
3. A number of suppliers complaining of unfair tender processes for a specific tender, without appropriate evidence of due process taken.
4. Lower than expected employees productivity in a division, team or a project, after taking available workload and leave taken into consideration, which may create unexpected delays in the completion of work or higher than expected use of resources (including employees and materials) to complete a service or project in relation to the complexity of the project without adequate explanation.
5. Suppliers complaints received of late or non-payment even though payments have been processed.
6. Employees accruing large annual leave balances or refusing to take annual leave without an adequate explanation.
7. An unexpected or inexplicable number or value of contract variation requests received from a contractor or subcontractor for a single or a number of projects without an adequate explanation.
8. Complaints received from the public relating to suspicious activities of Council's employees, contractors or Councillors.
9. Financial accounts, costs centres or service orders not reconciling to actual expenses, or reconciling items that does not clear from the reconciliation over a prolonged amount of time, without adequate explanation.
10. Inability to achieve budgeted revenue without appropriate explanation over a prolonged period of time.
11. Unexpected cash flow problems or inability to pay suppliers within terms without adequate explanation.
12. A greater than expected number of complaints received relating to quality of work performed, without adequate explanation.
13. Sharp increase in the use or ordering frequency of specific stores items without an appropriate explanation.
14. Lack of segregation of duties between performing an activity, accounting for that activity and processing payment or making a receipt for that activity, including when management insist on overriding controls establishing segregated functions.
15. Unexplained discrepancies in inventory, and stock on hand.



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GIFTS AND BENEFITS

- Originated Date:** Adopted June 2015 – Min. No. 155/15
- Amended Date/s:** Amended 22 October 2015 - Min. No: 281/18
Reviewed 14 December 2020 – Min. No. 423/20
Amended 19 February 2024 – Min. No.24/065
- Applicable Legislation:** *Local Government Act 1993 (TAS)*
Local Government (General) Regulations 2015
- Publication Sources:** 15/013 - Human Resources Policies & Procedures
02/03/01/01 – Human Resources – Employee
Infonet / Documents / HR – Policies
Works Depot, Childcare Facility & Pool Locations
- Administration:** Governance – People & Culture Business Partner
- Review Cycle/Date:** This Policy should be reviewed as required, but at least every four years following the conduct of Local Government elections.
Next review 2028.

1. AUTHORITY & APPLICATION

This Policy should be considered in the context of the following policies and procedures:

- Employee Code of Conduct
- Issue Resolution
- Performance Management
- Workplace Behaviour

DEFINITIONS

- Benefit:** a non-tangible item which is believed to be of value to the receiver and/or which may constitute preferential treatment for the receiver.
- Bribe:** a gift or benefit given specifically for the purpose of winning favours or to influence the decision or behaviour of a Council Official to benefit someone or something.
- Conflict of Interest:** any situation in which an individual or corporation (either private or government) is in a position to exploit a professional or Official's capacity in some way for their personal or corporate benefit.
- Council:** Northern Midlands Council.
- Council Official:** a person who carries out work in any capacity for Council, including: Mayor, Councillors, Council employees (including employees engaged through an employment agency, apprentices and trainees), Council Committee members, Volunteers and Contractors and Sub-Contractors.
- Cumulative Gift:** a series of gifts of nominal value from the same person or organisation over a specified period of time, which may have an aggregate value that is significant.
- Employee:** a person who carries out work for Council as an employee of Council.
- General Manager:** the General Manager of Council as appointed under section 61 of the *Local Government Act 1993 (TAS)*.
- Gift:** usually a tangible item provided at no charge. Gifts may include but are not limited to items such as: cash, property (real or otherwise), goods and services, alcohol, clothes,



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products, invitations to social functions and tickets to sporting, theatre or music events.

Gifts, Benefits and Donations Declaration Form:

a form to be completed, when a Council Official receives a gift, benefit or donation of a non-token nature, equal to or above the nominal limit or receives a series of token gifts or benefits (cumulative gifts).

Gifts, Benefits and Donations Register:

a register maintained by Council which contains a list of all declared gifts, benefits and donations.

Gift of Gratitude:

a gift offered to an individual or department in appreciation of performing specific tasks or for exemplary performance of duties. Gifts given to employees at Official functions may be considered an example of gifts of gratitude.

Gift of Influence:

a gift that is given with the intention of the recipient receiving favourable treatment in the future.

Industrial Instrument:

an instrument recognised under the *Fair Work Act 2009* that has legal application with respect to minimum entitlements to those employees covered within its scope (e.g. Award or Enterprise Agreement).

Manager/Supervisor:

a person at the workplace who is appointed to a position that has management/supervisory responsibilities for others or their appropriately nominated or authorised delegate.

Nominal Value:

is the monetary limit of the value of gifts or benefits that may be accepted (i.e. total value of gift or benefit received). A gift or benefit is of nominal value when it has no significant or lasting value.

Non-Token:

items that are of a more individual nature, with a value equal to or above the nominal value limit.

Policy:

this Policy including the Authority and Application.

Public Perception:

the perception of a fair-minded person in possession of the facts.

Significant Value:

a gift or benefit that has a value above the nominal value limit.

Token:

often mass produced (i.e. pens, calendars, ties or items with a company logo on them), offered in business situations to individuals. Usually have a value under the nominal value limit.

Workplace:

a place where work is carried out for Council.

TRAINING

Council will provide all persons covered by this Policy with the appropriate training, so they are made aware of their responsibilities and obligations under the Policy.

AMENDMENT

Council retains the sole discretion to reasonably vary, terminate or replace this Policy from time to time. Council will consult before amendments are made and will notify and train those the amendments apply to.

INTERPRETATION OF POLICY

The singular includes the plural and vice versa.

A reference to any legislation includes all delegated legislation made under it and amendments, consolidations, replacement or re-enactments of any of them.

A reference to a Policy or procedure means any approved policies or procedures of Council unless otherwise stated.

'Including' and similar expressions are not words of limitation.



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A reference to a document (including this document) is to that document as amended, novated or replaced unless otherwise stated.

Where a word or expression is given a particular meaning, other parts of speech and grammatical forms of that work or expression have a corresponding meaning.

Examples used in this Policy are for illustrative purposes only and are not intended to be exhaustive.

Unless expressly provided for, this Policy is not in any way incorporated as part of any enterprise agreement and does not form part of any employee's contract of employment and any applicable enterprise agreement or contract of employment will prevail over this Policy to the extent of any inconsistency.

It is not intended that this Policy impose any obligations on the Council or those covered by it that are unreasonable or contrary to the operation of applicable laws. Any obligation, direction, instruction or responsibility imposed by this Policy must be carried out in a manner that an objective third party would consider to be fair and reasonable taking into account and in the context of all the relevant applicable laws, operational and personal circumstances.

Questions relating to the interpretation, application or enforcement of this Policy should be directed to the person's manager/supervisor or the People & Culture Business Partner.

REPORTING OF BREACHES

Persons covered under the paragraph 'Coverage' must reasonably report breaches of this Policy.

For breaches by:

- A Council Official (other than the General Manager) the report must go to the reporting person's applicable manager/supervisor
- the General Manager the report must go to the Mayor (or if unavailable to the next appropriately delegated Councillor) and
- as otherwise required or permitted by applicable laws.

BREACH OF THIS POLICY

Persons covered under the paragraph 'Coverage' who breach this Policy may (as is appropriate) be subject to appropriate disciplinary action in accordance with the Disciplinary Policy and Procedure or removal from the workplace or termination of services (contractors and sub-contractors).

2. PURPOSE

The purpose of this Policy is to provide a framework and guidelines for Council Officials when in receipt of gifts, benefits or donations during the course of their position at the Northern Midlands Council.

This Policy will also outline the obligations and responsibilities of Council Officials when dealing with offers of gifts, benefits or donations and assist Council Officials in making an appropriate judgement in relation to the same. This is to minimise Council Officials being placed in a situation where they may feel vulnerable or where community confidence in the impartiality and integrity of Council may be in questioned.

3. COVERAGE

This Policy applies to all gifts, benefits and donations offered to or received by Council Officials in their role as officers of the Council.

4. GUIDELINES

In a private context gifts, benefits and donations are usually unsolicited and when given, are meant to convey gratitude in the donor. Gifts given in this context are not the focus of this Policy.



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Gifts and benefits may also be offered to individuals during the course of business relationships. Such gifts and benefits are often given for commercial purposes and the receiver may feel obligated to accept the gift or benefit. Gifts and benefits given in the course of business relationships is the focus of this Policy.

GENERAL

Council Officials must at all times and in all circumstances be seen to be fair, impartial and unbiased.

Council Officials must not take advantage of their local government position to solicit gifts or benefits or to secure an unreasonable personal profit or advantage.

People doing business with the Council should be encouraged to understand that they do not need to give gifts or benefits to Council Officials to receive high quality service.

From time to time Council Officials may be offered gifts or benefits. In some circumstances gifts and benefits may be accepted. Token gifts of nominal value may generally be received. However, non – token gifts of a significant value, as a general rule, should not be accepted.

Council Officials should at all times be aware of the broader picture in which an offer of a gift, benefit or donation is being made. For example, Council Officials should consider whether the donor is involved in or may be seeking to enter into a business relationship with Council.

Council Officials must avoid situations that suggest that a person or body, through the provision of gifts, benefits or donations is attempting to secure favourable treatment from Council.

When deciding whether to accept or decline a gift or benefit, consideration should be given to both the value of the gift or benefit and also the intention behind the giving of the gift or benefit being offered.

ACCEPTABLE GIFTS AND BENEFITS & TOKEN NOMINAL VALUE

Gifts or benefits of a token nature at or below nominal value may generally be accepted by Council Officials without disclosing details to a manager/supervisor, General Manager or Mayor and without recording the details of the gift or benefit on the Gifts, Benefits and Donations Declaration Form or Register.

That said, Council Officials who receive more than the specified number of token gifts of a nominal value from the same person or organisation, in a specified period must disclose this in the Gifts, Benefits and Donations Register.

Gifts or benefits of a token nature that do not create the appearance of a conflict of interest include:

- Items with a company logo on them, ties, scarves, coasters, diaries, chocolates, flowers
- Books given to individuals in recognition of exceptional work done
- Gifts of single bottles of reasonably priced alcohol in recognition of exceptional work done
- Free or subsidised meals of a modest nature and/or beverages provided infrequently (and or reciprocally) that have been arranged for or in connection with the discussion of official business
- Free meals of a modest nature and or beverages provided to Council Officials who formally represent Council at work related events
- Invitations to approved social functions organised by groups such as Council Committees and community organisations

For the purpose of this Policy the current nominal value limit is \$60.00.

Council Officials who receive more than three nominal gifts of a token nature from the same person or organisation, in a six-month period must disclose this in the Gifts, Benefits and Donations Register.

If a Council Official has any doubt if a gift or benefit is token or of nominal value they should discuss it with their manager/supervisor, the General Manager or Mayor.



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NON-ACCEPTABLE GIFTS AND BENEFITS

Accepting gifts of money is prohibited.

Council Officials should generally not accept gifts or benefits that appear to be non-token in nature or more than the nominal value of \$60.00.

Some examples of gifts or benefits of a non-token nature include:

- Free or discounted travel
- Use of holiday homes
- Tickets to major sporting events
- Corporate hospitality at a corporate facility or sporting venue
- Free training excursions
- Access to confidential information
- Discounted products for personal use
- Goods and services provided via a determination in a Will

At times a gift of a non-token nature may be given from one authority to another. Such gifts are often provided to a host authority. These gifts may be given as an expression of gratitude without obligation on the receiver to respond. The gratitude usually extends to the work of several people in the authority and therefore the gift is considered to be for the authority, not a particular individual.

If a gift or benefit of a non-token nature or above the nominal value is offered and cannot reasonably be refused (as this action may cause embarrassment or offence), the gift or benefit must be declared on a Gifts, Benefits and Donations Declaration Form, as well as recorded on Council's Gift, Benefits & Donations Register.

If a Council Official refuses a gift or benefit because they believe that the gift was a deliberate attempt to receive 'special treatment', then such instances are to be reported to a manager/supervisor, the General Manager or Mayor.

ACTUAL OR PERCEIVED EFFECT OF THE GIFT OR BENEFIT

Where it is suspected that a gift or benefit has been offered for the purpose of influencing the behaviour of someone acting in their official capacity, the gift or benefit must be declined, and the matter should be reported immediately to the relevant manager/supervisor, General Manager or Mayor.

BRIBES

Council Officials must not offer or seek a bribe. A person offered a bribe should refuse it and report the incident as soon as possible to their manager/supervisor, General Manager or the Mayor. Council will take the appropriate steps to report the matter to the Police.

Receiving a bribe is an offence under both common law and Tasmanian Legislation.

Council Officials must take all reasonable steps to ensure that their immediate family members do not receive gifts or benefits of a non-token nature or gifts or benefits above the nominal value. For the purpose of this Policy, immediate family members include parents, spouses, children and siblings.

5. RECORDS: GIFTS, BENEFITS AND DONATIONS REGISTER

Council Officials, who receive more than the specified number of token gifts or benefits near the nominal value limit from the same person or organisation, (cumulative gift) must disclose this on a Gifts, Benefits and Donations Declaration Form and also on the same named Register.

If an Official of the Council receives a non-token gift, benefit or donation in circumstances where it cannot reasonably be refused or returned, the receipt of the gift, benefit or donation should be disclosed, and the details recorded on the Gifts,



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Benefits and Donations Declaration Form and in the Gifts, Benefits and Donations Register.

Legislation requires that the gifts and donations register for elected members is to be made available for public inspection at Council's office and on the Council's website; and is required to be updated at least monthly.

6. DISPOSAL OF GIFTS

In some instances, gifts are accepted by Council Officials as it may not be appropriate to refuse the same. For example, it is protocol and an accepted practice for some nationalities and religions to offer gifts. Similarly, a gift or benefit could not be reasonably refused where it was likely to cause embarrassment or offence to the person offering the gift. The other option is when a gift is received anonymously, without any return address. Further, if a gift, benefit or donation of significant value is provided to a Council Official through a Will, where the relationship between the giver and recipient was essentially a Council related business relationship.

In these cases, a manager/supervisor, the General Manager or Mayor will determine whether a gift or benefit of a non-token nature should be disposed of. The options for disposal of such gifts, benefits of donations include:

- Surrendering the gift to Council for retention
- Distributing the gift or benefit amongst a selection of Council officials - where a reasonable person would agree that the allocation was appropriate
- Donating the gift to an appropriate charity.

Gifts, Benefits and Donations Declaration Form

To be provided to General Manager within 14 days of receipt of gift

Name of recipient:	
Department (if applicable):	
Date gift, benefit or donation received:	
Description of the gift, benefit or donation:	
Estimated monetary value of the gift, benefit or donation:	
Name of the donor:	
Donor's organisational name (if known):	
Suburb or locality where donor resides, if known:	
Where was the gift, benefit or donation offered? (i.e. at a function, over the counter, through the mail, at a meeting):	
Recipients relationship to the donor:	
Should the gift/benefit/donation be accepted or declined:	
If the gift/benefit/donation is accepted, should it be retained by the Council Official or by the organisation:	
If the gift/benefit/donation is retained by the organisation should it be disposed of:	
Council Official's Signature:	
Printed name of Council Official:	
Date:	
Manager and/or General Manager comments:	
Manager and/or General Manager's Signature:	
Manager and/or General Manager's Name:	
Office Use Only	
Date details recorded on Gifts, Benefits & Donations Register:	
Office Official's Signature	



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HEAVY VEHICLES USING COUNCIL BRIDGES

Originated Date: Adopted 23 September 2002 Min. No. 373/02 (as Policy 31)

Amended Date/s: Revised 28 June 2021 – Min. No. 219/21
Reviewed 23 June 2025 – Min. No. 25/198

Applicable Legislation: Section 44 of the *Local Government (Highway) Act 1982*

Objective To protect Council bridges from damage caused by heavy vehicle loads.

Administration: Works & Infrastructure

Review Cycle/Date: Next review 2029.

BACKGROUND

The Council, at its 26 August 2002 meeting, considered a background report (Data Works No 74574) on the effect of B-Double, Quad Dog and Heavy vehicles on Council bridges.

BRIDGE INSPECTIONS

All Council bridges are inspected by a consultant on an annual basis and any required repairs or damage to the bridge structure are identified.

In 2016 – 2017 the department of state growth carried out an inspection of all bridges on the council network and rated the risk level of each bridge for different heavy vehicle configurations. prior to granting approval for a heavy vehicle to use a bridge the works manager or their delegated officer must consider this information in conjunction with council’s annual bridge inspections. in a case where damage or deterioration of the bridge structure is identified during the inspection process council may request more regular inspections to ensure that the bridge remains suitable for heavy vehicles.

STATUTORY REQUIREMENTS AND ENTITLEMENTS FOR B-DOUBLE AND QUAD DOG VEHICLES TRAVELLING ON PUBLIC ROADS

Heavy vehicles require a permit through the National Heavy Vehicle Regulator (NHVR) to operate on Council roads.

The Department of State Growth has carried out load analysis on all Council bridges and developed a Load Carrying Vehicle Network Map which allows certain classes of heavy vehicle to operate on approved Council and State Government roads <https://data.stategrowth.tas.gov.au/Networks/templates/help.html>

All vehicle classes not covered on this map must apply to the NHVR for a permit. As part of the approval process the NHVR seeks permission from Council for vehicles to use these roads.

TABLE 1	B-Double Vehicles Types			
	1	2	3	3 (Higher Mass)
Length	< 19m	< 21m	< 25m	< 25m
Weight	42.5t	50t	62.5t	68 tonne
Special Requirements				Fitted with air-ride suspension
Restricted Roads	None	None	All *1	All *1
NHVR Permit Required	No	No	Yes *1	Yes *1
Council Approval on ‘Local’ Roads	No	No	Yes	Yes
Note *1 Must obtain NHVR permit to travel any road				

TABLE 2	Quad Dog Vehicles Types			
	1	2	3	4
Length	< 19m	< 21m	< 21m	< 25m
Weight	42.5t	49t	54t	62t
Special Requirements	No	Fitted with air-ride suspension	Fitted with air-ride suspension	Fitted with air-ride suspension
Restricted Roads	None	None	All * ¹	All * ¹
NHVR Permit Required	No	No	Yes * ¹	Yes * ¹
Council Approval on 'Local' Roads	No	No.	Yes	Yes
Note:				
* ¹ Full air-bags				
* ² Must obtain NHVR permit to travel any road				

RESTRICTIONS IMPOSED ON VEHICLES USING COUNCIL BRIDGES

- Concrete or Steel Bridges (simple span) – no restrictions shall be imposed on B-double, Quad Dog or Heavy vehicles if their total weight is less than the maximum permitted weight and either the bridge is a single span or, if it is multi-span, then each individual span is simply supported.
- Concrete or Steel Bridge (continuous span) –the majority of continuous span bridges in the municipality are constructed to the SM1600 load standard which is suitable for all vehicles currently on Australian roads. Older bridges that were constructed prior to the introduction of the SM1600 were constructed to the T44 standard which is also suitable for vehicle up to 68 tonne.
- Occasionally vehicles with a gross weight over 68 tonne may be required to use a bridge rated to the T44 standard in order to bring construction machinery to a site. The Works Manager or a delegated officer may give approval through the NHVR approval process on a “one off” basis for heavier loads to access a bridge constructed to T44 standard based on the Department of State Growth bridge analysis and the results of annual bridge inspections. Such approval should only be granted for the duration of the works for which the vehicle is required.
- The Works Manager, shall apply load and/or vehicle-class restrictions on Council bridges where, in their opinion, the bridge structural components have deteriorated or are damaged to the point that the maximum permitted weight for B-Double (68t), Quad Dog (62t) or Standard Heavy (42.5t) vehicles could cause an accelerated rate of deterioration or possible collapse. The restrictions shall be applied immediately if the Works Manager considers the situation to be critical, otherwise the matter shall be reported to the Council for endorsement before application.

DESIGN LOADS USED BY COUNCIL FOR NEW BRIDGES

All new bridges on Council roads shall be designed to cope with the loads applied by the SM1600 Load Standard..

REVIEW

The Council will review this policy at least every four years.



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HERITAGE INCENTIVE SCHEME

Originated Date:	Adopted 26 September 2001 – Min No. 368/01 (as Policy 29)
Amended Date/s:	Amended 27 June 2005 – Min No. 198/05 Amended 20 September 2010 – Min No. 264/10 Amended 15 September 2014 – Min No. 238/14 Reviewed 14 December 2020 – Min. No. 423/20 Amended 17 February 2025 – Min No. 24/0054
Applicable Legislation:	Section 77(1) of the <i>Local Government Act 1993</i> <i>A council may make a grant or provide a pecuniary benefit or a non-pecuniary benefit that is not a legal entitlement to any person, other than a councillor, for any purpose it considers appropriate.</i>
Objective	To provide an incentive to improve the streetscape views of properties that are in heritage precincts, or heritage listed.
Administration:	Development Services
Review Cycle/Date:	Next review 2029.

1. APPLICATION

This policy applies to:

- Those parts of heritage listed properties clearly visible from a public street; or
- Those parts of properties in a heritage precinct, clearly visible from a public street.

2. DEFINITIONS

Heritage Listed Properties: are those listed in the planning scheme.

Heritage Precincts: are those shown in the planning scheme maps.

3. ELIGIBILITY

3.1 ELIGIBLE PROJECTS

Examples of eligible projects are:

- Replacing an inappropriate fence with an appropriate fence;
- Repainting an inappropriate colour scheme with an appropriate colour scheme;
- Reinstatement of lost features important to the character of the place (verandahs, window treatments, etc);
- Removing unsympathetic additions or alterations;
- Other works to the exterior of the place that contributes positively to the streetscape.

3.2 INELIGIBLE PROJECTS

Examples of ineligible projects are:

- Internal works;
- General operational and routine repairs and maintenance, including re-cladding and re-roofing in similar materials;
- Repainting, unless replacing an inappropriate colour scheme with an appropriate colour scheme.
- New additions or extensions, unless it involves the reconstruction of an original element;
- Properties in arrears for their rates;
- Works commenced before written notification of a successful heritage incentive scheme grant;



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- A property that received a heritage incentive scheme grant less than 5 years ago, unless the property is World Heritage listed.

4. INCENTIVE

- 4.1 The value of the incentive shall be in the form of a grant of 50%, to a maximum of \$1,000, of the cost of the work, credited against the property's rates.
- 4.2 The Council shall allocate a total of \$5,000 each financial year.

5. APPLICATION PROCESS

5.1 HERITAGE ADVICE

- 5.1.1 Property owners may seek the advice of Council's Heritage Adviser regarding recommended works, fence styles, or colour schemes considered necessary to ensure the proposal is consistent with the heritage character of the property and/or streetscape.
- 5.1.2 There is no cost to the property owner for the consultation and advice.

5.2 HERITAGE INCENTIVE GRANT APPLICATION

- 5.2.1 The application shall be made on the Heritage Incentive Application Form.
- 5.2.2 The application shall include all the required information.
- 5.2.3 The application shall include copies of any required Planning or Tasmanian Heritage Council approvals.
- 5.2.4 Where completed in accordance with the approval, the grant will be credited against the following financial year's rates.

5.3 ASSESSMENT

- 5.3.1 Applications are assessed in order of receipt.
- 5.3.2 The Heritage Advisor will assess each application against the policy and accordingly approve or refuse the application.
- 5.3.3 The grant will be paid on successful applications in the order of their receipt, until the allocation is spent for that financial year.
- 5.3.4 Applications which may qualify for an incentive grant, and where the allocation has been spent, may re-apply in the following year.

5.4 COMPLETION

- 5.4.1 The works are to be completed in accordance with the approved application.
- 5.4.2 The works are to be completed within 12 months of Heritage Incentive Scheme approval.
- 5.4.3 The property owner shall advise Council in writing when the works are completed.
- 5.4.4 The property owner shall provide Council with copies of receipts relevant to the project.

6. OTHER PERMITS REQUIRED

The property owner shall gain any necessary Planning, Tasmanian Heritage Council, and Building permits.



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ILLAWARRA ROAD SIGNS ADVERTISING

Originated Date: Adopted 27 June 2016 – Min No. 163/16
Amended/Review 9 February 2018
Date/s: Reviewed 14 December 2020 – Min. No. 423/20
Reviewed 17 February 2025 – Min. No. 25/0066

**Applicable
Legislation:**

Objective The purpose of the Northern Midlands Council Highway Signs Advertising Policy is to regulate the use of the advertising space on the Welcome to Longford signs on the Illawarra Road. Northern Midlands Council, with the permission of the Department of State Growth (DSG), will make ‘advertising space’ available to local sporting clubs, not for profit organisations, Northern Midlands Council and community groups to promote their events, with a view to providing information to residents and visitors and promoting tourism within and surrounding the Municipality.

Administration: Community and Development
Review Cycle/Date: Every 4 years, next review 2029.

POLICY

1. Advertising signage placed on the Northern Midlands Council Highway Signs will be legible, inoffensive and in good order. The advertiser will make their own arrangements for the production and payment of good quality signs through a sign-maker of their choice, or self-made, to a high standard.
2. The sign is not to be erected more than 21 days prior to and removed immediately after the event.
3. White corflute signs are to be used and can measure either 2500mm x 445mm or 1250mm x 445mm. Both sizes can be accommodated.
4. Logos are permissible.
5. Luminous or reflective signs may be used.
6. It is the responsibility of the advertiser to deliver signage to the Northern Midlands Council by noon on Thursday (for installation the following week).
7. Council staff will install and remove signage each Monday morning or on the next available working day in the case of long weekends.
8. The advertising space is not available for candidates nominating for local, state or federal government elections. It may, however be used by Council to remind people of Council election dates.
9. The advertising space is not available for private events such as private garage sales
10. Signage remains the property of the advertiser. Signage should be collected from the Northern Midlands Council as soon as practicable at the cessation of advertising. Council may dispose of any sign not collected by the sign owner after 28 days.
11. Applicants are encouraged to submit proposed sign designs prior to manufacture to ensure the proposed message/logo is appropriate.
12. Council will have the final decision on permitted signboards, with the aim to ensure there is no inequity between advertisers.
13. Weeks will be determined from Monday to Sundays.



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14. Signage can be installed for up to three weeks (maximum) however signs can then be re-booked for another three weeks etc if the space is available. The re-booking can occur on the last Friday of the current booking period.
15. Only one space per east sign and once space per west sign is allowed per event / activity (maximum of two signs in total).
16. Bookings can be made up to twelve months in advance.
17. Council has the right to remove unauthorised temporary or permanent signs erected in the road reservation of Illawarra Road, between the two Welcome signs and within 1km on the approach to each sign.
18. Northern Midlands Council will not be held liable for lost, stolen or damaged signs.



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INFORMATION AND COMMUNICATION TECHNOLOGY RESOURCES AND ELECTRONIC COMMUNICATIONS ACCEPTABLE USE

Originated Date:	Adopted on 2 May 2005 – Min. No: 118/05 (as Policy 43)
Amended Date/s:	Reviewed 12 December 2016 – Min. No. 362/16 Reviewed July 2019 Reviewed 20 January 2025 – Min. No. 25/0033
Applicable Legislation:	<i>Local Government Act 1993</i>
Objective	To ensure that electronic communications are properly used and are protected from a variety of threats, such as inappropriate use, fraud, copyright violation and sabotage.
Administration:	Corporate Services
Review Cycle/Date:	Next review 2026.

POLICY STATEMENT

The Council may provide information and communication technology (ICT) equipment and services to Councillors and employees to assist them to perform their work. Generally, this includes computing hardware, software, e-mail, the Internet and Council data and information – collectively ICT resources.

The use of these ICT resources must not jeopardise the resources themselves, the activities of others using these resources or the reputation and/or integrity of the Council.

All Councillors and staff must comply with this policy.

This policy provides specific instructions on the ways to use ICT resources and electronic communications (including email and internet), and the purpose is to ensure that electronic communications are properly used and are protected from a variety of threats such as error, fraud, copyright violation and sabotage.

GOALS

The goals of this policy are:

- Councillors and Staff effectively use ICT resources in the course of their work;
- Councillors and Staff are provided with adequate professional development and support to effectively utilise ICT resources;
- Councillors and Staff use of ICT resources complies with legal and ethical standards and standards of interpersonal interaction;
- Personal use of Council ICT resources is incidental and does not cause harm;
- Councillors and Staff support the security of Council ICT resources;
- Copyright and intellectual property is respected; and
- Councillors and Staff understand their responsibilities in relation to the Council's ICT resources.

COUNCIL PROPERTY

As productivity enhancement tools Northern Midlands Council encourages the use of electronic communications. These systems allow you to communicate easily and efficiently on business matters with clients, customers, ratepayers, other agencies and co-workers and colleagues. Electronic communication systems, and all messages, data, information and graphics generated on or handled by them, including backup copies, are considered the exclusive property of council.



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The content and usage of electronic communications may be monitored at council's discretion to support, among others, operational, maintenance, auditing, security and investigative activities. For example, council may from time to time be called upon to turn over electronic communications to a third party (e.g. police, a private individual) in the course of litigation. Email may also be monitored if council has reason to believe that a Councillor or officer is using email in violation of this policy.

Users should structure their electronic communications in recognition of the fact that council and third parties may from time to time have the need to examine the content of electronic communications.

BRING YOUR OWN DEVICE / IoT DEVICES

The usage of non-council owned (BYOD) electronic devices such as mobile phones and computers on the Northern Midlands Council network, and the purchase and usage of devices such as smart appliances on the Northern Midlands Council network, will be approved on a case by case basis by the IT Systems Officer and/or Corporate Services Manager after consultation with either the IT Officer or an external IT specialist.

In determining whether to approve a request for BYOD/IoT devices, consideration will be made as to:

- The business requirement for the device.
- The impact on the NMC network in terms of bandwidth, security and ongoing maintenance requirements.
- Other considerations such as may be required under NMC's BYOD/IoT policy.

On granting approval for the BYOD/IoT device, staff may be required to sign an acceptance to comply with NMC's BYOD/IoT device policy. A copy of this policy document may be requested from the IT Systems Officer.

APPROPRIATE USAGE

Electronic communications have been provided to facilitate Council related communications with clients, suppliers, ratepayers, other agencies, co-workers and colleagues and should never create either the appearance or the reality of inappropriate use. As electronic communications can be copied, forwarded, saved and intercepted and archived, your selection of words and attachments should be chosen carefully.

When using e-mails remember you are sending/receiving information on behalf of the Council. The Council's electronic communication system must not be used in a manner that could adversely impact on the reputation of Council.

The following Notice and Disclaimer will be attached to all outgoing e-mails:

Northern Midlands Council Confidentiality Notice and Disclaimer

The information in this transmission, including attachments, may be confidential (and/or protected by legal professional privilege), and is intended only for the person or persons to whom it is addressed. If you are not such a person, you are warned that any disclosure, copying or dissemination of the information is unauthorised. If you have received the transmission in error, please advise this office by return email and delete all copies of the transmission, and any attachments, from your records. No liability is accepted for unauthorised use of the information contained in this transmission. Any content of this message and its attachments that does not relate to the official business of the Northern Midlands Council must be taken not to have been sent or endorsed by it or its officers unless expressly stated to the contrary. No warranty is made that the email or attachment(s) are free from computer viruses or other defects.

Council's electronic communications system generally must be used only for business activity. Occasional or incidental personal use is permissible so long as, in the Council's estimation:

- It does not consume more than a trivial amount of resources;
- It does not result in disruption to any systems;
- It does not harm the Council's reputation;
- It does not represent personal opinions as those of the Council;
- It does not interfere with employee productivity; and
- It does not pre-empt, interfere or conflict with any business activity.



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However, 'personal messages' will be treated no differently than other messages, and may be accessed or reviewed by council as described above.

Users are forbidden from using council's electronic communications systems for soliciting, for charitable endeavours (excepting if authorised by Management), for private business activities or personal financial gain, gaining unauthorised access to a computer system, or other non-council activities. Council also prohibits the unauthorised distribution of copyrighted information through electronic communication. In addition, electronic communications may not be used for knowingly transmitting, retrieving or storage of any communications of a discriminatory, harassing or defamatory nature, which are derogatory to any individual or group, which are obscene or threatening, for chain letters, or any other purpose which is illegal or against council policy or contrary to council's interest.

Our ratepayers, customers and suppliers have the right to communicate with the Council without being exposed to words or images which may be considered confronting or offensive.

When composing electronic communications, choose your words carefully. Do not engage in inappropriate exchanges. Keep in mind that, unlike telephone or face-to-face conversations, participants cannot rely on tone of voice, gesture or verbal feedback to clarify meaning. Unless cautiously composed, messages can be interpreted as rude or offensive.

Any employee found to be abusing the privilege of council facilitated access to electronic communications will be subject to disciplinary action, up to and including immediate dismissal for major abuse, or having the access privilege removed for minor abuse.

Councillors found to be abusing the privilege of council facilitated access to electronic communications may have the access privilege removed.

AI USAGE

Northern Midlands Council is committed to harnessing the power of Artificial Intelligence (AI) to enhance operational efficiency, foster innovation, and drive informed decision-making. Employees must exclusively use Microsoft Copilot as the AI platform for all AI-related tasks and activities, as it has backend controls for Data Loss Prevention (DLP). All AI technologies and applications used within the organisation must adhere to councils' ethical standards, ensuring transparency, fairness, and accountability. AI systems must be deployed with the utmost consideration for privacy, security, and compliance with applicable laws and regulations. Staff are strictly prohibited from using OpenAI's platforms, including ChatGPT, for any organisational purposes. This measure ensures that confidential information does not leave the organisation without authorisation of the relevant person. Continuous monitoring and evaluation of AI systems will be conducted to ensure they align with organisational values and goals. Any potential risks or biases identified in AI algorithms must be addressed promptly to uphold the integrity and trustworthiness of AI-driven processes.

USER ACCOUNTABILITY

Many of the threats to information security occur due to ordinary lapses of security in the workplace rather than planned attacks on the Council. Common events are: the loss of work that has not been backed up or stored correctly on the Council's electronic document management system, ECM; leaving a logged in computer unattended; sharing passwords; and the introduction of viruses via e-mail and USB drives.

Where USB drives/external hard drives are required to perform business functions, these must be supplied or approved by the IT Officer before use. Under no circumstances should users bring in hard drives or USB drives from external sources and connect them to council devices without prior approval from the IT Officer.

Regardless of the circumstances, individual passwords must never be shared or revealed to anyone outside of council. To do so exposes the authorised user to responsibility for actions the other party takes with the password.

If users need to share information, they should utilise authorised information sharing mechanisms. To prevent



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unauthorised parties from obtaining access to electronic communications, users must choose passwords that are difficult to guess.

All employees shall ensure that all correspondence (including e-mail and attachments) and any other data, graphics and other council related documents or information is properly entered and recorded into Council's electronic document management system, ECM.

INFORMATION SENSITIVITY

Users are reminded that most electronic communication systems are not encrypted by default. If sensitive information must be sent by electronic communication systems, encryption or similar technologies to protect the data must be employed. Unless you are using a data encryption technique or are specifically authorised to do so, at no time should you use electronic communications to forward confidential Council, financial or employee information.

The Council's electronic communication system must not be used for the provision of personal, sensitive or confidential information to unauthorised persons.

Please refer to the Information Technology Officer for further information in regards to encryption.

When communicating using electronic communications, identify yourself clearly. This is critical especially when emailing to people outside council through the Internet. For example, where necessary, clarify for recipients that you represent only yourself, not council opinion. The Council's Confidentiality Notice and Disclaimer should be attached to all outgoing e-mails.

MESSAGE PRIVACY

Except as otherwise specifically or expressly authorised by council, users may not intercept or disclose, or assist in intercepting or disclosing, electronic communications. However, because Council is responsible for servicing and protecting its electronic communications networks and maintaining this policy, it is occasionally necessary for Council's information technology personnel to intercept or disclose, or assist in intercepting or disclosing electronic communications.

Respect the privacy wishes of others. Messages should not be forwarded or copied for general distribution without the permission of the author/sender. Editing or doctoring messages or the author/sender's name without the author/sender's permission is also prohibited. Furthermore, electronic communications can be accessed by council in accordance with this policy.

MESSAGE FORWARDING AND MASS MAILINGS

External message forwarding:

recognising that some information is intended for specific individuals and may not be appropriate for general distribution, electronic communications users should exercise caution when forwarding messages. Council information must not be forwarded to any party outside council without the prior approval of the Business Unit Manager. Blanket forwarding of messages to parties outside council is prohibited unless the prior permission of the appropriate manager has been obtained.

Internal mass mailings:

such messages may be sent on a council wide basis for council business purposes only. Personal messages, advertisements or solicitations are in violation of this policy. Please contact your Business Unit Manager if you require further information or clarification of an issue in relation to this policy.



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COPYRIGHT AND INTELLECTUAL PROPERTY

Councillors and staff must recognise intellectual property and copyright is an important issue in the digital environment. While it is very easy to copy software, information or graphics electronically, it is against the law unless permission has been granted, and exposes the Council to legal liability risks.



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INFORMATION MANAGEMENT

Originated Date: Adopted 21 September 2015 – Min. No. 271/15

Amended Date/s: Reviewed 20 August 2018 – Min. No. 230/18
Reviewed July 2019
Reviewed 9 December 2024 – Min. No. 24/0415

Applicable Legislation: *As described within the Policy*

Objective The objective of this policy is to provide guidance and direction on the creation and management of information and records and to clarify staff responsibilities. Northern Midlands Council is committed to establishing and maintaining information and records management practices that meet its business needs, accountability requirements and stakeholder expectations. The benefits of compliance with this policy will be trusted information and records that are well described, stored in known locations and accessible to staff and clients when needed. This policy is written within the context of Northern Midlands Council information and records management framework which is attached as Appendix A. This policy is supported by complementary policies and additional guidelines and procedures which include Appendix B.

Administration: Corporate Services

Review Cycle/Date: Next review 2027

POLICY STATEMENT

Northern Midlands Council's information and records are a corporate asset, vital both for ongoing operations and also in providing valuable evidence of business decisions, activities and transactions.

All agency records must be managed and maintained regardless of their format in an authorised information management system.

All Council staff are required to create and maintain authentic, reliable and useable information, documents and records, and protect their integrity for as long as they are required through:

- Ensuring that full and accurate records are created and maintained for each business process followed in the Council
- Preserving records, whether hard copy or electronic, safely and securely
- Ensuring that electronic records are saved and stored in the Council's recordkeeping system, or other approved system, with appropriate metadata captured and naming conventions used to enable their efficient retrieval and use
- Ensuring records are accessible over time to support the conduct of business, and that they are only retained for as long as required by the Council and relevant legislation
- Assigning responsibilities for recordkeeping in the Council.

The agency aspires to proactively implement systems and processes which will enable records and information to be stored in an electronic format wherever possible.

This Policy is to be read in conjunction with the Information Management Framework and Records Management Manual. All practices and procedures concerning records management within the Council must be in accordance with this Policy.



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SCOPE

This policy applies to the management and maintenance of records through their life cycle from creation, receipt or capture, to preservation and disposal under the provision of the *Archives Act 1983*. It includes records in any format held in the Council's information systems. This policy covers the work practices of staff and consultants who:

- Create information
- Access information
- Have responsibility for information including storage, retrieval, dissemination and disposal
- Have management responsibilities for officers engaged in any of these activities
- Manage or have design input into information technology infrastructure.

The key distinction between Council records and other types of information is that records provide evidence of business activities.

Records exist in a variety of formats including, but not limited to paper documents, electronic messages, word processed letters, web-pages, information in databases, photographs, film, maps etc.

Regardless of format, records must be created, captured, maintained, secured and disposed of in accordance with the requirements of this Policy.

GOALS

The goals of this Policy are

- to ensure effective Council records management, covering the creation and maintenance of authentic, reliable and useable records.
- to ensure the Council's records support the accountability and transparency of its business functions and activities for as long as those records are required.
- to provide evidence of the Council's commitment to best practice records management.
- to set out the responsibilities of staff, clarifying their accountability for records and information management.
- to ensure that records and information management is done in accordance with our business and legislative requirements.

RATIONALE

The Council records are our corporate memory, providing evidence of actions and decisions and representing a vital asset to support our daily functions and operations. Records support policy formulation, decision-making and protect the interests of Council.

In addition to this records help us to make good use of precedents and organisational experience. They support consistency, continuity, efficiency and productivity in program delivery, management and administration.

State legislation and Australian Standards have been adopted as a requirement and code of best practice for the management of information and records within the agency.

They provide details of the conditions and standards by which information management and recordkeeping practices at the agency will be guided.

The following information provides an overview of key standards and legislation applicable to Council.

Archives Act 1983:

establishes the requirement for Tasmanian government agencies to create and keep State records.

AS:ISO-15489.1 – Information and Documentation – Records Management:

provides clear guidelines for the establishment and application of records management practices, procedures and systems that have been incorporated into the agency's information management program.



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Corporations Act 2001:

defines the agency's responsibilities for keeping financial records which correctly record and explain its transactions and financial position and performance; and that enable true and fair financial statements to be prepared and audited.

Crimes Act 1924:

covers criminal activity including fraud.

Electronic Transactions Act 2000:

facilitates and promotes business and community confidence in the use of electronic transactions. It recognises the legal validity of transactions carried out electronically, and so permits the "recording and retention of information and documents in electronic form". Recordkeeping practices should be applied to all records regardless of the format of those records. Where records are created electronically they should be managed appropriately.

Evidence Act 2001:

describes the ways in which documents may be admitted as evidence into court. The Act describes the more acceptable formats and the features that would give more value or "weight" to records. Recordkeeping practices must ensure that the more appropriate format of the record is preserved.

Financial Management Act 1990 and Audit Act 2008:

cover accounting and auditing requirements. The 1990 Act has since been amended to strengthen the powers of the Auditor-General. *(these Acts are not relevant to Councils).*

Financial Transaction Reports Act 1988:

provides for the reporting of certain transactions and monetary transfers to the Australian Transaction Reports and Analysis Centre (AUSTRAC) and specifies minimum retention periods for account and signatory information.

Income Tax Assessment Act 1997:

requires the agency to keep records of income tax returns and assessments, and any related accounting documentation such as calculations, income and expenditure records.

Limitations Act 1974:

Sets out time periods in which legal action can be taken in various instances. The Act imposes a number of limitations on specific types of actions.

Local Government Act 1993:

Imposes a duty on Councils to create a wide variety of records.

Personal Information Protection Act 2004:

sets out rules about information handling, including how the agency may collect, use, store and disclose personal information.

Right to Information Act 2009:

provides for greater access to information held by Tasmanian government bodies and encourages proactive disclosure of information held by the agency as well as giving the public access to information upon request.

State Service Act 2000:

provides a legislative framework that has been designed to support a contemporary workforce and to provide the best possible services to the Government, the Parliament and the community *(not relevant to Councils).*

Tasmanian Government Information Security Policy:

is based upon the following information security policy principles:

- Availability: information is accessible and usable to authorised entities.



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- Integrity: the accuracy and completeness of information is protected.
- Confidentiality: information is not made available or disclosed to unauthorised individuals, entities or processes.
- Proportionality: measures to protect information are relative to the risk of loss or failure of availability, integrity and confidentiality.

DEFINITIONS

Business Classification Scheme:

A hierarchical model of the relationship between the Council's functions, activities and transactions. It provides the core foundation for the development of the Council's recordkeeping tools including a retention and disposal schedule.

Destruction Authority:

A once-off authorisation from the State Archivist that permits destruction for a defined set of records.

Disposal:

Involves either the destruction of records; their transfer to the Tasmanian Archive & Heritage Office for retention as part of the State archives; their transfer to another custodian; or some other process approved by the State Archivist which removes them from the custody of the agency.

Metadata:

Data that describes the context, content and structure of records and their management through time.

Record:

Information created, received and maintained as evidence and information by an organisation or person, in the pursuance of legal obligations or in the transaction of business. (Source: *International Standard ISO 15489 – 2002, Records Management, Part 1: General, Clause 3.15*)

Retention and Disposal Schedule:

An ongoing authorisation from the State Archivist that specifies minimum retention periods and consequent disposal actions for a defined set of records.

State archive:

State record or any other record which is deposited and preserved permanently in the Tasmanian Archive & Heritage Office.

State records:

Records of State government agencies/departments, State authorities, or local authorities. These public bodies are defined in Section 3 of the *Archives Act 1983*.

REQUIREMENTS

CREATION AND MAINTENANCE OF RECORDS

Business records must be created and captured by everyone subject to this policy. Business records should provide a reliable and accurate account of business decisions and actions. Therefore it is necessary to include all necessary information to support business needs including the names, dates and time, and other key information needed to capture the business context.

Records can be folders, documents or data created, received or maintained as evidence and information of work done for or on behalf of the Council. Records may be either hard copy or electronic.

Examples of the Council's records include (but are not limited to):

- Agendas, minutes and papers



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- Case files
- Complaint correspondence
- Contracts and agreements
- Correspondence received from members of the public, private and public sector organisations that require action
- Documents related to events organised with or for external organisations, students etc.
- Facilities hire forms and documentation
- Media releases and articles
- Personnel recruitment and appointment documentation
- Policies and guidelines
- Reports and submissions
- Risk management registers and documentation
- Training program documentation
- WorkCover documents and files

Ultimately, if the record contains a business transaction or evidence of any decision that has been made on behalf of the Council it must be kept for the required time as per an approved Retention and Disposal Schedule authorised by the State Archivist.

Where no Retention and Disposal Schedule exists for the records they must be retained until such a time as they can be either destroyed according to a Destruction Authority authorised by the State Archivist, or transferred to the Tasmanian Archive & Heritage Office as State archives.

RECORDS THAT DO NOT HAVE TO BE KEPT

Some records do not belong in the Council's recordkeeping system, including:

- External advertising material
- Externally published newsletters that do not contain material created by or referencing the Council
- Internal e-mails received by "carbon copy" (cc) or "blind carbon copy" (bcc)
- Junk e-mail
- Personal items including e-mail
- Rough notes, working papers and calculations used solely to assist in the preparation of other records such as correspondence, non-auditable reports and statistical tabulations
- Copies of any documents, preserved solely for reference
- Published material preserved solely for reference
- Electronic revisions of documents in the Council's recordkeeping system which can be purged/deleted when finalising documents

Documents of this nature may be destroyed, as defined by the Tasmanian Archive & Heritage Office *Retention and Disposal Schedule for short-term value records (DA2158)*

SYSTEMS USED TO MAINTAIN RECORDS

Records generated within the Council in the course of normal business practice or received from an external source are to be registered and captured in the agency's recordkeeping system.

The following business and administrative databases and software applications are endorsed for the capture and storage of specific information and records. These include:

- Information and records management system – Technology One
- Business system – Outlook, Various Registers & User Drive
- Finance system – Open Office
- Payroll - Payroll.net



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A full register of endorsed systems used to create or manage information and records can be found at Appendix C. These endorsed systems appropriately support information and records management processes such as creation and capture, storage, protection of integrity and authenticity, security, access and retention, destruction and transfer.

Corporate records must not be maintained in email folders, shared folders, personal drives or external storage media such as USB drives as these lack the necessary functionality to protect business information and records over time.

Records created when using social media applications or mobile devices may need to be captured into an endorsed system.

ACCESS TO RECORDS: SHARING CORPORATE INFORMATION WITHIN COUNCIL

Information is a corporate resource to which all staff may have access, except where the nature of the information requires restriction. Access restrictions should not be imposed unnecessarily but should protect:

- individual staff, or client privacy
- sensitive material such as security classified or material with dissemination limiting markings, for example any records information security classified 'Cabinet in Confidence' or above.

When handling information, staff are reminded of their [obligations outlined in their statements of duties and under the Employee Code of Conduct](#).

RELEASE OF PUBLICLY AVAILABLE INFORMATION

In accordance with our obligations under the Right to Information Act 2009 access to publicly available information will be provided on our website and social media. This is the responsibility of Records Officer.

The public have legislative rights to apply for access to information held by our organisation under the Right to Information Act 2009. This applies to all information held by the agency, whether in officially endorsed records management systems or in personal stores such as email folders or shared and personal drives. Responses to applications for access under Right to Information legislation are the responsibility of the General Manager.

RETENTION OR DESTRUCTION OF RECORDS

Council records are destroyed when they reach the end of their required retention period set out in Records Retention and Disposal Schedules issued by the Tasmanian Archive and Heritage Office (TAHO). Retention periods in disposal schedules take into account all business, legal and government requirements for the records.

Records cannot be disposed of other than in accordance with all relevant Retention and Disposal Schedules and Destruction Authorities authorised by the State Archivist. In addition to this, records cannot be disposed of without the approval of the Records Management Officer and the Corporate Services Manager of the business unit that is the owner or is responsible for the records.

Some records can be destroyed in the normal course of business. These are records of a short-term, facilitative or transitory value that are destroyed as short term value records. Examples of such records include rough working notes, drafts not needed for future use or copies of records held for reference. See the TAHO website for the Retention and Disposal Schedule for Short Term Value Records. To discuss Business Units needs contact Council's Records Manager Officer.

Central to the Council's accountability process is the requirement it maintains a Register of Records Destroyed. This is the agency's formal evidential record of destruction and must be retained permanently by Council. The Register must be clearly identified as the Register of Records Destroyed under Section 20(2)(b) of the Archives Act 1983.



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TRANSFER OF RECORDS

At times certain records may be required to be transferred out of the custody of Council. This occurs when records of archival value are no longer being actively used and/or are 25 years or older. In this instance Council transfers them to TAHO. We are still able to access records if a subsequent need arises to consult records in TAHO's custody.

Another instance where records may be transferred is when records are affected by administrative change and are transferred to an inheriting Council or to a private body. In either case, permission must be sought from TAHO before the records are transferred.

Contact our Council's Records Manager Officer to discuss the procedures for transferring records.

MONITORING THE RECORDS MANAGEMENT PROGRAM

The records management program will be monitored for breaches of this Policy by the Records Management Officer and Information Technology Officer who will facilitate training as required.

Day-to-day records management audit activities will be coordinated by the Records Management Officer.

RESPONSIBILITIES

All Council staff, consultants, and contractors employed or engaged by the Council are responsible for the management of all records created in the course of their work. This includes complying with this Policy at all times.

Staff must always be mindful that all records created in the course of their employment are the property of Council.

Specific responsibilities and accountabilities for information and records management at the agency include:

GENERAL MANAGER

The General Manager is responsible for:

- Ensuring that the Council's records management program satisfies operational and legislative requirements and obligations
- Implementing and continually improving the Council's information management program
- Defining the Council's requirements for information, records and document management
- Ensuring that staff are aware of their roles and responsibilities relating to the management of information
- Maintaining and reviewing this Policy and relevant documentation as required

DEPARTMENT MANAGERS OF COUNCIL

Department Managers are responsible for:

- including records management training in induction programs
- arranging for refresher training sessions as required
- Ensuring their staff have an appropriate awareness of information management systems and requirements
- Ensuring that staff attend training in information management systems or procedures relevant to their work area where necessary

RECORDS MANAGEMENT OFFICER

The Records Management Officer is responsible for the efficient management of Council's recordkeeping system, ensuring that sound recordkeeping principles and records management best practice guidelines are followed and adhered to.

This involves initiating and maintaining control over daily records management activities and services in accordance with the document and records management procedures, including providing support to staff in the use of Council's recordkeeping system.



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The Records Management Officer is also responsible for:

- Arranging training sessions for staff in the use of the Council's recordkeeping system
- Ensuring records are captured uniformly across the Council and stored in approved corporate systems
- Maintaining the integrity and authenticity of records
- Managing the storage of hardcopy records located onsite and offsite
- Managing the disposal of records under approved disposal schedules and maintaining the register of destroyed records
- Making and documenting configuration changes to the system as deemed necessary and via change control processes
- Ongoing review and amendment of Retention and Disposal Schedules
- Ensuring the system is accessible and performing appropriately on a day to day basis
- Responding to user requests for assistance with the Council's recordkeeping system or other records management issues

HUMAN RESOURCES / PAYROLL STAFF

Human Resources / Payroll Staff of Council are responsible for:

- Administration and management of employee records
- Administration and management of records within Payroll.net
- Requesting the creation of personnel files

INFORMATION TECHNOLOGY STAFF

Information Technology staff are responsible for:

- Ensuring new users are added to the Council's recordkeeping system as part of the new user induction program
- Providing technical support for the ongoing operation and maintenance of Council's systems
- Providing technical support to all staff on the use of Council's systems/applications
- Publishing and updating information onto the intranet and internet in consultation with the content owners
- Undertaking system backups
- Developing, maintaining and testing the Council's disaster recovery plan

DEPARTMENTAL EMPLOYEES

Staff members should take care to handle records sensibly, with care and respect to avoid damage to them and to prolong their lifespan. Staff must not damage, alter or destroy information and records of the Council, without authorisation.

Staff members are responsible for using, maintaining and managing records in accordance with this Policy and the document and records management procedures.

This includes complying with these policies at all times by:

- Creating records that document their activities and decisions and saving them into Council's recordkeeping system or other approved systems (see Appendix C)
- Undertaking electronic document management activities within Council's recordkeeping system to ensure revision and version controls are captured
- Ensuring e-mail records are saved in Council's recordkeeping system
- Ensuring paper records are scanned to electronic format and saved in Council's recordkeeping system
- Recording folder movement for hard copy records in the Council's recordkeeping system
- Storing hard copy folders securely
- Ensuring hard copy records are not hoarded in work areas and are captured in a corporate system in a



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timely fashion

- Learning how and where records are kept within Council
- Not destroying records without authorisation and adhering to Council's disposal requirements
- Not losing records. Keeping safe custody of portable electronic storage (e.g. USB drives) at all times.
- Being aware of and following records management procedures as outlined in this document.



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APPENDIX A

Appendix A will be provided on receipt of request by the Records Management Officer.



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APPENDIX B

REGISTER OF ENDORSED SYSTEMS

For the purposes of Northern Midlands Council's Information Management Policy, the only systems that are endorsed for the storage of council records and information are:

- TechnologyOne ECM¹
- Outlook⁴
- User Drive (F Drive)²
- SharePoint (for councillor data specifically – data also must be in ECM)
- Doc Assembler (automated agenda and meeting management)
- Docs on Tap (management and document distribution)
- OpenOffice software (for example, Payroll.NET for payroll data, Finesse for financial data, Procure.Gov for creditors data, Collect for debtors data, Property.Gov for property and rating data)
- IntraMaps (GIS data)
- OpenOffice web modules (planning/building/health/customer service)
- Registers (e.g. Contractors Register, Asbestos Register, Risk Register, etc)
- OpenOffice ApproveTAS (planning/building/plumbing Applications)
- ProMaster Key Manager (electronic key management system)
- LivePro (single source information system)
- OneDrive (data storage system)

³ ECM is the primary storage of electronic records for council. All council data should be stored here wherever possible, regardless of whether the data is also stored elsewhere.

⁴ Storage in these systems is only permitted for the purposes of ease of access/communication, and only if the data is also registered in ECM.



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INFORMATION TECHNOLOGY SECURITY

Originated Date:	Adopted 20 January 2020 – Min. No. 015/20
Amended Date/s:	Revised 20 January 2025 – Min. No. 25/0034
Applicable Legislation:	<i>Privacy Act 1988</i> <i>Privacy and Other Legislation Amendment Bill 2024</i>
Objective	Safeguarding the organisation’s technology environment, mitigating risks, ensuring regulatory compliance and maintaining operational continuity.
Administration:	Corporate Services
Review Cycle/Date:	Every 4 years, to be reviewed 2028.

1. PURPOSE

Northern Midlands Council takes the security of our network very seriously, and puts significant effort into mitigating the risks inherent in today’s online world.

However we also recognise that security is a balancing act between eliminating all risk and unnecessarily stringent protocols which could cause a significant impact on the day to day productivity of staff and visitors.

2. APPLICATION

Accordingly our standard procedures for information security include the following measures:

- All inbound and outbound traffic is inspected by our stateful packet inspection firewall to monitor for suspicious traffic and detect potential attacks as early as possible;
- Internet traffic is logged and monitored, both to limit user’s ability to reach malicious/compromised websites, but more generally to ensure that in the event a user’s internet activity is having a significant impact on their own or other’s productivity that the behaviour can be managed;
- Inbound email traffic is proactively filtered for spam and malware, and URLs in emails proactively checked to limit the risk of users inadvertently clicking through to malicious websites. All email is archived in a third party system to prevent users from permanently deleting council information, whether inadvertently or with malicious intent;
- All of NMC’s on premises data is backed up regularly (at a minimum, daily) in multiple diverse locations to protect from data loss;
- Any of NMC’s data that is stored off premises (e.g., in the cloud) is subject to checks for security and backup compliance; and
- Where possible, two factor authentication is enabled for all staff accounts.

3. DATA BREACHES

Any individual who suspects that a theft, breach or exposure of Northern Midlands Council data has occurred must provide a description of what occurred to their manager or to the IT Systems Officer as soon as practically possible.

The IT Systems Officer will investigate all reported thefts, data breaches and exposures, engaging specialist experts if required, to confirm whether a theft, data breach or exposure has actually occurred.

If a theft, data breach or exposure is found to have occurred, Northern Midlands Council will:

- Take steps to contain the theft, data breach or exposure to prevent any further compromise of personal information;



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- Assess the theft, data breach or exposure of data and where possible, take action to remediate any risk of harm;
- Notify affected individuals, and where required under the Notifiable Data Breaches Scheme, also notify the Office of the Australian Information Commissioner; and
- Review the incident and consider what actions can be taken to avoid a reoccurrence of the theft, data breach or exposure.

4. DISASTER RECOVERY PLAN POLICY

Northern Midlands Council will maintain a separate Disaster Recovery Plan outlining the steps to be taken in the event of a disaster which destroys Northern Midlands Council's critical information technology infrastructure.

This Disaster Recovery Plan will be tested at regular intervals (ideally, every 12 months) to ensure that as far as practically possible, Northern Midlands Council's information infrastructure can be recovered to a functional state that allows Northern Midlands Council's critical services to continue operating within a reasonable timeframe. The definition of a reasonable timeframe will depend on the severity of the disaster.

5. IT RESOURCES DOCUMENTATION

Due to the extensive IT network operated by the NMC, IT Officers will document each piece of IT infrastructure, including updating such documentation when a piece is added, removed, or upgraded.

6. EMAIL POLICY (ELECTRONIC COMMUNICATIONS)

Information and Communication Technology Resources and Electronic Communications Acceptable Use Policy.

7. PASSWORD PROTECTION POLICY

Northern Midlands Council staff who require access to the corporate network will be provided a username and password to enable access to their allocated workstation/laptop and corporate applications.

Wherever possible, user passwords will be kept in sync with Northern Midlands Council's active directory so that a single password will provide access to all necessary systems. As this password enables access to privileged data, users must take all practical steps to keep this password secret. If a user suspects that an unauthorised third party has learned their password they must immediately change their password and notify the IT Systems Officer.

USER PASSWORDS MUST:

- Be a minimum of 14 characters long unless the user has Multifactor Authentication (MFA) setup, wherein the length will be 8 characters;
- Meet Microsoft complexity guidelines (contain characters from at least three of the following: upper case characters, lower case characters, numbers, non-alphanumeric characters, or Unicode characters that aren't upper case or lower case; and
- If an account does not have MFA, it must be ~~be~~ changed on a regular basis. Policies will be maintained on Northern Midlands Council's network to enforce password changes at least every 190 days.

USER PASSWORDS MUST NOT:

- Be shared with other staff, except for the IT Systems Officer for the purpose of computer support and maintenance;
- Contain the names or birthdays of family members;
- Include any years between 1900 and the current year plus one, including two-digit representations (e.g., '94' for 1994);
- Be used for other non-council systems – it is important to use a unique password; and
- Be written down and stored in easily accessible locations (e.g. sticky notes under keyboards) or sent via insecure methods such as email.



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8. REMOTE ACCESS POLICY

To enable access to network resources from outside Northern Midlands Network, remote access is available to staff. Generally this will be by means of a Virtual Private Network (VPN) connection into our network, with access controlled by the user's normal network username and password.

This access can be provided to staff on a case by case basis as needed by the IT Systems Officer. To ensure that the necessary security protocols are in place, generally this remote access will only be provided from a council owned device.

If remote access is to be provided to network resources using methods other than VPN then wherever possible this shall be locked down to specific IP addresses and not accessible from the open internet. Under no circumstances will remote access be enabled using risky or insecure methods such as direct RDP access from the internet.

Where possible, remote access must be accompanied by a Multifactor Authentication method. For example, staff access must have MFA, however a remote network resource, may not implement any MFA methods.

9. SERVER SECURITY POLICY

All servers on the Northern Midlands Council network are to have antivirus software installed and internet traffic filtered through a network firewall device.

Only the IT Systems Officer or authorised contractors will be provided with direct administrative access to servers. Authorised contractors will be issued with their own usernames and passwords, which will be given access rights under the concept of 'least privilege', ie the least access that is required to perform the functions that contractor has been engaged to perform.

10. SOFTWARE INSTALLATION POLICY

Computers provided to Northern Midlands Council staff will have all the necessary software installed for staff to perform their duties. No other software is to be installed on council devices without prior authorisation from the IT Systems Officer.

Staff will not be given local administrator privileges on their council owned computers unless there is a specific and important need for this access.

Installation of non-council approved applications on council smartphones is allowed, providing installation and use of the applications does not cause risk or disruption to the Northern Midlands Council network. If there is any doubt about whether the application may cause risk or disruption, staff must check with the IT Systems Officer before installing the application.

Council owned mobile devices (tablets/phones) are to be enrolled in Council's Mobile Device Management platform.

11. STAFF ONBOARDING / OFFBOARDING POLICY

ONBOARDING

When new staff who require IT systems access are employed at Northern Midlands Council, the People and Culture Business Partner will advise the IT Systems Officer in writing.

In order to provide the appropriate access, the IT Systems Officer will require, as a minimum:

- The new staff member's full name, position title, and commencement date;
- Information on what access is required, and what computer hardware will be used; and
- Information on what hardware may be required.

When access is created for the staff member, the IT Systems Officer will follow an onboarding checklist and document the access that has been provided in case it is required in future.



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As soon as practical after the new staff member commences employment, the IT Systems Officer will perform a brief IT induction to impart a basic understanding of the software being used at the Northern Midlands Council and the acceptable use policies in place.

WHILE EMPLOYED

As a staff member takes on new duties that require additional accesses, these accesses must be recorded, and reviewed when a new employee takes on the same role.

OFFBOARDING

When staff members cease employment at the Northern Midlands Council, the People and Culture Business Partner will advise the IT Systems Officer in writing.

As soon as practical after the staff member's employment ceases, the IT Systems Officer will disable the staff member's user account and remove access to all council systems. To do this, the IT Systems Officer will follow a checklist of council systems to ensure no access remains enabled.

If the departing staff member had email access, their email account will either:

- Have an out of office message enabled to advise that the staff member has left employment with Northern Midlands Council; or
- Be forwarded to another staff member to be dealt with.

This email arrangement will remain in place for a grace period of at least 30 days, upon which time the email account will be disabled and unlicensed in Office 365.

11. WIRELESS COMMUNICATION POLICY

Access to the Northern Midlands Council corporate wireless network (network name 'NMC Staff') is for council provided / managed devices only, and access to this network is secured by means of an individual username and password that is allocated to each user. This is to ensure that devices have the appropriate security measures in place (for example antivirus software) before connecting to the network.

For all other devices, Northern Midlands Council provides wireless internet access via a wireless network 'NMC Guest' which provides internet access only and is segregated from the corporate network.

12. WORKSTATION SECURITY

Workstations and laptops on the Northern Midlands Council domain network will require a username and password for access. A disclaimer will be configured on the login screen of each device informing users that access is for authorised users only and is subject to the Northern Midlands Council Acceptable Use Policy.

Workstations and laptops must not be left unlocked when not in use, and a policy will be configured on the network to enforce an auto lock on devices after a period of inactivity.

All workstations and laptops supplied to staff by Northern Midlands Council will have antivirus software installed which is centrally managed by the IT Systems Officer. Other policies will also be enabled on the network to mitigate the risk of computer borne viruses and malware, including but not limited to:

- Software restriction policies that prevent unknown executables running from risky locations;
- Office policies limiting the use of macros; and
- Filtering of web and email traffic to limit access to malicious sites and files.



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INVESTMENT OF COUNCIL FUNDS

- Originated Date:** Adopted 15 December 2008 – Min. No. 310/08 (as Policy 55)
- Amended Date/s:** Reviewed 21 September 2015 – Min. No. 270/15
Reviewed 20 March 2017 – Min. No. 89/17
Reviewed 13 December 2021 – Min. No. 21/490
Reviewed 17 November 2025 – Min. No. 25/352
Reviewed 17 November 2025 – Min. No. 25/352
- Applicable Legislation:** Section 75 of the *Local Government Act*
- Objective** To provide guidelines for the investment of Council Investment funds.
- Administration:** Corporate Services
- Review Cycle/Date:** Next review 2029.

1 DEFINITIONS

Investment Funds:

are funds that are not required to be expended in the course of normal operations in the immediate/short term.

Authorised Deposit-taking Institution (ADI):

a body corporate in relation to which an authority under subsection 9 (3) of the Banking Act (No. 6 of 1959 as amended) is in force.

Investment arrangement:

an arrangement that relates to acquiring, consolidating, dealing with, or disposing of certificates of deposit, bonds or notes issued or proposed to be issued.

2 OBJECTIVE

The objective of this policy is to ensure that the best possible rate of return is achieved from the investment of surplus Council funds whilst, at the same time, ensuring the security of those funds.

3 POLICY

- 3.1 The level of Council funds available for investment is to be reviewed at least fortnightly. During the review process likely cash inflows and outflows for the immediate future will be assessed to establish either the availability of investment funds or the need to redeem existing investments.
- 3.2 Where investment funds are available the following procedures will apply:
- Rates and Terms from at least two (2) Authorised Deposit taking institutions shall be compared whenever an investment arrangement is proposed. The most suitable offer of the day will be successful after allowing for security, and administration and banking fees.
 - An 'Investment Lodgement Form/Certificate' is to be completed which will include the following information:
 - Name of ADI;
 - Amount of Investment;
 - Duration of Investment;
 - Details of Product including security; (i.e. S&P rating, State or Commonwealth)
 - Interest Rate offered;
 - Endorsement of the selection by the Accountant or the Corporate Services Manager.



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3.3 Funds may be deposited with any Commonwealth, State or Authorised Deposit Taking Institution. To control the overall credit quality of the deposits, the following maximum holding limits will apply:-

S&P Long Term Credit Rating *	Maximum % holding
AAA to AA-	100%
A+ to A-	75%
BBB+ to BBB-	50%
Not Rated	25%

*or equivalent

4 RESPONSIBILITY

Any two of three following incumbents shall be jointly responsible for the application of this policy:

- Corporate Services Manager;
- Financial Accountant; and
- General Manager.



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LANDSCAPING REQUIREMENTS FOR DEVELOPMENT PROPOSALS

Originated Date: Adopted 17 May 1993 – Min. No. 117/93 (as Policy 8)

Amended Date/s: Amended 22 September 2003 – Min. No. 349/03
Amended 14 October 2013 – Min. No. 277/13
Amended 20 February 2017 – Min. No. 56/17
Amended 24 October 2022 – Min. No. 22/347

Applicable Legislation: *Land Use Planning & Approvals Act 1993*

Objective To establish a policy for landscaping requirements for development proposals.

Administration: Community and Development

Review Cycle/Date: Every four years. Next review 2026.

1. PURPOSE

The purpose of this policy is to:

- 1.1 Encourage the use of fire-retardant vegetation in landscaping works;
- 1.2 Encourage the use of suitably sized trees;
- 1.3 To ensure that, where required by a planning permit, landscaping works are appropriate, completed and maintained.

2. LANDSCAPING WORKS ON PLANNING PERMITS

- 2.1 Where required under Part D - Zones, or Part 8.1 – Application Requirements, of the Northern Midlands Planning Scheme, a landscape plan shall be submitted with a planning application.
- 2.2 A landscape plan shall include:
 - a) The location, size at maturity, and common and botanical names of all plantings;
 - b) Vegetation generally with a maximum height of 5m and a maximum width of 3m;
 - c) Plants, if near buildings, with Low Flammability as shown in Tas Fire's "Fire Retardant Plants for the Urban and Rural Fringe";
 - d) For commercial and industrial development, an estimated cost of plantings shall be included.
- 2.3 Single dwellings. A planning permit is generally not required for a single dwelling. However, if a planning permit is required, and the situation warrants, e.g. Cambock Lane, then a landscape plan shall be submitted. A bond of \$500 is required prior to the commencement of use.
- 2.4 Multiple dwellings. A bond of \$500 per dwelling is required prior to the commencement of use.
- 2.5 Commercial and industrial development. A bond of 1.5 times the cost of the planting component of landscape works is required prior to the commencement of use.



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LIVE STREAMING OF COUNCIL MEETINGS

Originated Date: Adopted 21 August 2023, Min. ref. 23/0281

Amended Date/s: 9 December 2024, Min. ref. 24/0413
Amended 19 January 2026, Min. 26/024

Applicable Legislation: *Local Government Act 1993*
Local Government (Meeting Procedures) Regulations 2025

Objective The objective of this policy is to:

1. provide information and procedures for the audio/visual live streaming and recording of open ordinary Council meetings for the public to access; and
2. promote transparency, accessibility and greater community awareness and confidence in the integrity and accountability of Council meeting practices, and the conduct of their elected representatives.

Administration: Governance

Review Cycle/Date: Within 6 months of commencement of new Council term.

1 INTRODUCTION

The *Local Government Act 1993* and the *Local Government (Meeting Procedures) Regulations 2025* make provision for the operation and conduct of Council meetings. Whilst the legislation identifies how these processes can occur, there are some lower level procedures required to be set out by Council. This policy stipulates those procedures.

The *Local Government (Meeting Procedures) Regulations 2025* do not preclude live streaming of Council meetings or making recordings of meetings available on-demand.

This policy is to be read in conjunction with Councils Meeting Procedures Policy.

2 POLICY STATEMENT

This policy outlines Council's commitment to transparent and accessible decision making processes with the introduction of audio live streaming and recording of ordinary open council meetings.

3 SCOPE

This policy applies to formal Council meetings (ordinary meetings, special meetings and Annual General meetings). This policy does not apply to closed sessions of Council or Committee meetings of Council.

Live streaming of Council meetings does not authorise any Councillor to attend meetings remotely ~~and it is noted~~ Regulation 45 of the *Local Government (Meeting Procedures) Regulations 2025* requires Councillors to attend a meeting in person and Council may not determine that a councillor may attend a meeting in any manner that does not consist of in person attendance.

4 PROCEDURES

4.1 MEETINGS TO BE LIVE STREAMED AND RECORDED

Ordinary and Special Council Meetings held in Council's Chambers at 13 Smith Street, Longford will be audio streamed and recorded and made available on the internet via Council's website www.nmc.tas.gov.au.

A link to the YouTube streaming service will be made available on Council's website for ease of access as soon as possible and generally no later than four business days after the Council meeting (not including the day of the meeting).



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Closed Council Meetings will not be live streamed or recorded.

The Chairperson and/or General Manager have the discretion and authority to direct the live streaming and/or recording be interrupted or terminated at any time if they believe it is advisable to do so, for example where the content of the debate is misleading, defamatory, a breach of privacy, unlawful or potentially inappropriate to be published.

There may be situations where the live stream recording of Council meetings is not available due to technical issues. Council takes no responsibility for and cannot be held liable for the live streaming, or access to it, through Council's website or the YouTube service being unavailable due to technical issues beyond Council's control. Technical issues may include the availability of the internet connection, device failure or malfunction, unavailability of social media platforms or power outages.

Council will make every effort to ensure the smooth operation of live streaming of Council meetings.

The recordings made by Council officers will not replace written minutes of Council meetings. The recordings may be used by Council Officers when preparing minutes.

4.2 DISCLAIMER

4.2.1 Meeting Agendas are to include at the start a notice that Council meetings will be live streamed using audio technology and that audio recordings will be made available to the public online after the meeting.

4.2.2 Public Notices will be placed in prominent positions outside and within the Council Chambers to inform the meeting is being audio live streamed and recorded, a persons image and/or voice may be broadcast and by remaining in the public gallery during the meeting or participating during the meeting, their consent to being live streamed and recorded is assumed.

4.2.3 Meeting Agendas and Public Notices outside and within the Council Chambers will include the following wording:

"We wish to advise that during this public council meeting we will use audio technology to live stream the meeting to support and inform the community regarding council meetings. After the meeting, an audio recording of the meeting will be published via a link on our website to the YouTube streaming service for a minimum period of not less than 12 months from the day of the meeting. Attendees will be taken to have consented to their voice or statements being live streamed or recorded as described. This consent also extends to any minors accompanying an attendee who is a parent or legal guardian. If you do not consent to being live streamed or recorded, and/or if you intend to disclose any confidential or sensitive information in the course of the meeting, please notify us as early as reasonably possible prior to the commencement of the council meeting. If you require further information or wish to notify us regarding any concerns, please contact the Northern Midlands Council privacy officer at: council@nmc.tas.gov.au; (03) 6397 7303 or you can review the Northern Midlands Council Privacy Policy available at: <https://northernmidlands.tas.gov.au/source-assets/files/Policies/Privacy.pdf>."

4.2.4 The Chairperson will make a statement at the opening of Council meetings advising as follows:

"Ladies and Gentlemen,

Please note this meeting is being audio live streamed and a recording will be made available after the meeting via Council's website in accordance with Council's Live Streaming of Council Meetings policy.

While reasonable care is taken to maintain your privacy while in attendance at the Council meeting, please note that your presence in the Council Chambers and/or voice may be live streamed and recorded, including any statement made during public question time or consideration of planning matters. The content of this meeting is part of the public record, but if any matters do arise which are particularly sensitive or confidential, we will stop the live stream and in certain circumstances, may close the meeting to the public.

All speakers ought to refrain from making any defamatory comments or releasing personal information of another individual without their prior consent.

Council accepts no liability for any damage that may result from defamatory comments made by members of the public.

If you have any questions or concerns, you may contact the Council's privacy officer whose details are on our website.



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Thank you"

- 4.2.5 A disclaimer will be included on Council's website through which the live streaming and recordings will be accessed. The disclaimer will be as follows:

"Northern Midlands Council public council meetings are live streamed and recorded.

Recordings of these public meetings will be available through a link from this website for a minimum period of not less than 12 months from the day of the meeting.

At the start of each meeting, the Chairperson or their representative will provide notice that the meeting will be live streamed and recorded. By attending a council meeting, attendees will be taken to have consented to their voice or statements being live streamed and recorded, which may be accessed through a link on this website.

For further information, please refer to our Live Streaming of Council Meetings Policy and our Privacy Policy available at: <https://northernmidlands.tas.gov.au/documents/strategic-annual-plan/council-policies-and-by-laws>.

Need help? Please contact our Privacy Officer at council@nmc.tas.gov.au; or call (03) 6397 7303."

5. RISK MANAGEMENT

Public Council meetings are an open forum of statements, questions, and answers. Occasionally, comments could be made which may be regarded as offensive, defamatory, inaccurate, or unlawful.

It is acknowledged that live streaming and recording of Council meetings does not increase these risks, however it could increase the impact due to the larger audience as a result of the broadcast. This could increase the likelihood and/or severity of potential liability.

Accordingly, the Chairperson and/or General Manager have the authority and discretion to interrupt or terminate the live streaming and recording of Council meetings if they believe it is advisable to do so. This discretion is to be exercised in exceptional circumstances only and where the Chairperson and/or General Manager are of the view that the debate is misleading, inaccurate, unlawful, defamatory, or inappropriate to be published or where sensitive or confidential information is being discussed.

Parliamentary privilege does not apply to local Council meetings. It should be noted that no protection is afforded to Councillors or Council employees for comments made during meetings.

The opinions or statements made during the meetings are those of the individuals, and not necessarily the opinions or statements of Council. Council does not necessarily endorse or support the views, opinions or information contained in the live streaming and/or recording of meetings.

Council does not accept any responsibility or liability for verbal comments made during meetings which are inaccurate, incorrect or defamatory. The Council does not accept any liability for any loss, damage, cost or expense that may be incurred as a result of viewing, use of or reliance on the information or statements provided in the live streaming or recordings.

6 REVIEW

The policy will be reviewed within 6 months of commencement of the new term of Council, being before 30 April 2027.



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LOCAL GOVERNMENT ELECTION CARETAKER PERIOD

Originated Date: Adopted 18 July 2022, Min. No. 22/236

Amended Date/s:

Applicable Legislation: *Local Government Act 1993*
Tasmanian Electoral Act 2004

Objective The purpose of this policy is to ensure that:

- 1) Major policy decisions are not made by Council in the leadup to an election that would prove binding for an incoming Council.
- 2) Council resources are not used for the advantage of a candidate in a local government general election.
- 3) The requirement to act impartially in relation to all candidates standing for election is clearly understood.

Administration: Governance

Review Cycle/Date: Next review 2026

1 POLICY STATEMENTS

- 1.1 Council is committed to the application of good governance principles and high standards of integrity.
- 1.2 It is an established democratic principle that elected bodies should not unnecessarily bind an incoming government during an election period. Council commits to the principle that it will make every endeavour to avoid making major policy decisions that bind an incoming Council.
- 1.3 This policy establishes clear guidelines for the conduct of Councillors and staff in the lead up to a local government general election involving the Northern Midlands Council and ensures that the ordinary business of Council continues in a responsible, transparent and legally compliant manner in the period leading up to an election.

2. DEFINITIONS

In this policy:

“By-Election” is an election to replace a councillor after the councillor’s office becomes vacant.

“Candidate” is a person standing for election.

“Council” means the Northern Midlands Council.

“Caretaker Period” is the period from the writ of election through until the close of the polls of the relevant local government general election.

“Electoral Material” means any advertisement, handbill, pamphlet, notice, flyer, letter or article that is intended or calculated to affect the result of an election.

“Election Campaign” refers to the activities of candidates to win voter support in the period preceding an election and includes activities such as door knocking, bulk emails, production of signs and flyers, telephone canvassing, social media campaigns and advertising.

“Local Government Act” means the Tasmanian *Local Government Act 1993*.



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“**Major Policy Decision**” refers to the appointment, remuneration or termination of the General Manager, approval of contracts greater than 2% of Council’s operating revenue outside approved budget items, and initiation of By-Laws.

3. OBJECTIVE

The purpose of this policy is to ensure that:

- 3.1 Major policy decisions are not made by Council in the leadup to an election that would prove binding for an incoming Council.
- 3.2 Council resources are not used for the advantage of a candidate in a local government general election.
- 3.3 The requirement to act impartially in relation to all candidates standing for election is clearly understood.

4. SCOPE

- 4.1 This policy applies to elected members and employees of the Northern Midlands Council for duration of the caretaker period for a local government general election.
- 4.2 This policy does not apply to local government by-elections.

5. PROCEDURE (POLICY DETAIL)

During the Caretaker Period the following provisions shall apply:

- 5.1 **Tenure of General Manager:** Council shall not appoint, dismiss or renew the contract of a General Manager during the Caretaker Period. An Acting General Manager may be appointed in accordance with Section 61B of the Local Government Act, if required.
- 5.2 **Tenders and Contracts:** no tender or contract shall be approved outside approved budget items by Council for which the total sum exceeds 2% of the Council's operating revenue as proposed in the forward estimates for the financial year in which the election is to be held.
- 5.3 **By-Laws:** Council will not initiate a new By-Law during the Caretaker Period.
- 5.4 **Distribution of Electoral Material:** no electoral material shall be permitted to be displayed or distributed on any Council owned or managed property.
- 5.5 **Use of Council Equipment and Stationery:** Council supplied equipment and Council branded material shall not be used by Councillors or staff in any manner that supports a candidate’s election campaign. Councillors may continue to use Council equipment and branded material throughout the course of the Caretaker Period to carry out their regular functions as described in Section 28 of the Local Government Act.
- 5.6 **Media:** Councillors will not use their position as an elected representative, or their access to employees or resources, to gain media attention in support of their, or any other candidate's election campaign.
- 5.7 **Council Committees and Groups:** a Councillor shall not use their membership of a Council Advisory Committee or appointment as a member of an external group to disseminate information or promote their, or any other candidate's election campaign.

6. GUIDELINES

- 6.1 Nothing in this policy prevents the Mayor, Councillors and staff from carrying on the business of the Council during the caretaker period.
- 6.2 Council meetings shall continue to be held during the Caretaker Period and will consider Agenda items that relate to the ordinary business of Council other than those matters identified in *Section 5: Procedure (Policy Detail)* of this policy.



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- 6.3 The General Manager may still exercise all delegations provided by Council during the Caretaker Period, including the appointment of staff.
- 6.4 Capital works as approved by Council as part of the annual budget process and subsequently approved by the awarding of a tender, can proceed during the Caretaker Period, regardless of their scale.
- 6.5 The Mayor and Councillors will continue to accept invitations to attend community functions and may continue to correspond with constituents on matters related to Council business during the Caretaker Period.
- 6.6 The Mayor shall be the spokesperson for Council in accordance with Section 27 of the *Local Government Act* and shall carry out the civic and ceremonial functions of the mayoral office during the Caretaker Period.
- 6.7 Individual Councillors may continue to represent the community and facilitate communication between Council and the community for the duration of the Caretaker Period. In fulfilling these duties during this period, Councillors may claim allowances and expenses as provided under Council Policy 2.1 Payment of Councillors' Expenses and Provision of Facilities Policy.
- 6.8 Council employees shall maintain the normal business activities of Council during the Caretaker Period. Employees shall undertake their duties in an appropriate way and take all steps to avoid any real or perceived support for a candidate in order to protect the organisation's ability to impartially serve any incoming Council following an election.

7. COMMUNICATION

- 7.1 This policy will be made available to all staff, Councillors, customers, members of the public and shall be provided free of charge at Council's offices and on Council's website www.northernmidlands.tas.gov.au

8. LEGISLATION

The following legislation is relevant to this policy:

- *Local Government Act 1993*
- *Tasmanian Electoral Act 2004*

9. RELATED DOCUMENTS

Council Policies

- *Code of Conduct for Elected Members*

Human Resources Policies

- *Employee Code of Conduct*



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POLICY MANUAL

MANAGEMENT OF DONATED GOODS AFTER A DISASTER

Originated Date: Adopted 19 July 2010, Min. No. 173/10 (as Policy 60)

Amended Date/s: Amended 21 September 2015 – Min. No. 270/15
Amended 20 August 2018 – Min. No. 230/18
Amended 15 August 2022 – Min. No. 22/269

Applicable Legislation:

Objective

- 1) To ensure best practice methods are employed to manage donated goods after a disaster
- 2) To inform Northern Midlands residents on Council's policy with regard to managing donated goods after a disaster.

Administration: Governance

Review Cycle/Date: Next review 2026

BACKGROUND

The Australian Government released the report "Management of Donated Goods after a disaster" in February 2010. The report investigated the phenomenon of unsolicited donations following recent disasters across Australia. The researchers found that the management of unsolicited donated goods creates major problems after a disaster. A large proportion of what is donated is unusable but recovery managers are still required to put significant efforts into administration of the goods e.g. unpacking, sorting, storing and distribution. Disposal at the end of the disaster also required major effort.

The 2009 Victorian bushfires illustrate this well.

"The Victorian bushfires resulted in the donation of in excess of 40,000 pallets of goods from across Australia that took up more than 50,000 square metres of storage space. The costs for managing these donations i.e. 3 central warehouses, 5 regional distribution points, approximately 35 paid staff, material handling equipment and transport costs to distribute the material aid, has amounted to over 8 million dollars. In addition, volunteer numbers reached 1,500 during the first 3 months provided through over 40 shop fronts. Resources in the fire affected areas immediately after the event were severely stretched as a result of the material aid arriving without warning and without adequate resources to sort, store, handle and distribute."

Experience from this and other disasters indicates that a large proportion of what was donated may be either unwanted or unusable and eventually have to be disposed of, causing further expenditure and possible outrage from the public.

The report contains the viewpoints of community recovery personnel as well as the recipients of donated goods. It concludes with recommendations for the improved management of donated goods in the future.

The "Management of Donated Goods after a Disaster" report underpinned the development of the "National Guidelines for Managing Donated Goods" that were released in 2011. The guidelines included three key recommendations:

- 1) The need for all concerned to send out a strong, clear message to the public that the most effective way to help is to give money, not goods. This gives recipients flexibility and choice, promotes self-directed recovery and more accurately targets need. It also stimulates local economies.
- 2) That if anyone insists on making a public appeal for donated goods, despite advice to the contrary, advise them that they need to negotiate a strategy for sorting, storing and distributing the goods
- 3) Redirect the public who wish to donate unsolicited goods to either an appropriate non-government/ community sector organisation that has the capacity to take material items, or a registry, if one has been set up, or suggest ways to turn their goods into money e.g. hold a garage sale.

POLICY

Council has a Hotline phone/website that local community members and businesses can access after a disaster to register their offers of assistance.



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At this point of contact very clear scripts are used that include the following key messages:

- Thanking people for their concern and offer of assistance;
- The best way to assist is to provide cash donations;
- That unsolicited goods are not required if people register their contact details and offer of donation, they will be contacted if there is an identified need for the offer they have made;
- Other community options for the donation of second hand goods, such as local charities.



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MEETING PROCEDURES

- Originated Date:** Adopted 23 September 2002 – Min. No: 379/02 (as Policy 32)
- Amended Date/s:** Revised 25 January 2010 – Min. No: 15/10 (388/06)
Amended 22 March 2010 – Min. No. 69/10
Amended 21 September 2015 and incorporating Recording of Meeting Policy (formerly Policy 51) – Min. No. 253/14
Amended 20 August 2018 – Min. No. 218/18
Amended 28 June 2021 – Min. No. 214/21
Amended 18 September 2023 – Min. No. 23/0329
Amended 19 January 2026 – Min. No 26/023
- Applicable Legislation:** *Local Government Act 1993*
Local Government (Meeting Procedures) Regulations 2025
- Objective** The objective of this policy is to set Council meeting procedures for the following:
1. Public Question Time during Council meetings;
 2. Public representations on planning items during Council meetings
 3. Petition procedures during Council meetings;
 4. Recording of Council meetings; and
 5. Appointment of Council Representatives to Committees of Council, or a committee external to Council.
- Administration:** Governance
- Review Cycle/Date:** Every 4 years. Next review June 2027.

1 INTRODUCTION

The *Local Government Act 1993* and the *Local Government (Meeting Procedures) Regulations 2025* allow for Public Question Time, Public Representations on planning items, Petitions, Recording of Council meetings and the establishment of Committees of Council. Whilst the legislation identifies how these processes can occur, there are some lower level procedures required to be set out by Council. This policy stipulates those guidelines.

This policy is to be read in conjunction with the Live Streaming of Council Meetings Policy.

2 PUBLIC QUESTION TIME

Regulation 31 of the *Local Government (Meeting Procedures) Regulations 2025* relates to the provision of Public Question Time during a Council meeting. Regulation 31(7) of the Regulations stipulate that “a Council is to determine any other procedures to be followed in respect of public question time at an ordinary council meeting.”

Public question time is to commence at approximately 5.30pm and is to be conducted in accordance with the following guidelines:

- At each Council Meeting, up to 20 minutes, or such longer period as Council may determine by resolution at that meeting, is to be provided for persons at the meeting to ask questions.
- A person seeking to ask a question must firstly identify himself or herself by stating their name and the town they reside in.
- If more than one person wishes to ask a question, the Mayor is to determine the order in which those questions are asked.
- Questions must be directed to the Mayor who shall answer or direct the question to the appropriate Councillor or Council Officer. A question will be answered if the information is known otherwise taken on



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notice and responded to in writing within 10 working days. Questions should preferably be in writing and provided to the General Manager at the Council Meeting.

- A person is entitled to ask no more than two questions on any specific subject. If a person has up to two questions on several subjects, the Mayor may defer those questions until other questions have been asked and refer back to that person only if time permits.
- Each speaker is limited to a maximum of 3 minutes.

3 REPRESENTATIONS ON PLANNING ITEMS

A maximum of four persons per item (two for and two against) will be permitted to address Council on a planning item. After the representation has been made, Councillors are permitted to ask questions of the party who made the representation.

Each speaker is limited to a maximum of 3 minutes.

4 PETITIONS

Part 6, Division 1 of the *Local Government Act 1993* refers to the presentation of a petition to Council. Council is to treat any petition received in accordance with the provisions of the *Local Government Act 1993*.

5 RECORDING OF COUNCIL MEETINGS

Regulation 43(9) provides that “a Council may determine any other procedures relating to the audio recording of meetings it considers appropriate”.

In addition to the Live Streaming Policy, Council is to audio record meetings to assist Council officers in the preparation of minutes of proceedings.

The provision for audio recording of Council meetings in this policy:

- only applies to formal Council meetings (ordinary meetings, special meetings and Annual General meetings);
- does not apply to closed sessions of Council;
- does not apply to Committees of Council;
- the recording will not replace written minutes and a transcript of the recording will not be prepared by Council;
- the recording may be used by Council staff to assist with the preparation of the minutes;
- the minutes of a meeting, once confirmed by Council, prevail over the audio recording of the meeting;

A member of the public may only use an audio recorder, or any other recording and/or transmitting device, to record the proceedings of a meeting of Council with the written permission of the General Manager for the express purpose proposed. The Northern Midlands Council reserves the right to revoke such permission at any time.

6 APPOINTMENT OF COUNCIL REPRESENTATIVES TO COMMITTEES OF COUNCIL AND OUTSIDE BODIES

Sections 23 and 24 of the *Local Government Act 1993* permit Council to establish Council Committees or special Committees of Council. From time to time Councillors may be invited to represent Council on committees external to Council.

With the exception of appointments made by the Council under any enactment, all representative appointments of the Council to community committees and outside bodies expire at the first Council meeting following every ordinary Council election.

At the first ordinary meeting following a Council election, Council is to appoint a Councillor representative to all Council Committees and Special Committees of Council in accordance with the following procedure:



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- a. A list of all Council committees and special committees of Council is to be produced at the ordinary Council meeting;
- b. Councillors are to nominate which committee/s they wish to be a representative on;
- c. In the event two or more Councillors nominate for the same committee, all of those Councillors can be appointed as a representative to that committee, except where that committee specifies that there is to be only one Councillor representative, in which case the Councillors are to vote on which Councillor is to be appointed, with the nominee having the least number of votes to be eliminated and this process followed until there is one nominee remaining. In the event there is a tie, the Mayor is to have the casting vote.
- d. If there is a casual vacancy for a representative appointment made by Council, then the Council is to elect a replacement appointee to fill the vacancy at the earliest available meeting of the Council in accordance with the above procedure.

7 REVIEW

The policy will be reviewed every four years or more frequently, if dictated by operational demands or legislative changes.



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POLICY MANUAL

NO SPRAY REGISTER

Originated Date:	Adopted 16 November 2020 – Min. No. 394/20
Amended Date/s:	Reviewed 9 December 2024 – Min. No. 24/0418
Applicable Legislation:	<i>Agricultural and Veterinary Chemicals (Control of Use) Act 1995</i> Section 26 of the Code of Practice for Spraying in Public Places
Objective	This policy provides the framework of Council's 'No Spray Register' in accordance with the Code of Practice for Spraying in Public Places.
Administration:	Works and Infrastructure
Review Cycle/Date:	Every 4 years, next review 2028

1. BACKGROUND

Council is responsible for vegetation and weed management within its road reserves.

Management methods for the control of vegetation include mowing, slashing and the use of chemical herbicides to eradicate vegetation growing in the road reserve.

Council undertakes a minimum of 2 spray cycles per year, covering all urban areas across the municipal area.

In the use of chemical herbicides, Council abides by the Code of Practice for Spraying in Public Places, issued by the Department of Primary Industries, Parks, Water and Environment in support of the *Agricultural and Veterinary Chemicals (Control of Use) Act 1995*, that outlines the minimum acceptable standards in the spraying of weeds and vegetation in public places.

In respect to spraying within road reserves abutting non-council owned land, Section 26 of the Code of Practice provides property owners the opportunity to request Council to not apply chemical products for weed or insect pest control in front of their property, subject to the owner undertaking weed and vegetation control to the satisfaction of the Council.

26. *Property owners who request the Council to desist from spraying in front of their properties on public land must prepare a proposed pest control plan detailing how they intend to control the problem themselves.*

The plan must be approved by the Council and carried out in a timely manner.

If the issue is not dealt with satisfactorily, the Council may resume responsibility for the maintenance of the land using chemical products if necessary.

2. POLICY

That:

- 2.1 In accordance with **Section 26** of the ***Code of Practice for Spraying in Public Places***, Council consider requests by property owners to desist in the chemical spraying of vegetation and weeds in road reserves abutting their property.
- 2.2 The property owner's vegetation/weed (pest) control plan to ensure the following:
 - Control of all weed species;
 - Keeping the road frontage clear and/or tidy;
 - Keeping drainage and or paths free of obstruction and fully operational at all times;
 - Ensuring kerbs, footpaths and gutters are free of vegetation growth;
 - Be applicable to the entire frontage, including the side and rear of the property if abutting a Council road reserve;
 - Removal of existing trees and vegetation must not occur without permission from the Council.



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- 2.3 Council's consideration of an application under Section 26 of the Code is to consider the following:
- Whether the adjoining land is used for certified organic vegetable/fruit production;
 - Existence of a medical condition in the household which may be exacerbated by exposure to herbicides or associated additives;
 - The applicant holding other mitigating circumstances that may warrant an area not being exposed to the use of herbicide chemicals;
 - Whether the proposed alternative method for the control of weeds is deemed an achievable method;
 - Whether the applicant may have previously been on the no spray register and has undertaken the required obligations to the Council's satisfaction.
- 2.4 Successful applications be included on the Council's 'No Spray Register', as detailed below:
- The register be for a period of up to 12 months starting from 1 July.
 - Applications are non-transferrable;
 - Tenants of a property or residents part of a unit complex or strata property to provide written confirmation from the landlord or body corporate in support of the request.
 - Applications for inclusion on the Register be advertised annually and promoted on the Council's website, and by other means as deemed suitable.
- 2.5 Should the applicant not manage the control of weeds and vegetation to the satisfaction of the Council, the following occur:
- Council advise the applicant in writing that maintenance must occur within fourteen (14) days of the date of the correspondence.
 - Failure by the applicant to conduct maintenance of the area within fourteen (14) days to result in Council undertaking, without further notice, any necessary work to control the vegetation.
 - Council resume responsibility for the maintenance of the land, using chemical products if necessary.
 - The applicant be removed from the Register at the end of the fourteen (14) day period, without further notice, if the required maintenance has not been completed.
 - The applicant may reapply to be placed on the register at the next application period, June 30.
- 2.6 Tenders and contracts for the spraying of council road reservations are to acknowledge no spray zones and properties as listed on the Register.
- Council Officers and contractors are to abide by the No Spray Register.
- 2.7 Procedures to implement the above policy be developed to the satisfaction of the Works Manager.

3. LEGISLATION, TERMINOLOGY AND REFERENCES

Terminology:

Pest control plan:	A plan detailing how the property owner intends to control a pest. A pest is defined in the Code of Practice for Spraying in Public Places as a weed or insect pest.
Weed:	A plant which is either growing in an undesirable location (i.e. within a footpath or kerb and gutter) or a weed listed in a Federal or State weed index, or other weed list recognised by the Council.

References:

Code of Practice for Spraying in Public Places	Prepared by the Agricultural and Veterinary Chemicals Program of the Department of Primary Industries, Parks, Water and Environment. (Issued June 2004)
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ATTACHMENT 1: NO SPRAY REGISTER – REQUEST FORM (NEW & RENEWAL)

Use this form if you would like the front of or alongside your property excluded from Council’s Weed Spraying Control Program.

Requests to be on the register expire on 30 June each year.

For further information on how a request is considered, including the responsibilities of the applicant and Council please refer to the No Spray Register Policy which can be found under www.northernmidlands.tas.gov.au

APPLICANT DETAILS:

First Name: _____ Surname: _____

Email: _____

Telephone B/H: _____ Mobile: _____

ADDRESS TO BE REGISTERED

Street No.: _____ Street Name: _____

Suburb/Town: _____ Postal Code: _____

Is this your postal address: Yes No

In some instances we may need to pass on your contact details to a third party provider if it is determined that they are responsible. Please indicate if you give permission for us to pass on your details if needed: Yes No

Additional information you may wish to provide: (e.g. my property is on a corner block)

.....

I would like to: Make a request to join the No Spray Register Renew an existing request to remain on the No Spray Register

Property Type: Owned & Occupied Rented Unit or Strata Complex

What is the proposed method of weed control: Manual Control Environmental Management Mechanical Control Chemical Control

Please provide any further information that describes how you plan to control the vegetation / weeds (add an extra page if you need to):

.....

CONDITIONS AND DECLARATION

Terms and conditions

By being on the No Spray Register it is the applicant’s responsibility to control the weeds in the address listed on this request to at least the same standard that can be achieved by the Council’s herbicide control method and the area shall be maintained at regular intervals.

Should the Council deem that the control is not to a satisfactory standard as determined by it, Council may resume responsibility for the maintenance of the land, using herbicide products if deemed necessary.

The Council will undertake regular inspections of the property.

Requests to be on the register expire on 30 June each year. At this time it is the applicants responsibility to renew their registration if they would like to remain on the No Spray Register.

In making this application:

- I have read and agree to the terms and conditions outlined above.
- I acknowledge that my request is valid for a maximum period up to 30 June of each year at which time I am required to renew my request if I would like to remain on the register.
- If my property is rented or a unit or strata complex, I declare that I have written consent from the landlord or body corporate.

Signature: _____ Date: _____

Office Use Only

Date details recorded in Register: _____ Office Official’s Signature: _____



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NON-CONFORMING SIGNS

- Originated Date:** Adopted 8 April 1999 – Min. No 155/99 (as Policy 11)
- Amended Date/s:** Amended 10 December 2012 – Min. No. 356/12
Amended 20 March 2017 – Min. No. 95/17
Reviewed 18 August 2022
- Applicable Legislation:** Sections 48, 48A, 51 and 64 Division 4 of the *Land Use Planning and Approvals Act 1993*
- Objective** To bring non-conforming signs into conformity with the Planning Scheme
- Administration:** Community and Development
- Review Cycle/Date:** 4 year review. Next review 2026.

DEFINITIONS

- Act* means the Land Use Planning & Approvals Act 1993,
Planning Scheme means the Northern Midlands Planning Scheme in effect at the time

The Development Services Department shall be guided by the following procedures:

1. SIGNS THAT ARE PROHIBITED UNDER THE PLANNING SCHEME

- Step 1 Serve a Notice of Intention to Issue Enforcement Notice on the owner(s) of the property giving 14 days to respond in accordance with s. 65B (3) of the Act. Advise that it is also intended to issue an Infringement Notice (fine) and specify the current penalty amount.
- Step 2 Serve an Enforcement Notice requiring the sign to be removed within 7 days. Serve an Infringement Notice.
- Step 3 Refer the matter to the Council's Solicitor.
- Step 4 Council's Solicitor to seek a court order. If successful, then apply for costs.

2. SIGNS THAT REQUIRE A PERMIT UNDER THE PLANNING SCHEME

STANDARD OPERATING PROCEDURE – REMOVAL OF ILLEGAL SIGNS

Where the new erection or display of a sign comes to the attention of Council or its staff, it shall be reported to the person dealing with Planning compliance, currently the Planning & Compliance Officer, who shall confirm its status as exempt, requiring a permit or prohibited. The following process shall then apply.

Signs on Council property, erected without the permission of the General Manager, will be removed immediately.

A - Exempt

- Step 1 Planning & Compliance Officer to advise the complainant if applicable (Signs Notice 1)
- Step 2 No further action required

B - Permit required and issued:

- Step 1 Planning & Compliance Officer to advise the complainant if applicable (Signs Notice 2)
- Step 2 No further action required

C - Permit required and not issued:

- Step 1 Planning & Compliance Officer to advise the complainant if applicable (Signs Notice 3)
- Step 2 Serve notice to property owner (and sign owner if known) to remove the sign within 14 days (Signs Notice 4); or



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- Step 3 Send email – remove and don't display again. If displayed again will be removed.
- Step 4 Advise that planning approval may be sought and supply an application form
- Step 5 If the sign is removed within 14 days, no further action is required
- Step 6 If the sign is not removed within 14 days, but a permit is applied for follow normal planning permit application process.
- Step 7 If the sign is not removed within 14 days and a permit is not applied for and it is not practicable to remove the sign:
- 7.1 Refer the matter to Council's solicitor to commence proceedings (Signs Notice 5); and
 - 7.2 Advise the property owner (and sign owner if known) (Signs Notice 6)
- Step 8 If the sign is not removed within 14 days and a permit is not applied for and it is practicable to remove it:
- 8.1 The sign shall be removed by not less than two (2) Council staff (normally the Senior Planner and Planning & Compliance Officer); and
 - 8.2 The sign shall be stored at the Council Office or depot; and
 - 8.3 Advise the property owner (and sign owner if known) that the sign has been removed and may be collected on payment of costs – include demand for costs (Signs Notice 7)
- Step 9 If the costs have not been paid within two (2) months:
- 9.1 Refer to normal debt collection procedure; and
 - 9.2 Dispose of sign, by sale if practicable
- Step 10 If costs are paid within two (2) months, the owner may collect the sign
- Step 11 If the sign is not collected within two (2) months of service of Notice 7, it shall be disposed of, by sale if practicable.



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ON-SITE STORMWATER DETENTION

Originated Date:	Adopted 24 June 2019 (min. ref. 178/19)
Amended Date/s:	Amended 19 February 2024 (min. ref. 24/070)
Applicable Legislation:	<i>Urban Drainage Act 2013</i> Australian Rainfall and Runoff 2019 State Stormwater Strategy 2010 AS3500.3:2003 Plumbing and Drainage Tasmanian Stormwater Policy Guidance and Standards for Development 2021
Objective	To ensure that stormwater runoff generated by new developments does not adversely impact downstream properties.
Administration	Community and Development
Review Cycle/Date:	Next review 2028.

1. PURPOSE

This policy details the safeguards enforced by Council to ensure that stormwater runoff generated by new developments does not adversely impact downstream and surrounding properties for all storm events up to and including the 100-year Average Recurrence Interval (1% Annual Exceedance Probability) event.

2. DEFINITIONS

<i>Annual Exceedance Probability (AEP)</i>	The probability that a given rainfall total accumulated over a given duration will be exceeded in any one year.
<i>Average Recurrence Interval (ARI)</i>	The average or expected time period between exceedances of a given rainfall total accumulated over a given duration. It is implicit in this definition that the periods between exceedances are generally random.
<i>Catchment</i>	The land area draining to a point of interest.
<i>Council</i>	Means Northern Midlands Council established in accordance with the <i>Local Government Act 1993</i>
<i>Councillors</i>	Means the individuals holding the office of a member of Northern Midlands Council
<i>Council officer</i>	Means the General Manager and staff of Council appointed by the General Manager.
<i>Discharge</i>	Rate of flow of stormwater expressed in unit volume per unit time (litres per second).
<i>Drainage System</i>	Comprises all components of stormwater infrastructure from the legal point of stormwater discharge to the receiving water body. Includes both constructed assets (pipes, culverts, overland flow paths, roadways, kerb and gutters) and natural assets (waterways and creeks).
<i>On-site Stormwater Detention (OSD)</i>	Temporary storage and controlled discharge of stormwater runoff intended to reduce the peak flow from a site.
<i>Overland Flow</i>	The surface flow of stormwater runoff that occurs when the volume of runoff exceeds the capacity of the piped drainage system.
<i>Permissible Site Discharge (PSD)</i>	The Permissible Site Discharge (PSD) is the maximum allowable post-development discharge from a site for the selected discharge design storm and is estimated on the basis that flows in the downstream stormwater drainage system will not be increased.



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Runoff The portion of rainfall that does not infiltrate into the soil, resulting in the presence of surface water.

3. APPLICATION

This policy applies to:

- All commercial, industrial and special use (e.g. community, educational, recreational) buildings or structures
- Multiple dwellings, and where
- The existing drainage system is unable to accommodate an increase in stormwater discharge from the site.

Refurbishment of existing buildings and hardstand which does not increase the impervious area of the site is exempt from this policy.

There may be instances where Council will specify alternative requirements based on identified local conditions.

4. CONTEXT

Australian Rainfall and Runoff 2019 and *Australian Standard AS3500.3:2021 Plumbing and Drainage* establish that stormwater runoff in all storm events up to and including the 1% AEP storm event must be conveyed safely and not present a hazard to people, vehicles, or cause significant damage to property.

Council has a responsibility under the *Urban Drainage Act 2013* to ensure that new developments within urban areas do not adversely impact on the performance of the local stormwater drainage system or cause an unreasonable flow of water on to downstream or surrounding properties.

This will be achieved by ensuring, where necessary, that on-site stormwater detention systems are incorporated into intensely developed sites to reduce the peak flow of stormwater from the site. The on-site detention system reduces the peak flow by temporarily storing stormwater runoff within the development site while discharging to the Council drainage system at a controlled rate.

The need for an on-site stormwater detention system will be assessed by Council upon receipt of a planning or plumbing application. The installation of an on-site stormwater detention system will be enforced as a planning permit condition, a plumbing permit condition, and/or as a direction from Council as the Stormwater Service Provider.

5. EXCEPTIONS

Council may consider waiving a requirement for on-site stormwater detention where:

- The downstream drainage system has been upgraded to accommodate the increase in runoff from the site for all storm events up to and including the 1% AEP event; or
- Where the natural overland flow path is to the road or to an area Council deems as low risk (i.e. not to a developed/developable neighbouring property) Council may only require the 20 year ARI (5% AEP) storm to be detained

6. DESIGN OBJECTIVES

The on-site stormwater detention system must:

- Restrict the rate of stormwater discharge to the permissible rate of discharge during the design storm event specified by Council;
- Provide sufficient storage to ensure peak flow rates at any point within the downstream drainage system do not increase as a result of the development during the design storm event specified by Council (up to and including the 1% AEP), unless the downstream drainage system has been designed to accommodate an increase in stormwater discharge from the site;



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- Drain within 72 hours to ensure the storage volume is available for a subsequent storm event.

The on-site stormwater detention system should:

- Be integrated into the design of the development so that adequate storage areas are included in the initial stages of the site design.

7. DESIGN GUIDELINES

- Based on the size of the site and the proposed proportion impervious surfaces Council will provide the permissible site discharge (PSD) of the total development (refer to Table 1).
- The required detention volume for developments where the overland flow path is to the road, and/or to an area Council agrees is low risk, can then be inferred from Table 1. This volume is applicable only where single detention storage volume controls the entire site. Alternatively, modelling may be undertaken in accordance with methods described Australian Rainfall and Runoff 2019 Book 9 Chapter 6 to determine the required detention volume.
- For developments which do not grade to the road or a dedicated overland flow path, the 1% AEP storm event shall be detained with a PSD as per Table 1. Where the entire site drains to a single detention volume, the detention volume may be calculated as the peak volume from a range of storm durations using methods such as the Boyd or Culp methods or STORMupdated. Alternatively, modelling may be undertaken in accordance with methods described Australian Rainfall and Runoff 2019 Book 9 Chapter 6 to determine the required detention volume.
- For complicated detention arrangements, i.e. where detention is being provided within a number of separate storages and/or connections, the arrangement must be proven to achieve the permissible site discharge from the entire site, in accordance with modelling methods described Australian Rainfall and Runoff 2019 Book 9 Chapter 6. Council require evidence of how the individual elements and entire system behaves during the duration of the design rainfall events.
- In all situations calculations and/or modelling must be presented to Council which show the PSD is not exceeded.
- Design of the detention system must be undertaken by an accredited engineer eligible for membership of Institute of Engineers Australia or equivalent.

8. MAINTENANCE REQUIREMENTS

The property owner is responsible for the operation and maintenance of the on-site stormwater detention system.

Where the on-site stormwater detention system is located on common property within a multi-dwelling site, the body corporate is responsible for the operation, maintenance and replacement of the system.

Stormwater detention systems should be designed and installed in accordance with AS3500.3 and be covered by an Operation and Maintenance plan.

The clearing of below ground storage facilities should be conducted in accordance with the requirements and risk control measures specified in *AS2865-2009 Confined Spaces*.

9. RECORD KEEPING

Council will keep a register of onsite detention systems for auditing and compliance purposes.

10. REVIEW

The next review of this document is scheduled for completion by 30 June 2028.

TABLE 1: PERMISSIBLE SITE DISCHARGE (L/s) AND MINIMUM 1:20 ARI (5% AEP) DETENTION VOLUME (M3)

Lot size (m ²)	Permissible Site Discharge (PSD) (L/s)	Fraction Impervious					
		50%	60%	70%	80%	90%	100%
100	0.88	0.2	0.3	0.4	0.5	0.6	0.7
200	1.76	0.4	0.6	0.8	1.0	1.2	1.4
300	2.64	0.6	0.9	1.1	1.4	1.8	2.1
400	3.52	0.8	1.1	1.5	1.9	2.3	2.8
500	4.39	1.0	1.4	1.9	2.4	2.9	3.5
600	5.27	1.2	1.7	2.3	2.9	3.5	4.2
700	6.15	1.4	2.0	2.7	3.3	4.1	4.9
800	7.03	1.6	2.3	3.0	3.8	4.7	5.6
900	7.91	1.8	2.6	3.4	4.3	5.3	6.3
1000	8.79	2.0	2.9	3.8	4.8	5.8	7.0
1100	9.67	2.2	3.2	4.2	5.3	6.4	7.7
1200	10.55	2.4	3.4	4.5	5.7	7.0	8.4
1300	11.42	2.6	3.7	4.9	6.2	7.6	9.1
1400	12.30	2.8	4.0	5.3	6.7	8.2	9.8
1500	13.18	3.1	4.3	5.7	7.2	8.8	10.5
2000	17.58	4.1	5.7	7.6	9.6	11.7	13.9
2500	21.97	5.1	7.2	9.5	11.9	14.6	17.4
3000	26.36	6.1	8.6	11.4	14.3	17.5	20.9
3500	30.76	7.1	10.0	13.2	16.7	20.4	24.4
4000	35.15	8.1	11.5	15.1	19.1	23.4	27.9
4500	39.55	9.1	12.9	17.0	21.5	26.3	31.3
5000	43.94	10.2	14.3	18.9	23.9	29.2	34.8
5500	48.33	11.2	15.7	20.8	26.3	32.1	38.3
6000	52.73	12.2	17.2	22.7	28.7	35.0	41.8



OVERHANGING TREES AND VEGETATION

Originated Date:	Adopted March 2015 – Min. No. 79/15 (as Policy 76)
Amended Date/s:	Amended 20 February 2017 – Min. No. 49/17 Reviewed 4 March 2021 Amended 15 December 2025 – Min No. 25/377
Applicable Legislation:	<i>Local Government Act 1993</i> <i>Local Government (Highways) Act 1982</i> <i>Neighbourhood Disputes about Plants Act 2017</i>
Objective	To provide a fair and consistent approach to the reduction of potential nuisance caused by overhanging trees within the settlement areas of the Northern Midlands.
Administration:	Governance
Review Cycle/Date:	Next review 2029 or as required by legislation.

INTRODUCTION

The land between the boundary of a property and the carriageway of a road is variously referred to as the footpath, nature strip or road reserve. Depending on its location, this land can frequently be used by pedestrians, cyclists and horse riders. Each of these users has a reasonable expectation that that they can use this area safely.

Vegetation extending beyond a property boundary into this area can create a potential hazard, or nuisance, for users.

Protruding vegetation may be considered as *causes, or likely to cause, danger or harm to the health, safety or welfare of the public* and thus constitute a nuisance according to the *Local Government Act 1993*.

DEFINITIONS

<i>Boundary</i>	refers to the property boundary as shown on the property title plan.
<i>Overhanging Trees</i>	for the purpose of this policy, “Overhanging Trees” refers to any and all vegetation, including but not limited to trees, shrubs, hedges and plants, which extends beyond the property boundary and into, over or under a footpath, nature strip, road reserve and/or highway.
<i>Highway</i>	is all that land encompassing the road and land abutting the road between the property boundaries on each side.

APPLICATION

This policy applies to all properties located within the municipality of the Northern Midlands.

OPERATION

1 HEIGHT REQUIREMENTS

Property owners are expected to maintain their property boundaries such that Overhanging Trees are not problematic and do not cause a nuisance.

Overhanging Trees are to be:

- Cut back to the property boundary; and



- Provide a clear height above an area intended mainly for the use of pedestrians (i.e. constructed footpaths) of 2.5 metres; and
- Provide a clear height above an area designated as a horse trail of 3.0 metres; and
- Provide a clear height above the nature strip, on the carriage-way side of a constructed foot path of 4.5 metres.
- Provide a clear height above the roadway of 6 metres.

2 *INSPECTION*

Every residential street shall be inspected by Councils authorised officers twice per year.

In addition, Councils authorised officers will respond to, and inspect, all sites where an Overhanging Trees complaint or concern is brought to Councils attention.

3 *PROCESS*

i *Advertise:*

Council will place an advertisement in newspapers circulating in the municipality, twice per year reminding residents and property owners of the requirement to maintain their property boundaries. The advertisements will also to be shared on Council's Facebook page and website.

ii *Inspection:*

The authorised officers will conduct an inspection of all residential streets, twice yearly, as well as any properties brought to Council's attention outside of those times.

iii *Friendly Reminder Notice:*

Where, in the opinion of the authorised officer, there is an Overhanging Tree, a letter will be sent to the owner or occupier of the land requesting the Overhanging Tree to be removed within 14 days of the date of the letter.

iv *Review of decision:*

The owner or occupier of land who receives the Friendly Reminder Notice referred to in paragraph iii above, may apply to Council in writing, requesting the Council exercise its discretion not to require the removal of the Overhanging Tree based on:

- Heritage grounds; and/or
- Such action will result in the death of the Overhanging Tree.

An application will be considered by Council's General Manager and discussed between Councils authorised officers and the property owner. If a resolution cannot be reached between the parties, a report is to be presented to Council for a determination to be made.

v *Follow Up Inspection:*

The authorised officer will conduct a follow up inspection of all properties where a Friendly Reminder Notice was sent after the expiration of 14 days of the date of the letter.

vi *Abatement Notice:*

Where, in the opinion of the authorised officer, there is an Overhanging Tree, an Abatement Notice will be served upon the owner or occupier of the land requiring the nuisance to be abated within 14 days in accordance with section 200 *Local Government Act 1993*.

vii *Appeal or carry out work:*

The owner or occupier of the land must undertake works to abate the nuisance, or alternatively appeal to a Magistrate within 14 days of the service of the Abatement Notice and provides Council with notice in



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writing of the election to the Magistrates Court being made, in accordance with the provisions of the *Local Government Act 1993*.

viii *Nuisance not abated:*

If the owner or occupier does not abate the nuisance or lodge an appeal with the Magistrates Court within the prescribed 14 day period, Council will send a letter to the owner or occupier advising that Council will engage a contractor to carry out the works at the owner or occupier's expense.

ix *Send Contractor:*

Once the letter referred to in step (viii) is sent, the authorised officer will engage a contractor do anything reasonably necessary to remove the nuisance.

x *Charge to owner:*

All costs associated with the contractor, plus an administration fee, will be invoiced to the owner or occupier.

This cost will be incurred by the owner or occupier even if the owner or occupier abates the nuisance, but do so after the expiry of the prescribed period, but prior to the arrival of Councils contractor.

xi Failure to comply with an Abatement Notice may result in Council issuing an Infringement Notice(s) may be issued in accordance with s.204A of the *Local Government Act 1993*.

4 Neighbourhood Dispute Regarding Plants

Council does not have the authority to intervene in disputes solely between private property owners regarding trees or vegetation that do not impact public land. Matters relating to overhanging branches, roots, or other vegetation encroaching from one private property to another are considered civil matters between the affected parties.

Guidance for Residents:

- Residents are encouraged to resolve such disputes amicably through direct communication with their neighbours.
- If a resolution cannot be reached, residents may seek independent legal advice or mediation services.
- For more information about residents rights and responsibilities, and the process for resolving neighbourhood tree disputes, visit:
 - TASCAT – Neighbourhood Disputes about Plants (<https://www.tascat.tas.gov.au/resource-and-planning/neighbourhood-disputes-about-plants>)
 - Department of Justice – Neighbourhood disputes about plant (<https://www.justice.tas.gov.au/justice-system/disputes/neighbourhood-disputes-about-plants>)



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PEOPLE MANAGEMENT

Originated Date: Adopted 21 October 2024; Min. Ref. 24/0350

Amended Date/s:

Applicable Legislation: *Local Government Act 1993 (Tas)*

Objective The objective of this policy is to provide an overarching framework for the creation and maintenance of effective workplace management practices at Northern Midlands Council's ("Council") in accordance with s63 of the *Local Government Act 1993* ("the Act").

Administration: Governance

Review Cycle/Date: This Policy is to be reviewed every four (4) years or as required by legislation changes, next review October 2024

1. SCOPE

This policy applies to all Council employees, including:

- (a) Full-time, part-time and casual employees;
- (b) Permanent and temporary employees performing work for the Council, including work experience students, apprentices, interns and trainees;
- (c) Temporary and casual individuals engaged through an employment agency;
- (d) Staff on secondment from another roll or another council;
- (e) Volunteers of the Council; and
- (f) Contractors, or consultants, directly engaged/renumerated by the Council.

2. POLICY

2.1. Policy Obligations

The General Manager is develop and implement key workplace policies, processes or systems that reflect the requirements under s63 of the Act to ensure that:

- (a) the council promotes fairness and equity in employment, including the provision of reasonable opportunities for members of the community to apply to be an employee of the council; and
- (b) the appointment or promotion of a person as an employee of the council is based primarily on a merit assessment of the person; and
- (c) all employees of the council receive fair and equitable treatment without discrimination.

2.2. People Management Principles

Policies, processes or systems implemented by the General Manager must promote and support the following principles:

2.2.1. *Recruitment and Selection*

Policies, processes or systems implemented by the General Manager will have a robust selection process for the recruitment and selection of employees that demonstrates a fair and equitable process based on merit assessment. Council's recruitment and selection process will encourage and enable the development of a diverse and inclusive workforce at all levels of employment in the organisation.

2.2.2. *Diversity, Equity and Inclusion*

Policies, processes or systems implemented by the General Manager will promote diversity in the workplace, including recognising, valuing and utilising the diversity of workers and reflects Council's responsibilities and commitment as an employer in relation to diversity in the workplace.



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2.2.3. *Benefits & Remuneration*

Policies, processes or systems implemented by the General Manager will ensure all Council employees will be treated fairly and consistently. These policies, processes or systems should ensure fair and equitable access to employment-related benefits, including remuneration and professional development opportunities, according to their role, as provided for by the Enterprise Agreement, or any other relevant policies, processes or systems determined by the General Manager.

2.2.4. *Work Health and Safety*

Policies, processes or systems implemented by the General Manager will promote a safe working environment for all employees, volunteers, contractors. This includes ensuring appropriate measures as in place, as far as reasonably practicable, to reduce the risk of harm to employees, including physical and psychosocial harm, and that employees are not subject to bullying, discrimination, vilification, victimisation, or sexual harassment in Council workplaces.

2.2.5. *Compliance with Legislation and other Instruments*

Policies, processes or systems implemented by the General Manager will be compliant with all applicable industrial laws, regulations, and statutory obligations, including instruments listed in clause 4, Legislation and Reference.

3. ROLES AND RESPONSIBILITIES

3.1. Elected Members

Council and its elected members are collectively responsible for meeting their legislative obligations under the Act, and ensuring sufficient resources are provided for the General Manager to enact this policy and implement related policies, processes or systems in accordance with the requirements.

3.2. General Manager

The General Manager is responsible for ensuring compliance with the Act to implement the policies of the Council, and ensuring the policy obligations of this policy are met.

3.3. Managers and Supervisors

Managers and Supervisors are responsible for the promotion, monitoring, and training of employees in the requirements of policies, processes or systems implemented by the General Manager as required by this Policy.

3.4. Employees

Employees of Council must be aware of, and comply with, all policies, processes or systems implemented by the General Manager as required by this Policy, or reporting any inability to do so to their Manager at the earliest opportunity.

4. LEGISLATION AND REFERENCE

- *Age Discrimination Act 2004 (Cth)*
- *Anti-Discrimination Act 1998 (Tas)*
- *Australian Human Rights Commission Act 1986 (Cth)*
- *Disability Discrimination Act 1992 (Cth)*
- *Fair Work Act 2009 (Cth)*
- *Local Government Act 1993 (Tas)*
- *Racial Discrimination Act 1975 (Cth)*
- *Sex Discrimination Act 1984 (Cth)*
- *Work Health and Safety Act 2012 (Tas)*
- *Work Health and Safety Regulations 2022 (Tas)*



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- *Workers Rehabilitation & Compensation Act 1988 (Tas)*
- *Workplace Gender Equality Act 2012 (Cth)*

5. DEFINITIONS

The following terms have the same meaning as the Act:

- council** means a council established under section 18 of the Act
- general manager** means the person appointed as such under section 61 and, in Part 15 , includes a person nominated under section 253A
- merit assessment** means, in accordance with Part 7, Division 1 of the Act, in relation to the appointment of a person, is a written assessment of the knowledge, skills, qualifications and experience of the person that are relevant to the required duties of the appointment, taking into consideration –
- (a) the relative suitability of candidates for the required duties of the appointment; and
 - (b) the relationship between candidates' work-related qualities and the work-related qualities genuinely required for the duties of the appointment; and
 - (c) the relative capacity of candidates to achieve outcomes related to the duties of the appointment.



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PLAYGROUND SHADE & FENCING

Originated Date: Adopted 11 December 2023; Min No. 23/0459

Amended Date/s:

Applicable Legislation: Australian Standards AS 4685.0:2017 - Playground equipment and surfacing Part 0: Development, installation, inspection maintenance and operation.

Building Act 2016

Tasmanian Planning Scheme

Objective To provide shade to public places, facilities and open spaces throughout the municipality

Administration: Works & Infrastructure

Review Cycle/Date: Every four years, next review 2027.

1. PURPOSE

As part of creating a healthy and safe environment, Northern Midlands Council has a key role to play in providing the community with public playgrounds that provide protection from sun exposure.

2. AIM

2.1 Shade

To reduce the incidence of skin cancer in the Northern Midlands Council municipality by increasing the provision of sustainable, quality shade within the municipality and encouraging the sun protection practices of the community.

2.2 Fencing

Provide safe playground environments from roads and permanent watercourses.

3. STATEMENTS

- Council aims to provide safe and attractive playground facilities for the community. This includes the provision of sustainable, quality shade. Council recognises that there are opportunities to improve the provision of shade across existing and newly developed council facilities.
- Community members within the municipality are also to be encouraged to practice personal protection measures as recommended by SunSmart and other sun safe initiatives.
- Quality shade provides protection from solar UV radiation at the right place at the right time. Priority areas for shade provision are places where people gather at times of peak UV, in particular between 10am and 2pm Eastern Standard Time and 11am and 3pm Daylight Saving Time.
- Sustainable shade solutions usually involve strategic planting of trees and other vegetation incorporated with built shade to provide sun protection.
- Safety should also be a major consideration in the provision of either natural or built shade. The provision of shade should not create safety hazards.

4. APPLICATION

- Ensure that consideration of shade is incorporated into urban and open space planning.
- Ensure the consideration of shade when planning and approving public facilities and renovating existing infrastructure including landscape design.
- Increase the provision of sustainable, quality shade at playgrounds within the municipality.



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- Increase the provision of shade at community events, including the erection of portable shade structures at community events.
- Increase the provision of sustainable, quality shade in new estate developments.
- Encourage community members to adopt sun protection practices to reduce individual risk.
- Ensure that shade provision is incorporated into other existing policies across council and budget allocations.
- Provide signage at playground facilities/spaces encouraging sun protection practices, including seeking shade, for individuals.
- Take advantage of existing campaigns and strategies to promote sun safe behaviours to the community and endeavour to initiate further strategies that will address local needs and circumstance.
- Ensure any tree removal required for public safety does not result in any loss of shade via replacement tree planting or constructed shade.

5. ASSESSMENT GUIDELINES

5.1 Shade

A shade audit will be conducted within the Northern Midlands area to identify the need for shade (including reflection mitigation) at public facilities and assess the suitability of existing shade provision. The audit should also include recommended timeframes for the establishment of new or additional shade. The audit must be reviewed and updated as part of the review of this policy. The audit should include a visual assessment of:

- Equipment and facilities available
- Surface materials for UVR reflection
- Existing built and natural shade
- Effectiveness of existing shade in relation to facilities
- Level of usage

5.2 Fencing

Fencing shall be provided around play equipment in playgrounds and open space when any of the following occur:

- The play equipment is within 20m of a title boundary adjacent to a main road or a road with a speed limit of greater than 50km/h.
- The play equipment is bordered on two or more sides by a road/s and is within 20m of the roadside boundaries.
- The play equipment is located adjacent to a permanent watercourse or permanent body of water.

The following documents are to be used as a reference for auditing and assessment:

- *Australian Standards AS 4685.0:2017 - Playground equipment and surfacing Part 0: Development, installation, inspection maintenance and operation*
- *Creating Shade at Public facilities, Policy & Guidelines for local Government - Edition 2*

6. REVIEW

The Council will review this policy at least every four years.



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PRIVACY

- Originated Date:** 17 October 2005 – Min. No. 315/05 (as Policy 45 – Privacy Policy)
- Amended Date/s:** 23 July 2012 – Min. No. 180/12
21 November 2016 – Min. No. 314/16 (incorporating Online Privacy - Adopted 5 May 2003 as Policy 38)
Reviewed 15 March 2021 – Min. No. 113/21
Reviewed 9 December 2024 – Min. No. 24/0415
- Applicable Legislation:** *Personal Information Protection Act 2004*
Privacy Act 1988
Right to Information Act 2009
- Objective** To ensure privacy is protected in the information gathering and services provided by Council.
This policy should be read in conjunction with Council’s Information Management Policy.
- Administration:** Corporate Services
- Review Cycle/Date:** Every 4 years. Next review 2028.

1. SCOPE

This policy identifies how Council will collect, store, use and disclose personal information of individuals.

2. APPLICATION

This policy applies to all Councillors, Council officers, contractors and volunteers of the Northern Midlands Council.

3. DEFINITIONS

‘Personal Information’

Means information or an opinion about an identified individual, or an individual who is reasonably identifiable:

- (a) whether the information or opinion is true or not; and
- (b) whether the information or opinion is recorded in a material form or not.

‘Privacy Statement’

Council’s Privacy Statement is identified at Schedule 2 of this document.

‘Public Registers’

Documents that Councils are required to make publicly available pursuant to State Government legislation. These registers

- Are open to inspection by members of the public
- Contain information required or permitted by legislation
- May contain personal information

A list of these is provided at Schedule 1 of this document.

‘Sensitive Information’

Means:

- (a) information or an opinion about an individual's:
 - (i) racial or ethnic origin; or
 - (ii) political opinions; or
 - (iii) membership of a political association; or
 - (iv) religious beliefs or affiliations; or
 - (v) philosophical beliefs; or



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- (vi) membership of a professional or trade association; or
 - (vii) membership of a trade union; or
 - (viii) sexual orientation or practices; or
 - (ix) criminal record;
- that is also personal information; or
- (b) health information about an individual; or
 - (c) genetic information about an individual that is not otherwise health information; or
 - (d) biometric information that is to be used for the purpose of automated biometric verification or biometric identification; or
 - (e) biometric templates.

3. COLLECTION OF PERSONAL INFORMATION

3.1 WHAT SORT OF INFORMATION WILL WE COLLECT?

We will only collect necessary personal information from you directly and with your express consent. We will clearly indicate what information is necessary to access Northern Midlands Council's products and services including transactions. We may offer the opportunity for you to provide further information so that we can provide you with improved services. Provision of this information is at your discretion except where it is a legal requirement and you will be notified if this is the case.

We will not ask for or collect any sensitive information about you unless it is necessary to meet legal, public interest or statistical requirements related to and required by the transaction you have requested. Provision of this information is at your discretion except where it is a legal requirement and you will be notified if this is the case.

3.2 HOW WILL WE COLLECT INFORMATION?

3.2.1 DIRECTLY

Your personal information such as your name and contact details may be collected directly in a variety of ways including, verbally, both face to face and over the phone or in writing via letter, email, submission of forms and completion of an online request.

Where lawful and practicable, Council will offer you the option of remaining anonymous when supplying personal information as part of a transaction with Council.

However, as anonymity may limit Council's ability to process a complaint or other matter, Council reserves the right to take no action on any matter if you choose not to supply relevant personal information to Council.

3.2.2 INDIRECTLY

Northern Midlands Council may automatically record other information as well. This information is used to improve the performance of the Northern Midlands Council website and to provide you with better services.

When you visit this site our web server makes a record of your visit and logs basic information for statistical purposes, including the user's IP address, date and time of visit to the site, and pages accessed. Any data collected will not be used to identify users unless there is a legal obligation to do so.

We do not record your email address unless you choose to send us a message. It will only be used for the purpose for which you have provided it and will not be disclosed without your consent.

We may also track the pattern of visitor usage to Northern Midlands Council website using a facility called a cookie. Cookies are small data files that we send to your computer so we can remember your information, for example: your user ID, your password for access to our site, how many times you visited us before, and the way you have chosen to view our site on earlier occasions.



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Cookies can make using Northern Midlands Council website easier for you by storing information about your preferences on a particular website. The use of cookies is an industry standard and most major websites use them. Most Internet browsers are pre-set to accept cookies but if you would prefer not to receive any cookies, you can configure your browser to refuse them, or to give you the option to receive them or not each time.

We will take all reasonable steps to ensure the data quality and security of your personal information and undertake to remove it from our system when it is no longer required (except when archiving is required).

You do not have to provide us with personal information to use this site however it may speed up resolution of customer requests if you choose to give us contact details, including name, address and phone number or email address

Unfortunately, no data transmission over the Internet can be guaranteed to be 100% secure, as with other channels of communication, fraud is always a possibility. While we take all reasonable steps to protect your personal information from misuse, loss and unauthorised access, we cannot guarantee the security of any information you transmit to us or receive from our online products or services.

If you have concerns in this regard, Northern Midlands Council has other ways of obtaining and providing information. Normal mail, telephone or fax facilities are available, details are provided at the end of this Policy.

You do not have to disclose personal information to browse Council's website. Wherever it is legal and practical to do so transactions may be carried out without you having to identify yourself.

Northern Midlands Council website contains links to other websites. This privacy policy only applies to our website, so you should read the privacy policy of any site that collects personal information.

Please be aware that if you post personal information on public sites (chat rooms) you may receive unsolicited messages.

You can obtain more information about privacy by referring to the Australian Privacy Commissioners Website at www.privacy.gov.au.

4. STORAGE OF INFORMATION

Council will take all necessary steps to ensure that personal information is stored safely and securely. This will ensure that personal information held by Council will be protected from misuse, loss, and unauthorised modification and disclosure. This applies regardless of the format in which the information is held.

Any personal information which you provide to Council which is no longer necessary for Council's purposes will be disposed of using secure destruction. However, under the *Archives Act 1983*, some information is required to be kept for specified periods or permanently. Other legislation may also dictate periods of time personal information must be retained.

Personal information will be stored in Council's electronic filing system. Information that is required to be stored for a period of time will be stored either on Council premises or at the State Archives Office. Council does use third party storage providers for both electronic information and hard copy documents.

Council may combine or link personal information held about an individual.

Council will not assign unique identifiers to individuals unless the assignment of the identifier is necessary to perform any Council functions.

Council will not adopt as its own unique identifier of an individual a unique identifier that has been assigned to the individual by another personal information custodian unless –

- (a) that adoption is necessary for it to carry out any of its functions efficiently; or



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(b) it has obtained the consent of the individual to the use of the unique identifier.

Council takes a serious approach to security of information and risk management. Council officers will only be provided with access to the information that is necessary for them to carry out their functions within the Council and Council officers will be made aware of the importance of confidentiality and customer privacy.

Council will not sell, trade or make available personal information to others, except as is required by law or for the proper functioning of Council.

5. USE & DISCLOSURE

Council will take all necessary measures to prevent unauthorised access to or disclosure of your personal information.

Requests for access to documents containing personal information are managed under the *Right to Information Act 2009*.

We will keep you informed of the personal information we hold. We will only use your personal information for the purpose for which you gave it to us and we will not pass your information on to third parties unless

- You have given us your consent to do so; or
- we are required by law to do so, or
- there are reasonable grounds to believe that disclosure is necessary to prevent a threat to life or health: or
- the person or organisation is an agent or contractor with the Northern Midlands Council who will be required to maintain the same or similar privacy principles as specified in the privacy legislation.

External contractors have agreed to be bound by the provisions of the *Personal Information Protection Act 2004*. Information provided to these contractors is limited to the information required by them to provide services to you on behalf of Council.

Council also discloses personal information to other agencies in the course of investigating and defending of legal claims against Council. This includes Council's solicitors, consultants, insurers and investigators.

Where authorised, Council may also disclose personal information to:

- Debt collection agencies;
- Government agencies;
- Law Enforcement agencies including the Courts and the Tasmanian Police e.g. to comply with a subpoena

Personal information in applications for employment with Council will be supplied to agencies such as the Tasmanian Police where authorised by law e.g., as part of a pre-employment Criminal History record check.

Criminal History record checks will only be carried out on applicants for selected positions prior to employment with Council. Such checks will only be carried out with your prior written authorisation and the results will not be disclosed to third parties unless authorised by law.

Personal information provided by you as part of a public submission to a Council or committee meeting may be included with the published agenda papers and minutes of the meeting.

Personal information may also be contained in Public Registers which must be made available by Council for viewing by the public. Council does not provide copies of these registers but information may be copied from them.

6. ACCESSING PERSONAL INFORMATION

An individual has the right to request access to personal information Council holds about them.

An individual who considers the personal information held about them to be incorrect, incomplete, out of date or misleading, can request that the information be corrected.

Contact details for making a request are provided in Clause 7 below.

There may be circumstances where it is not reasonable to provide you with access to the personal information we hold



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about you. These circumstances may include where we believe that providing access would be unlawful; or may pose a serious threat to life or health of an individual or to public safety; or would reveal pending legal proceedings or prejudice an investigation in to unlawful activity.

If we do not allow you to access details of your personal information you can request access in accordance with the *Right to Information Act 2009*. A Right to Information request form is available on the Council website www.northernmidlands.tas.gov.au and attracts a fee.

7. HOW TO MAKE A COMPLAINT

If you are dissatisfied with the outcome or handling of a request for information, or request to change your information, you can make a complaint. Complaints should be made directly to the General Manager.

In Writing:

Via Post: PO Box 156, Longford, Tasmania 7301
Via email: council@nmc.tas.gov.au
Fax: 6397 7331

Phone:

Council Office: 6397 7303
from southern areas (local call): 6391 5566

Council will endeavour to respond to your complaint within twenty (20) working days. If a Councillor has submitted a complaint on your behalf we will also endeavour to respond to the Councillor within twenty (20) working days.

Sometimes it is not possible to meet this deadline, e.g. where a complaint is a complex one and Councillors are to be briefed on the outcome of the investigations. In these cases we will endeavour to keep the customer informed of progress.

The General Manager will inform the customer of the findings on completion of an investigation.

If you are not happy with the outcome of your complaint or our process in dealing with it you may contact:

- The Ombudsman located at NAB House, Level 6 86 Collins Street, Hobart, 7000.
 - Phone: Free call from landlines in Tasmania 1800 001 170
 - email: ombudsman@ombudsman.tas.gov.au
- Local Government Division, Level 5, 15 Murray Street, Hobart (GPO Box 123, Hobart, 7001) Phone (03) 6232 7022.

While you are entitled to refer a complaint directly to these bodies at any time, we encourage you to allow the Council to investigate the complaint first.

8. CONTACT DETAILS

Requests made pursuant to this Policy must be made in writing stating as precisely as possible what information is required and should be addressed as follows:

Privacy Officer
Northern Midlands Council
PO Box 156
LONGFORD, 7301
(03) 6397 7303
council@nmc.tas.gov.au

9. NOTIFIABLE DATA BREACHES SCHEME

As an addition to the Privacy Act, Council will comply with the Notifiable Data Breaches Scheme. The scheme requires that an entity, subject to the Privacy Act, which experiences a data breach of personal information which poses a likely risk of serious harm to affected individuals to notify the office of the Australian Information Commissioner.

10. REVIEW

This policy will be reviewed every 4 years.



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PRIVATE WORKS AND DRIVEWAY ENTRANCES

Originated Date: Adopted 18 December 1995-Min. No 416/95 (as Policy 16)

Amended Date/s: Amended 20 February 2012-Min. No. 41/12
Amended 12 December 2016 – Min No. 360/16
Amended 17 August 2020 – Min. No. 273/20
Amended 21 October 2024 – Min. No. 24/0357
Amended 23 June 2025 – Min. No. 25/199

Applicable Legislation: Section 35 of the *Local Government Act 1993*

Objective Guidelines to ensure consistency in the undertaking of private works and the construction of driveway entrances.

Administration: Works and Infrastructure

Review Cycle/Date: October 2029

(A) PURPOSE OF POLICY

The purpose of this Policy is to:

- (i) create a framework for the undertaking of private works on behalf of individuals, organisations and businesses that is transparent, objective and consistent;
- (ii) ensure a clear understanding of the roles and responsibilities of each party entering into private works activities; and
- (iii) ensure that all private works undertaken by Council are undertaken at market prices, ensuring an acceptable profit margin and full cost recovery to Northern Midlands Council that is consistent with the no advantage requirements of the Local Government Act 1993 and comply with the National Competition Policy and competitive neutrality principles.

(B) SCOPE

- (i) This policy applies to all private works undertaken by Council on behalf of any applicant.
- (ii) Works may include the supply of labour, materials, plant and services.

(C) POLICY STATEMENT

- (i) Priority for use of Council's plant, equipment, labour and other resources is to be given to Council's own work program at all times, before entering into a private works arrangement.
- (ii) It is Council's preference that all private works be undertaken by private contractors in the first instance.
- (iii) Council reserves the right to refuse a request for private works if it is deemed to be outside of Council's capabilities, resource availability or for any other reason deeming the works unachievable by Council.

(D) PRIVATE WORKS

- (i) Major Private Works (valued at over \$10,000 excl GST)

Major Private Works will only be considered in the following circumstances:

- There is no private contractor available to undertake the work; and
- The project would be of strategic economic, social, or environmental benefit to the community; and
- Workers and Council have the capacity to engage in the project; and



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- The project may provide a valuable training opportunity for workers.
- (ii) Major Private Works will require the consent of the General Manager.
- (iii) Minor Private Works (valued at under \$10,000 excl GST)
 - Minor Private Works will require the consent of a relevant manager.
- (iv) Plant Hire
 - Council does not hire out plant and equipment, with or without an operator.
- (v) Scope of Works
 - A scope of works is to be included with estimates and quotes for all private works.
 - The scope of works for Minor Private Works must be clearly outlined, including the works to be undertaken, permits required, estimated quantities of materials to be used and a timeframe in which the work is to be carried out.
 - All scopes of works for Major Private Works must include design drawings, specifications where appropriate and all permits required to be provided to Council prior to commencement of works.
 - Supervisors to ensure that a private works form is signed by the applicant prior to work being commenced.
- (vi) Costings
 - Minimum charge of one half an hour for plant and labour.
 - Private works charges shall be wages at the appropriate overtime rate, plus on costs. Plant hire at the standard plant hire rate, which includes travelling to and from the place of work. Administration costs 15% on materials and labour.
- (vii) Council Employees, Elected Members, Volunteers, Consultants and Contractors
 - Council Employees, Elected Members, Volunteers, Consultants and Contractors must pay the same rates and charges for private works that would apply to anyone else.
 - All other rules contained within this policy also apply to any Council Employees, Elected Members, Volunteers, Consultants and Contractors requesting private works.
 - Council Employees, Elected Members, Volunteers, Consultants and Contractors must not gain an advantage over the general public; for example, they cannot get an advantage in relation to GST, or purchase items on Council's accounts to gain a corporate discount.
 - Council Employees, Elected Members, Volunteers, Consultants and Contractors will not receive favourable payment terms.
 - Applications for private works for Council Employees, Elected Members, Volunteers, Consultants and Contractors must be approved by the General Manager.
 - Applications for private works for the General Manager require the approval of Council.
- (viii) Payment
 - Upon completion the relevant Department Manager will arrange for the private works to be invoiced.
 - Payment terms are 30 days.
 - The applicant is responsible for paying the invoiced amount in full by the due date.
 - A deposit or milestone payment maybe required for Major Private Works.
- (E) DISPUTE RESOLUTION**
- (i) Any disputes shall be addressed as per Council's relevant Department.
- (F) EXCLUSIONS**
- (i) Section 201 of the Local Government Act 1993 grants the power for councils to abate public nuisances including fire risks and other nuisances. Where a private property fails to comply with a nuisance notice, councils are



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entitled to undertake the work themselves or engage a private contractor. Councils are then able to levy charges to abate nuisances in the same manner as rates and charges. These are therefore excluded from being classed as being private works.

In relation to the construction of driveway entrance works the following policy provisions are applicable.

(G) DRIVEWAY ENTRANCE WORKS

Reconstruction of streets in conjunction with new kerb and gutter

- (i) When restructuring streets, driveway entrances shall be reshaped, graveled and prepared for asphalt sealing or concreting at Council's cost.
- (ii) Entrances which are currently asphalt, concrete or ironstone gravel (in heritage areas) will be reinstated to the same standard unless otherwise agreed to.
- (iii) Due to the grade of the driveway entrance generally being changed and the need for Council to perform work to a similar standard to that which is required by Council when contractors are constructing infrastructure work in new subdivisions Council will asphalt seal or concrete one standard 3.6 wide driveway entrance at no cost to the property owner.
- (iv) Entrances to be graded to the best possible grade to ensure a standard vehicle can cross the gutter without hitting the rear of the car.
- (v) When undertaking improvements existing 'Humes' crossovers should be removed wherever practical, and every effort should be made to provide the flattest grade possible by means of regrading the entrance back into the property (if possible) with consultation with the property owner.
- (vi) In the rare event a property has two driveways the second driveway entrance to the property shall be constructed to the same standard as the first driveway entrance at the property owner's expense.

Where reconstruction works are not being undertaken on the roadway

- (i) Property owners should seek permission from the Council to improve their crossover or driveway entrance.
- (ii) New concrete crossings and improvements to entrances, i.e. gravelling and sealing, must be undertaken by a recognised contractor.
- (iii) Driveways must not be sealed unless it can be proven that a minimum of 200mm of good quality gravel has been placed, compacted and prepared to Council standards.
- (iv) The driveway is to be inspected by a Council Officer following excavation, prior to placing gravel and prior to asphaltting or concreting.
- (v) A telecommunications and water location should be provided prior to work being carried out.
- (vi) The contractor is to be responsible for any damages to these services.
- (vii) The standard of work should be carried out in accordance with the relevant standards provided by Council.
- (viii) Council will contribute 50% towards the cost of the work, providing the work is done to an acceptable standard and the cost is in accordance with standard annual contract rates subject to the maximum of 20 square metres. If the works form part of development application they are the responsibility of the developer and Council will not contribute to the cost of works.

New concrete crossovers and entrances where a kerb and gutter does not exist

- (i) Are to be constructed at the property owner's expense.
- (ii) Property owners are to request permission from Council.



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- (iii) The work must be carried out by a recognised contractor.
- (iv) In accordance with Council plans and specifications.
- (v) Contractors are responsible for acquiring locations and damage to existing services.
- (vi) Council will contribute 50% towards the cost of the work, providing the work is done to an acceptable standard and the cost is in accordance with Council's standard annual contract rates subject to the maximum of 20 square metres.

Additional (second) concrete crossings

- (i) To be constructed at the property owner's expense.
- (ii) Property owners are to request permission from Council.
- (iii) The work must be carried out by a recognised contractor.
- (iv) In accordance with Council plans and specifications.
- (v) Contractors are to be responsible for acquiring locations and damage to existing services.
- (vi) Applicant must demonstrate that the street parking will not be affected by installation of a second entrance.



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PUBLIC LIABILITY INSURANCE REQUIREMENTS FOR USE OF COUNCIL FACILITIES

Originated Date: Adopted 17 October 2016 – Min. No. 292/16

Amended Date/s: Reviewed 14 December 2020 – Min. No. 423/20
Amended 18 September 2023 – Min No. 23/0330

Applicable Legislation:

Objective To establish a set of guidelines to ensure users of Council facilities are covered by public liability insurance.

Administration: Corporate Services

Review Cycle/Date: Every 4 years. Next review 2027.

INTERPRETATION

Council Facility/ies – any Council owned land including, parks, reserves, recreation grounds, swimming pools, halls and community centres.

Council's Insurance Policy – Northern Midlands Council Public Liability Insurance Broadform Liability, Class: Casual Hirers

Public Liability Insurance – insurance that protects against claims of personal injury or property damage that a third party suffers (or claims to have suffered) as a result of your activities and where found to be legally liable.

BACKGROUND

The Northern Midlands Council has a large number of public facilities, such as parks, recreation grounds, halls and community centres.

- All of Council's facilities are available for public use / hire.
- All users of Council's facilities must be covered by public liability insurance.

The purpose of this policy is to establish a set of guidelines to ensure users of Council Facilities are covered by Public Liability Insurance.

REQUIREMENT TO INSURE

Any incorporated association, organisation or person hiring and/or holding an event at a Council Facility, must be covered by Public Liability Insurance for that event for a minimum amount of cover of \$20 million.

If an incorporated association, organisation or person does not have Public Liability Insurance to cover their event, they may be able to purchase cover under Council's Insurance Policy for a nominal fee in accordance with Council's Fees and Charges Schedule, subject to the terms and conditions of Council's Insurance Policy.

EXCLUSIONS

Council's Insurance Policy does not extend to special events such as markets, sporting events, performances and contractors or sub-contractors (however special arrangements may be quoted by the insurer on an as needed basis).

Any third party participating in an event as entertainment, or providing food or beverages, is to have their own Public Liability Insurance, or, if not, ensure they are covered by the event organisers Public Liability Insurance.

FEES

As at the date of this Policy, Council's fee structure for purchasing Public Liability Insurance under Council's Insurance Policy



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is as follows:

- For a meeting - \$5
- For an event where alcohol is not served - \$15
- For an event where alcohol is served - \$50

REVIEW

This Policy is to be reviewed every four years.



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PUBLIC OPEN SPACE CONTRIBUTION

Originated Date: Adopted 13 December 2004 – Min. No. 406/04 (as Policy 40)

Amended Date/s: Amended 15 June 2009 – Min. No. 169/09
Amended 21 June 2010 – Min. No. 150/10
Amended 20 February 2012–Min. No. 41/12
Amended 16 February 2015 – Min. No. 53/15
Amended 21 October 2019 – Min. No. 352/19
Amended 19 February 2024 – Min. No. 24/064

Applicable Legislation: *Local Government (Building & Miscellaneous Provisions) Act 1993*

Objective To establish a consistent approach on the contribution of land for public open space and the calculation of payment instead of the land for public open space, as well as the associated expenditure of those funds.

Administration: Community and Development

Review Cycle/Date: 4-year review, next review 2028

1.0 DEFINITIONS

Council	refers to the Northern Midlands Council.
Lot	means a block of land created by subdivision of a larger block of which it was part.
Public Open Space	means space for public recreation or public gardens or for similar purposes.
Subdivide	means to divide the surface of a block of land by creating estates or interests giving separate rights of occupation otherwise than by: <ol style="list-style-type: none">a lease of a building or of the land belonging to and contiguous to a building between the occupiers of that building; ora lease of air space around or above a building; ora lease of a term not exceeding 10 years or for a term not capable of exceeding 10 years; orthe creation of a lot on a strata scheme or a staged development scheme under the Strata Titles Act 1998; oran order adhering existing parcels of land.
Subdivision	means the act of subdividing or the lot subject to an act of subdividing.
Suitably Qualified Person	means a person who can adequately demonstrate relevant tertiary qualifications (or equivalent) and experience in a recognised field of knowledge, expertise or practice with direct relevance to the matter under consideration.
Valid Final Plan	A final plan lodged in accordance with section 88 of the <i>Local Government (Building and Miscellaneous Provisions) Act 1993</i> .

2.0 INTRODUCTION AND PURPOSE

The Northern Midlands Council is committed to providing public open space that is fit for purpose and valued by the community. The *Local Government (Building and Miscellaneous Provisions) Act 1993* (the Act) provides for Council to



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require land for Public Open Space or a payment instead of increasing public open space.

In addition to ensuring Council meets the requirements of the Act, this policy will:

- a) Facilitate a strategic approach to the development of a contemporary and well-planned open space network.
- b) Clarify the process of determining whether a land or cash in lieu contribution is required as part of a subdivision development.
- c) Provide criteria for determining suitability of land contributions for public open space.
- d) Provide guidance on how public open space contributions are to be determined and paid.
- e) Provide guidance on how funds obtained through cash in lieu contributions will be utilised.
- f) Ensure developers contribute to the provision of public open space commensurate with the scale and type of their development.

3.0 POLICY SCOPE

- 3.1 This policy applies to applications for subdivision in the Northern Midlands, where new lots are created in the following zones: General Residential, Low Density Residential, General Industrial, Light Industrial, Commercial, Local Business, General Business, Rural Living and Village, or otherwise where a subdivision results in an increased demand and/or utilisation of Public Open Space – to be assessed on its merits in accordance with this policy.
- 3.2 This policy does not apply to strata developments, minor boundary adjustments where no additional lots are created, or subdivision for the development of public utilities, as detailed in the Act.
- 3.3 Public Open Space contributions in excess of this policy may be offered by the developer or in all other circumstances as resolved at a General Council meeting.

4.0 PROCEDURE TO DETERMINE PUBLIC OPEN SPACE REQUIREMENTS

- 4.1 Council will require a Public Open Space contribution by way of either:
 - a) A maximum of 5% of the area of the land allocated as Public Open Space and transferred to Council's ownership; or
 - b) A cash in lieu contribution that is calculated in accordance with s117(2) of the Act.
- 4.2 A decision as to whether land or cash-in-lieu is provided will be dependent upon whether the proposed subdivision provides an opportunity to obtain land that meets the public open criteria detailed at section 6.0 of this policy. If the development is not able to provide public open space of community benefit and in accordance with the criteria for land contributions, then cash-in-lieu will be required. The preference for land versus cash-in-lieu will be at the discretion of Council, based on:
 - The attributes of the site,
 - The need for public open space provision in the area,
 - Benefit and value to the community,
 - Compliance with this policy; and
 - Any future Public Open Space Strategy or public open space projects endorsed by Council.

The officer's report supporting the decision of a subdivision application must include a section as to how the relevant parts of the Act and this Policy are complied with.

- 4.3 If a subdivision contains land that is of strategic importance in providing for the open space needs of the community and those needs can only be satisfied by requiring public open space to be provided in excess of 5% of the area of the land in the plan of subdivision, Council may require an additional area (more than 5%) to be provided as public open space, subject to the payment of compensation in accordance with s116 of the Act.
- 4.4 Where a subdivision is submitted in the form of a staged development and a cash-in-lieu contribution is required, the public open space contribution may be paid proportionately in each stage, subject to a new valuation if required, in accordance with 4.5 below.



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- 4.5 Where a cash-in-lieu contribution is required, the developer will be required to provide a current valuation of the land calculated in accordance with s117(2) of Act and prepared by a suitably qualified person, having regard to the following:
- The valuation is to be based on the whole area in the plan of subdivision contributing to the increase in demand for Public Open Space, regardless of zoning and/or previous subdivisions, less any area provided for public open space in the final plan and any area created by the final plan of riparian reserve; and
 - The valuation is to be based on the status of the land as at the date of valid lodgement of the final plan, inclusive of any works required to facilitate the subdivision but excluding any improvements in existence at the time of lodgement of the application for subdivision (i.e. existing structural improvements on the land, such as a dwelling/outbuildings); and
 - The valuation must be completed not more than 3 months prior to the date of valid lodgement of the final plan, noting the requirements of part 4.5 (b) above.
- 4.6 If Council doubts that the valuation provided by the developer properly reflects the true value of the land, Council reserves the right to ask for a revised valuation or seek its own valuation advice and, if necessary, refer the matter for determination as a disputed claim for compensation under the Land Acquisition Act 1993.
- 4.7 All money received by way of contribution shall be reserved exclusively for the purposes of Public Open Space acquisition or improvement.
- 4.8 The expenditure of reserved public open space funds must be for the acquisition or improvement of land for public open space in accordance with s117(5) of the Act and have regard to a future Public Open Space Strategy or any public open space projects endorsed by Council. Expenditure will be subject to a report to Council for consideration.

5.0 PAYMENT OF PUBLIC OPEN SPACE CONTRIBUTIONS

The payment of contributions, whether land or cash in lieu, are to be made prior to the sealing of the Final Plan of Subdivision. In a staged subdivision, payment shall be made in accordance with part 4.4 of this policy.

6.0 CRITERIA FOR LAND CONTRIBUTIONS

The criteria below will guide Council's assessment of proposed land contributions for public open space to ensure any land received is suitable. It will be at Council's discretion as to whether land offered is accepted and adequately meets the criteria for the intended purpose.

In determining the suitability of land for Public Open Space, consideration must be given to the criteria below. While it may not be possible for all Public Open Space to meet each criterion; not meeting a certain criterion may provide justification as to the unsuitability and refusal of certain land being accepted as public open space.

A developer may seek to offer land that is unviable to develop. In most instances, the characteristics that make land unviable to develop will also make that land unsuitable for public use and unsustainable to manage. It is essential that land is not accepted as open space that Council cannot manage in the future and/or does not provide any benefit to the community. Land used for the following purposes is not to be transferred to Council for public open space as part of the 5% allocation:

- Stormwater drainage swales and natural water courses that would otherwise form part of the drainage within the subdivision,
- Land containing above or below ground infrastructure that would limit the use of the land or landscaping treatments, and
- Pedestrian footways or other kinds of ways dedicated under section 95 of the Act.



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CRITERIA FOR LAND CONTRIBUTIONS

#	CRITERIA	DESCRIPTION
1	Accessibility	The site is of suitable topography to safely allow for a range of users, including people with limited mobility or a disability.
2	Amenity	The site contributes to the character and attractiveness of the area as a place to live, work or visit.
3	Connectivity	The site contributes to the overall connectivity to existing or future open space or community areas. Users may include pedestrians, cyclists or horse riders.
4	Multifunctional – biodiversity/ecological/recreational	Consider the sites existing biodiversity and ecological values and the potential to contribute to the protection or enhancement of these values, and possibilities for co-existence with recreation values.
5	Character/site values	Consider any special natural or man-made values the site has that will enhance the character of the open space area or adjoining land.
6	Strategically identified	The site has been strategically identified to provide for a specific public use or facility (ie. playground, picnic area, reserve) and takes into account the existing provision of Public Open Space in the area or likely future alternatives.
7	Clear of hazards/good condition	The site is suitable for future intended use - clear of hazards/ contamination (or appropriately rehabilitated) or other issues that could cause Council a financial or safety burden.
8	Financially viable to upkeep/Maintenance & management	Council is able to effectively maintain and manage the land, including weed management, in line with its benefit as an open space.
9	Frontage/Location/Linkages & Visibility	The site shall have a minimum 15m road frontage, with preference given to multiple road frontages (to improve access and visibility) unless site constraints make this physically impossible.
10	Services/Easements	Consider the extent of utility services and easements that would affect the development and use of the land as open space, and avoid where possible unless co-location (such as with detention basins) improve the open space outcomes of the site.
11	Size	Consider if additional land is required to meet open space needs or strategic recommendations (note section 4.3 of this policy).
12	Shape	Ensure the shape of the site is suitable to accommodate future improvements and the open space needs of the area.
13	Community benefit	The land is fit for purpose and provides for substantial community benefit and value.



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PUMPED STORMWATER CONNECTION

Originated Date: Adopted 11 December 2023; Min. Ref. 23/0469

Amended Date/s:

Applicable Legislation: *Urban Drainage Act 2013*

Australian Rainfall and Runoff 2019

AS3500.3:2021 Plumbing and Drainage

Tasmanian Stormwater Policy Guidance and Standards for Development 2021

Objective To ensure that stormwater runoff generated by new urban developments is managed in an appropriate manner, and to ensure reliance on private pumped systems is minimised

Administration: Community and Development

Review Cycle/Date: Next review by 1st November 2027

PURPOSE

This policy details the controls enforced by Council to ensure that private pumped stormwater systems for new urban residential developments are permitted only in appropriate locations, and where they are permitted appropriate design standards are applied.

BACKGROUND

Pumped stormwater systems must be actively maintained to ensure they are working properly. This contrasts with gravity systems which generally have very low maintenance requirements and do not require ongoing management or expense to operate. In the event of failure pumped systems are much more likely to cause a nuisance than gravity systems, as they are often utilised when a site is falling away from public infrastructure towards other private properties, or when the ground is flat or within a localised hollow. Failure is more likely due to requirement for a power source, and noise issues can arise from poorly maintained systems.

LEGISLATIVE CONTEXT

The *Urban Drainage Act 2013* (UDA) is the Act which provides for the management of urban drainage and stormwater systems and infrastructure in Tasmania. The Objectives of the Act are to:

- a) protect people and property by ensuring that stormwater services, infrastructure and planning are provided so as to minimise the risk of urban flooding due to stormwater flows; and
- b) provide for the safe, environmentally responsible, efficient, and sustainable provision of stormwater services in accordance with the objectives of the resource management and planning system of Tasmania as set out in Schedule 1.

The Act clearly defines the responsibility of Councils to manage stormwater quantity and development design, in order to minimise the risk of urban flooding and protect people and property.

Section 14 of the Act states that without General Managers consent a person must not build on or near existing stormwater infrastructure:

14. *Interference with public stormwater systems*

(1) *A person must not, without a general manager's consent, cause or permit*

a) *any works to be connected to a public stormwater system; or*

b) *the alteration or removal of, or interference with, a public stormwater system.*



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Interference or alteration with/of a public stormwater systems includes connections to a public stormwater system.

Section 23 of the Act states that property owners are not to direct stormwater onto neighbouring properties:

23. *Property owners not to direct stormwater onto neighbouring properties*

- (1) *A property owner must ensure that stormwater is not discharged from a private stormwater system so that it causes or is likely to cause a nuisance to a neighbouring property or its residents.*

Therefore, Councils have the power to require developers and owners to acquire General Managers consent before connecting to any public stormwater system, and conditions may be placed upon the design and construction of the stormwater arrangements for the minor and major stormwater systems. The General Manager can also withhold consent to connect until the preconditions are met.

APPLICATION

This policy applies to all:

- All urban residential properties

POLICY

Roof and surface stormwater runoff is to be collected and controlled within the property prior to discharging to Council's stormwater system by gravity or via charged connection. Proposed developments will not be permitted to connect via a private pumped system.

EXEMPTIONS

Where an existing property is unable to be drained to Council's stormwater system via gravity Council may consider allowing pumped stormwater systems in the following situations:

- Where the proposed drainage is for an existing or proposed single residential dwelling or a development where intensification of use is not proposed; or
- Where basement level pump-out systems for disposal of seepage water and runoff from incidental areas is required, e.g., basement or subsoil drainage pumps; or
- In special circumstances, where consent is given at the discretion of the General Manager

DESIGN REQUIREMENTS FOR PUMPED SYSTEMS WHERE AN EXEMPTION HAS BEEN GRANTED

- Where an exemption for a pumped system is granted, designs for the system shall be designed and certified by a suitably qualified professional engineer with relevant experience.
- The maximum permissible pumped discharge Councils stormwater system shall be 10 L/s, unless an exemption is granted, and it has been demonstrated that the capacity of the receiving system can accommodate the selected discharge rate.
- It shall be demonstrated that the system provided will not cause damage or nuisance to the property and neighbouring properties in the event of pump failure
- Designs shall be strictly in accordance with the latest revision of AS3500.3 and Australian Rainfall and Runoff
- Pump discharge to Council's stormwater system shall be by way of a dispersion chamber, to convert the pressure flow to gravity flow, before connection is made to the public system. The dispersion chamber shall have dimensions of 450 x 450mm or greater.
- A design report is to be provide for all systems, demonstrating the capability of the system and certification that there will be no adverse impacts on downstream properties. The report is to also include an Operation and Maintenance Plan.



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- Upon completion certification shall be supplied to Council by the designer that the system has been installed and commissioned, and is functioning as per the designs.
- Council will use Plumbing Permits to condition for maintenance for any developments via a Form 46 Schedule of Maintenance – Prescribed Essential Building Services (Plumbing Installations)

MAINTENANCE REQUIREMENTS

The property owner is responsible for the operation, maintenance, and replacement of the pumped disposal system.

The clearing of below ground storage facilities should be conducted in accordance with the requirements and risk control measures specified in *AS2865-2009 Confined Spaces*.

REVIEW

The next review of this document is scheduled for completion by 1st November 2027.



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RATES AND CHARGES

Originated Date:	Adopted 9 July 2012 – Min. No. 172/12 (as Policy 65)
Amended Date/s:	Revision: 24 June 2013 – Min. No. 158/13 Revision: 23 June 2014 – Min. No. 155/14 Revision: 22 June 2015 – Min. No. 168/15 Revision: 21 September 2015 – Min. No. 270/15 Revision: 27 June 2016 – Min. No. 171/16 Revision: 26 June 2017 – Min. No. 205/17 Revision: 25 June 2018 – Min. No. 161/18 Revision: 24 June 2019 – Min. No. 182/19 Revision: 29 June 2020 – Min. No. 211/20 Revision – 28 June 2021 – Min. No.218/21 Revision – 27 June 2022 – Min. No. 22/215 Revision – 26 June 2023 – Min. No. 23/0199 Revision – 24 June 2024 – Min. No. 24/0211 Revision – 7 July 2025 – Min. No. 25/212
Applicable Legislation:	Part 9 of the <i>Local Government Act 1993</i>
Objective	This policy sets out the parameters of the Northern Midlands Council for setting and collecting Rates and Charges within its area
Administration:	Corporate Services
Review Cycle/Date:	Annually. Next review June 2026

1 INTRODUCTION

This policy sets out the parameters of the Northern Midlands Council for setting and collecting Rates and Charges within its area. The purpose of the policy is to outline Council's approach towards rating its community and to meet the requirements of section 86B of the *Local Government Act 1993* which requires Council to have a Rates and Charges policy by 31 August 2025. The policy is reviewable at least every four years or upon adjustment of rates and charges levied, and it must be made available to the public.

2 STRATEGIC PRINCIPLES

In making the policy Council has taken into account the principles that

- a) rates constitute taxation for local government purposes rather than a fee for service
- b) the value of rateable land being an indicator of the capacity of the ratepayer in respect of that land to pay rates.

In setting its Rates and Charges, Council considers the following:

- Northern Midlands Strategic Plan 2017-2027
- Long Term Financial and Asset Management Plans
- The 2025-26 Annual Plan & Budget
- Current economic climate and external influences such as legislative reform, grant funding programs, inflation factors and interest rates.
- Specific issues faced by this community, including:
 - the need to maintain and update its large road network and other essential infrastructure
 - maintenance and improvement of community assets to enable the municipal area to be promoted as an attractive place to live, work, invest and visit.
- The impact of Rates & Charges on the community, including:
 - residential, commercial, industrial and primary producers
 - minimising the rate levels by adopting a 'user pay' principle where possible
 - new services being funded from new rates raised
 - government grant levels and the need to expend on specific areas
 - provision of concessions to those in the community unable to meet full cost of services.



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Council raises revenue for governance and administration, which deliver goods and services to the community. These services are generally not provided by the private sector and may include, amongst others, road, recreation and stormwater infrastructure, waste management, planning, development and health regulatory and compliance activities, economic development and community services.

Council conducts public consultation on a broad range of issues relating to specific programs and future directions of the municipal area. These opportunities are advertised in the local newspapers, put to Local District Committees and other interested groups, and residents are welcome to attend Council meetings. The Council also encourages feedback at anytime and this can be done by visiting www.northernmidlands.tas.gov.au or sending comments to the General Manager.

Northern Midlands Council has adopted land use as a differentiating factor to be used when setting rates and continues to set a minimum payment for general rates. Service charges are applied for waste management services provided within the municipal area. All properties throughout the municipal area are levied for a Volunteer or General Fire Service contribution which is collected on behalf of the State Fire Service Commission. (Further details of Rates and Charges are provided later in this document).

3 RATING STRATEGIES

The following key strategies have been developed consistent with Council's rating objectives:

- valuation methodology based on Assessed Annual value
- different rates for different land use categories
- contribution methodology based on percentage of total revenue required from each category (adjusted for growth)
- incorporating minimum charges as a component of the general rate
- service and separate rates and charges
- rate rebates
- rate remissions
- rate incentives
- rate payments.

3.1 VALUATION METHOD

Councils may adopt one of three valuation methods to value the properties within its municipal area, namely:

- *Land value* – the value of the land excluding the value of buildings and other improvements,
- *Capital value* – the value of the land and all of the improvements on the land, and
- *Assessed Annual value* – a valuation of the rental potential of the property.

Council has decided to continue to use Assessed Annual value as the basis for valuing land within the municipal area as it considers that this method provides the fairest method of distributing the rate burden across all ratepayers because property rental value is a relatively good indicator of capacity to pay (or wealth). It is noted that Assessed Annual value has a minimum of 4% of Capital Value which generally applies to the majority of rural properties and highly valued residential properties.

The property revaluation for the Northern Midlands area was completed under contract by LG Valuation Services on behalf of the Valuer-General in 2019 and bi-annual adjustment factors will be applied for the rating periods from 1 July 2019 on a bi-annual basis, and supplementary valuation adjustments are provided on an ongoing basis. Valuation adjustments are rated pursuant to Section 89 of the *Local Government Act*. Adjustment factors have been applied from 1 July 2022, and 2024.

Council rates and charges apply for each parcel of land which is shown as being separately valued in the valuation list prepared under the *Valuation of Land Act 2001*.

3.2 DIFFERENTIAL GENERAL RATES

All land within the Northern Midlands area is rateable, except for land specifically exempt under the *Local Government Act* namely:

- land owned and occupied exclusively by the Commonwealth
- land held or owned by the Crown
- land owned by the Hydro-Electric Corporation
- land or part land owned and occupied exclusively for charitable purposes
- aboriginal land
- land or part of land owned and occupied exclusively by a Council.

The Local Government Act provides for raising of revenue for the broad purposes of the Council through a General Rate which



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applies to all properties, or through differential General Rates which apply within the municipal area according to any or all of the following factors:

- the use or predominant use of the land
- the non-use of the land
- the locality of the land
- any planning zone
- any other prescribed factor.

Northern Midlands Council has decided to apply differential rates in its area according to the following land use categories as determined by the Valuer General and planning zones as determined by the municipal planning scheme:

- Industrial use
- Public Purpose use
- Commercial use
- Residential use
- Quarries and mining use
- Residential use located within the Rural General planning zone
- Residential Low Density planning zone
- Sport & Recreation use
- Primary Purpose use
- Vacant land within the Industrial planning zone
- Vacant land use.

A General Rate must be set every year under section 90 of the Local Government Act by 31st August each year.

3.3 CONTRIBUTION METHODOLOGY

The contribution methodology is an integral component of the overall rating strategy to improve equity in rate distribution across the community, to prevent inequitable shifts in rate responsibility, to minimise the impact of property valuation movements, raise an equitable level of contribution from each land use sector, maintain the relativity within differing communities and between communities, recognising communities where there is a greater consumption of services and resources, and to rank highly against the principles of taxation.

Historically Council modelled its differential rates around the percentage of the 2007 residential rate contribution, and continuing on this basis the following differentials have been determined for the 2025-26 rating year.

Differential Rate	Cents in \$AAV	% Total Rates	% from Residential
Industrial	9.354	15.66%	51
Public Purpose	8.580	1.81%	38
Quarries or mining	8.239	0.33%	33
Commercial	7.589	5.79%	22
Sport & Recreation	7.000	0.30%	13
Residential	6.195	42.34%	
Residential Rural	5.582	5.06%	-10
Residential Low Density	5.582	4.68%	-10
Vacant Land	2.695	1.79%	-56
Primary Production	2.224	22.25%	-64

3.4 MINIMUM GENERAL RATE

A minimum General Rate provides a mechanism by which lower valued properties pay not less than a minimum amount, and it can only apply if there has been no fixed charge applied. The minimum rate must not apply to more than 35 percent of properties in 2025-26.

The reasons for imposing a minimum rate is that Council considers it appropriate that all rateable properties make a base level contribution to the cost of administering council activities, and the cost of creating and maintaining the physical infrastructure that supports each property.

In determining the minimum rates applicable for 2025-26 Council has reviewed the adequacy of the minimum rate level and has



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set a minimum amount of \$625 and varies the minimum rate to \$410 for properties with land use of public purposes, quarries & mining, sport & recreation, primary production, and vacant land.

The minimum rate applies to approximately 13% of properties within the municipal area.

3.5 SERVICE RATES & CHARGES

3.5.1 *Fire Levy*

Council is required to collect a mandatory state government service rate for the State Fire Levy.

The rate applicable in 2025-26 for

- Cressy, Campbell Town, Longford, Perth & Evandale Volunteer Fire Brigade rating districts will be 0.32 cents in the dollar of assessed annual value of each property,
- other general land the levy will be 0.24 cents in the dollar of assessed annual value of each property,
- a minimum amount payable in respect of the fire levy will be \$50.

Council is required to remit revenue raised to the State Fire Commission, and does not determine how the revenue is to be spent. A commission of 4 percent of revenue is provided by the State Fire Commission for collection of the levy.

3.5.2 *Kerbside Waste Management*

A service charge applies to all properties provided with the provision of a kerbside/roadside refuse collection, recycling service and Food Organic Garden Organic service.

The waste management service charge for the refuse collection in 2025-26 will be:

- \$231 for one 140 litre mobile garbage bin and 240 litre mobile recycling bin
- \$330 for one 240 litre mobile garbage bin and 240 litre mobile recycling bin
- \$158 for each additional recycling service.

3.6 RATE REBATES

3.6.1 *Pensioner Rebate*

Eligible pensioners as at 1 July each year are entitled to a State Government rate rebate of 30 percent up to a maximum in 2025-26 of \$566, or a reduced maximum of \$385 if they are also a Tasmanian Water customer.

This rebate applies only to pensioner's principle place of residence, provided they satisfy the requirements of the State Government and hold a

- Pensioner Concession Card (PCC),
- Veterans Affairs Gold Card (TPP), or
- Health Care Card (HCC), but excludes a Senior Health Card.

Council deducts the rebate for previously eligible Pensioner Remissions from rates prior to issuing notices, but require new pensioners, pensioners who have recently relocated to this municipal area, or any pensioner who believes he/she should have been eligible for a Rate Remission, to complete an application form and lodge with Council.

The State Government verifies and approves the rebate applications each year, and if any rebate application is found to be ineligible the rebate amount will be revoked and payable by the ratepayer.

3.6.2 *Urban Farm Land*

Council has declared property within its area as Urban Farm Land pursuant to Division 8 of the *Local Government Act* whereby the Valuer-General determines an adjusted (reduced) valuation because of the land use.

This applies for example, to land with an agricultural use, providing the principle livelihood for its owner, but the value is increased because of either

- its proximity to land being used or developed for residential uses, or
- a substantial demand for the land as rural residential land.



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3.7 RATE REMISSIONS

Under section 129 of the *Local Government Act*, Council may remit part or all of rates payable by a ratepayer or class of ratepayers.

Council has had a long standing remission policy to remit General Rates and Fire Levy on

- church properties used for religious or charitable purposes - including church buildings, church halls, and cemeteries
- land used for advancement of education – including Scouts, Cubs, Police Boys, Girl Guides, and Brownies and agricultural show grounds
- aged care facilities – including Eskleigh Hospital and Toosey Aged Care Centre, and has previously resolved that all residential units owned by a charitable institution, occupied by private residents is not a charitable purpose. However, following a Supreme Court challenge against Local Government these properties have been deemed part of a charitable institution and non-rateable from 1 July 2019.
- Lake Leake and Tooms Lake shack and camping sites, but charge an annual licence fee for these properties
- privately owned and commercially leased properties within the Poatina Village 50 percent of the General Rate
- historic world heritage sites Woolmers and Clarendon.

A remission of the refuse collection service charge is provided for ancillary units occupied by pensioner or disabled invalid persons subject to

- the property being deemed as an 'ancillary unit' under the Northern Midlands Planning Scheme 1995
- ancillary unit not having a separate waste collection or reciprocals
- annual application being made providing proof of occupancy.

As an incentive for new development, Council provide a remission to Industrial/Commercial development as follows:

- If the General Rate increase is greater than \$50,000 then
 - for a 3 year period, 75 percent of the general rate increase paid and 25 percent of the general rate increase reserved for use on off-site works nominated by the ratepayer (provided the works agreed to by the Council)
 - reserved funds remain for 5 years, after which the balance shall be absorbed into general revenue

3.8 PAYMENT OF RATES.

Payment of rates may be made in one payment by 31 August 2025 to attract a discount of 0.5 percent (on current rates and charges), or by three equal instalment payments on 31 August 2025, 30 November 2025 and 28 February 2026.

A notice will be sent to each ratepayer 30 days prior to each instalment being due.

Ratepayers may choose to pay rates by the following methods (detailed on the back of each rate notice):

- Australia Post (at any Post Office, or go to postbillpay.com.au)
- Bpay & BpayView
- Council internet site – www.northernmidlands.tas.gov.au
- Phone - by credit card on 1300886451 or 1300729859
- Service Tasmania at Campbell Town – present notice to cashier between 11.00am to 4.00pm
- Direct Debit
- In person at Council Offices, Longford

Note that all Northern Midlands Council Rates & Charges included on the annual rate notice are GST exempt.

3.9 LATE PAYMENT PENALTY AND INTEREST

Council has determined that interest and penalty for late payments will be imposed in accordance with section 128 of the *Local Government Act*, if any rate or instalment is not paid on or before the date it falls due.

There is payable a penalty of:

- 5% of the unpaid rate or instalment imposed on 1 April each year
- 6.5% daily interest in respect of unpaid rate or instalment for the period which it is unpaid.

3.10 RECOVERY OF RATES

Any ratepayer who is experiencing difficulty with meeting the standard payment arrangements is invited to contract the Customer Service Team to discuss alternative payment arrangements.



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Should any rate instalment not be paid by the due date, Council may require payment of the total annual Rates & Charges.

Rates which remain in arrears for a period exceeding 30 days will be subject to debt recovery action, and debt collection agency charges and court fees are recoverable from the ratepayer.

Council may sell any property where any rates have been in arrears for three years or more. Council is required to notify the owner of the land of its intention to sell the land if payment of the outstanding amount is not received within 90 days. Except for extraordinary circumstances, Council will enforce the sale of land for arrears of rates.

4 OBJECTIONS

4.1 RATES NOTICE

A person may object to a rates notice on the grounds that

- a) the land specified in the rates notice is exempt,
- b) the amount of rates is not correctly calculated,
- c) the basis on which that rates are calculated does not apply,
- d) he/she is not liable for payment for the rates specified in the notice, or
- e) he/she is not liable to pay those rates for the period specified in the rates notice.

Any objection must be in writing to the General Manager, and made within 28 days after receipt of the rates notice.

A person may appeal to the Magistrates Court for a review if the General Manager

- a) fails to amend the rates notice within 30 days after lodging the objection
- b) refuses to amend the rates notice.

It is important to note that the lodgement of any objection does not change the due date for payment of rates. Rates must be paid in accordance with the Rates Notice until otherwise notified by Council.

4.2 VALUATION OR LAND USE

If a property owner believes that a particular property has been incorrectly valued or wrongly classified as to its land use, then an objection may be made to the Valuer-General within 60 days of being notified of the land valuation or land use classification.

5 DISCLAIMER

A rate cannot be challenged on the basis of non-compliance with this policy and must be paid in accordance with the required payment provisions.

Where a ratepayer believes that the Council has failed to properly apply this policy it should raise the matter with the General Manager.

6 AVAILABILITY OF POLICY

This policy is available for inspection at the Council Offices during ordinary working hours at no charge.

Copies of this policy will be available from Council's website www.northernmidlands.tas.gov.au, or in paper form at the Council Offices, 13 Smith Street, Longford, at the cost of a small administration charge.

7 REFERENCES

General Manager
Northern Midlands Council
PO Box 156
LONGFORD TAS 7301
Phone: 03 63977303

Valuer-General
Valuer-General's Office
GPO Box 44
HOBART TAS 7001
Phone: 03 62333844

Rate Enquiries
Customer Service Team
Northern Midlands Council
Phone: 03 63977303



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RECREATIONAL VEHICLES: DEVELOPMENT AND MANAGEMENT OF FACILITIES (OVERNIGHT CAMPING – SELF CONTAINED VEHICLES)

Originated Date:	Adopted on 16 March 2015 – Min. No: 80/15 (as Policy 77 – Overnight Camping – Self Contained Vehicles)
Amended Date/s:	Reviewed on 21 August 2017 - Min. No. 262/17 Reviewed 14 December 2020 – Min. No. 423/20 Amended 09 December 2024 – Min. No. 24/0412
Applicable Legislation:	<i>Local Government Act 1993</i> <i>Economic Regulator Act 2009</i> National Competition Policy
Objective	To assist Council to plan, develop and manage appropriate facilities to cater for recreational vehicles
Administration:	Community and Development
Review Cycle/Date:	Every 4 years. Next review 2028.

1. DEFINITIONS

Recreation vehicle

A vehicle that is fully self-contained with respect to shower, toilet, washing, cooking and sleeping facilities and must have holding tanks for all toilet waste and sullage/grey water sufficient for at least 48 hours use by the occupants.

Free Overnight Rest Areas

The following areas in the Northern Midlands:

- Bishopsbourne Recreation Ground, Bishopsbourne;
- Blackburn Park, Campbell Town;
- Cressy Recreation Ground, Cressy;
- Falls Park, Evandale (Monday – Friday)
- Honeysuckle Banks, Evandale (November – April).

2. PERMITS

A) PERMIT WORDING

All vehicles using a Northern Midlands Council Free Overnight Rest Area must hold a permit.

Permits must include the following details:

- Council details;
- Permit Number;
- Type of vehicles permit applies to;
- Vehicle Registration Number;
- Vehicle Description;
- Length of stay permitted – commencement and expiry dates of permit;
- Name and signature of authorised officer;
- Date of issue;



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- Name and signature of permit holder plus any specific council conditions that need to be acknowledged by the holder.

An example permit is annexed to this Policy and marked “A”.

B) PERMIT TERMS AND CONDITIONS

These will include:

- Length of stay permitted;
- Details of where permit should be displayed;
- Details of what the permit actually applies to e.g. a fully self-contained RV;
- Any other conditions;
- Details of any penalties.

3. SIGNAGE

Signage must be displayed at the Free Overnight Rest Areas including the following information:-

- Indicate that a permit is required;
- Provide directions where to obtain the permit;
- Indicate length of stay permitted;
- Advise permit or permit number should be displayed on vehicle dashboard;
- Advise of any additional conditions that apply;
- Detail enforcement measures.

An example of signage wording is annexed to this Policy and marked “B”.

4. COMPETITIVE NEUTRALITY

For the provision of overnight self-contained RV camping services, councils must appropriately apply the National Competition Policy and the principles of competitive neutrality. The objective of the competitive neutrality principles is to ensure that government bodies (including Local Government bodies) conducting a business within a competitive market operate without net competitive advantages over other businesses as a result of their public ownership i.e. there must be a ‘level playing field’.

Competitive neutrality principles apply to significant government business activities undertaken by Local Government under the broad range of council functions. The key consideration in defining a significant business activity (SBA) under the National Competition Policy, is the *impact of the services on the actual or potential market* - not the share of a council’s revenue arising from, nor expenditure committed to, that activity. The most appropriate model of competitive neutrality to apply to the operation of camping service facilities is the ‘full cost attribution’ model.

Full cost attribution requires councils to identify all costs of providing a significant business activity as if it were a stand-alone business that does not enjoy any subsidisation derived from its public or council ownership. This would therefore include some costs that a council does not *actually* incur, but which private businesses do incur in the provision of the same service, such as (where applicable) insurance, rates and taxes. Council has completed a ‘Full Cost Attribution Checklist’ to the implementation of Free Overnight Rest Areas.

5. OVERFLOW PLANNING

It is important to ensure adequate planning is in place to develop appropriate overflow facilities for special events, such as rallies and concerts, and to meet peak period demand.

The following sites have been recognised as overflow facilities for the listed events:

- Morven Park, Evandale – during the annual Evandale Village Fair.



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6. DUMP STATIONS

The Northern Midlands Council has three free Dump Stations within the municipality:

- King Street Oval, Campbell Town
- Lake Leake Camp Area, Lake Leake
- Longford Riverside Caravan Park, Longford
- Cressy Recreation Ground, Cressy

There is also a Dump Station located at the Ross Caravan Park, Ross. The lessee of this facility may apply charges for use of this dump station by campers who are not making use of the caravan park.

7. REVIEW

This policy is to be reviewed every four years or earlier as needed.

8. ACKNOWLEDGEMENT

This Policy has been adopted from the model policy guidelines provided by the Local Government Association of Tasmania.



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ANNEXURE A

NORTHERN MIDLANDS COUNCIL PERMISSION FOR OVERNIGHT STOP AREA

Bishopsbourne Recreation Ground, Bishopsbourne;
Blackburn Park, Campbell Town;
Cressy Recreation Ground, Cressy;
Falls Park, Evandale (Monday – Friday);
Honeysuckle Banks, Evandale (November – April).
**delete those not applicable*

FULLY SELF CONTAINED VEHICLE

This vehicle is authorised to camp within the [details of location] for the period _____, subject to the terms and conditions detailed on the reverse of the permit.

Vehicle Registration Number	Vehicle Description
.....
Commencement Date of Permit	Expiry Date of Permit
.....

Signature of Authorised Officer:	Signed by Permit Holder:
.....	This permit acknowledges that non-compliance with the conditions of this permit is an offence that may be prosecuted in accordance with the provisions of [relevant By-Law] and other environmental and health regulations.
Name:	Name:
.....
Date of issue:	Signature:
.....

TERMS AND CONDITIONS

1. This permit is valid for the dates shown.
2. This permit **or the permit number** must be displayed prominently on the vehicle dashboard, and visible from the front left side of the vehicle.
3. This permit applies only to a vehicle which is self contained with respect to shower, toilet, washing, cooking and sleeping facilities, with holding tanks for all toilet waste and sullage/grey water sufficient for 48 hours.
4. Discharge of liquid in any waste form is prohibited within the designated overnight stop area. PENALTY: A fine of 2 penalty units under Litter Act 2007.



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ANNEXURE B

WELCOME TO [INSERT PARK] REST AREA

FULLY SELF-CONTAINED VEHICLES ONLY

This area is regulated by Northern Midlands Council

The following conditions apply:-

- A permit must be obtained to park in this area overnight. Permits are available from www.northernmidlands.tas.gov.au or 13 Smith Street, Longford during business hours
- Your permit or permit number must be displayed prominently on the vehicle dashboard and visible from the front left side of the vehicle;
- Maximum permitted stopover is 48 hours;
- The following conditions apply to use of this site:
 - All rubbish and other waste is to be removed on departure;
 - Campfires are not permitted;
 - Hanging of clothes, bedding or similar items outside your RV is not permitted;
 - Pets must be controlled and tethered at all times;
 - Use of generators between 6:00pm and 9:00am, and, in excess of 2 consecutive hours is prohibited;
- Only a vehicle which is self contained with respect to shower, toilet, washing, cooking and sleeping facilities, with holding tanks for all toilet waste and sullage/grey water sufficient for 48 hours.
- Discharge of liquid in any waste form is prohibited within the designated overnight stop area. PENALTY: A fine of \$404 (two penalty units) under the Litter Act 2007.
- Infringement notices will be issued for offences (listed).

By Order
General Manager

WE HOPE YOU ENJOY YOUR STAY



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REDUCTION IN PLANNING APPLICATION FEES FOR COMMUNITY PROJECTS

Originated Date: Adopted 22 February 2010 – Min. No. 55/10 (as Policy 58)

Amended Date/s: Reviewed 8 December 2014 – Min. No. 336/14
Reviewed 15 February 2016 – Min. No. 44/16
Reviewed 20 August 2018 – Min. No. 230/18
Reviewed 14 December 2020 – Min. No. 423/20
Reviewed 18 September 2023 – Min. No. 23/0330

Applicable Legislation: *Local Government Act 1993, s.207*

Objective To establish a policy relating to the reduction in application fees for planning approval by not for profit community organizations for projects with a community benefit.

Administration: Corporate Services

Review Cycle/Date: Next review 2027.

1 INTRODUCTION

Each year a number of not-for-profit, community-based, voluntary organizations undertake a number of minor projects with a community benefit. It is normal for these projects to be funded either by grants, donations or by monies raised by their volunteer members of the organisation.

Given the ongoing difficulties associated with fund raising, this policy seeks to minimise the impact of Council fees on qualifying projects.

2 DEFINITIONS

For the purposes of this policy:

Minor project refers to projects such as, but not limited to, pergolas, barbeques, fences, play equipment (in an existing playground), monuments, street furniture and the like.

Not-for-profit organisation refers to individuals, recognised groups, clubs or organisations within the community whose work is principally to improve the environment or lifestyle of the community or quality of life of individuals/families at either no or nominal cost to the recipients.

3 OPERATION

Where a not-for-profit organisation applies for planning approval for a minor project, applicable planning assessment and building assessment fees shall be waived.

Where such a planning application requires public exhibition in accordance with s.57 of the *Land Use Planning and Approvals Act 1993*, the advertising fee shall be reduced to 50% of the scheduled fee.

4 ACCOUNTING

For the purposes of record keeping, where fees are waived or reduced in accordance with clause 3, the relevant accounts for that section shall record the full fees as if they had been paid with corresponding adjustment entries to record the waived component as a donation.

Council shall be advised, in the information section of its meeting agenda, of all such donations.



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RELATED PARTY DISCLOSURE

Originated Date:	Adopted 15 May 2017 – Min No. 162/17
Amended Date/s:	Reviewed 19 August 2019 – Min No. 257/19 Amended 18 September 2023 – Min. No. 23/0330
Applicable Legislation:	<i>Local Government Act 1993 (S28E)</i> <i>Audit Act 2008, Archives Act 1983</i> <i>Privacy Act 1988</i> <i>Personal Information Protection Act 2004 (PIP Act)</i> <i>Right to Information Act 2009</i>
Objective	This policy sets out the parameters of the Northern Midlands Council for setting and collecting Rates and Charges within its area
Administration:	Corporate Services
Review Cycle/Date:	Every 4 years. Next review 2027.

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ACKNOWLEDGEMENTS

This Policy was originally developed through a working group comprising representatives from the Tasmanian Audit Office, the Local Government Division of the Department of Premier and Cabinet, Clarence City Council and the Local Government Association of Tasmania.

SCOPE

This policy outlines what is expected of elected members and staff of Council in relation to Australian Accounting Standard AASB 124 *Related Party Disclosures* (AASB 124).

Specifically, the policy outlines the disclosure requirements under AASB 124 of Key Management Personnel (KMP), which includes elected members. It also outlines the procedures Council will follow to collect, store, manage and report on related party relationships, transactions and commitments.



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Under the *Local Government Act 1993* and the *Audit Act 2008* all local governments in Tasmania must produce annual financial statements that comply with Australian Accounting Standards.

SUMMARY OF THE STANDARD

From 1 July 2016, local governments (councils) must disclose related party relationships, transactions and outstanding balances, including commitments, in their annual financial statements.

The objective of the Standard is to ensure that an entity's financial statements contain the disclosures necessary to draw attention to the possibility that its financial position and profit or loss may have been affected by the existence of related parties and by transactions and outstanding balances, including commitments, with such parties.

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

KEY TERMS

<i>Term</i>	<i>Meaning</i>
<i>Arm's length terms</i>	Terms between the parties that are reasonable in the circumstances of the transaction that would result from: <ul style="list-style-type: none">• neither party bearing the other any special duty or obligation, and• the parties being unrelated and uninfluenced by the other, and• each party having acted in its own interest.
<i>Close Family Member</i>	Family members of Key Management Personnel (KMP) who may be expected to influence, or be influenced by, that person in their dealings with the entity. This includes, but is not limited to, that person's spouse or domestic partner; and the children and dependents of that person or that person's spouse or domestic partner.
<i>Control of an entity</i>	You control an entity if you have: <ol style="list-style-type: none">a) power over the entity;b) exposure, or rights, to variable returns from involvement with the entity; andc) the ability to use your power over the entity to affect the amount of your returns.
<i>Declaration by KMP</i>	An annual declaration of close family members and entities that the KMP or their close family members control or jointly control, as per Appendix 1, updated during the year as necessary.
<i>Entities controlled by KMPs</i>	Entities include companies, trusts, joint ventures, partnerships and non-profit associations such as sporting clubs. You control an entity if you have: <ul style="list-style-type: none">• power over the entity;• exposure, or rights, to variable returns from involvement with the entity; and• the ability to use your power over the entity to affect the amount of your returns.
<i>Entities related to Council</i>	Entities controlled by Council, jointly controlled by Council or over which Council has significant influence are related parties of Council.
<i>Joint control of an entity</i>	To jointly control an entity there must be contractually agreed sharing of control of the entity, which exists only when decisions about the relevant activities require the unanimous consent of the parties sharing control.



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<i>Key Management Personnel (KMP)</i>	Persons having authority and responsibility for planning, directing and controlling the activities of the entity, directly or indirectly. In the council context this includes the Mayor, all aldermen or councillors, the General Manager and senior council officers as outlined in the policy.
<i>KMP Compensation</i>	<p>All employee benefits. Employee benefits are all forms of consideration paid, payable or provided by the entity, or on behalf of the entity, in exchange for services rendered to the entity. It also includes such consideration paid on behalf of a parent of the entity in respect of the entity. Compensation includes:</p> <ol style="list-style-type: none">short-term employee benefits, such as wages, salaries and social security contributions, paid annual leave and paid sick leave, profit-sharing and bonuses (if payable within twelve months of the end of the period) and non-monetary benefits (such as medical care, housing, cars and free or subsidised goods or services) for current employees;post-employment benefits such as pensions, other retirement benefits, post-employment life insurance and post-employment medical care;other long-term employee benefits, including long-service leave or sabbatical leave, jubilee or other long-service benefits, long-term disability benefits and, if they are not payable wholly within twelve months after the end of the period, profit-sharing, bonuses and deferred compensation;termination benefits; andshare-based payment.
<i>Materiality</i>	<p>Information is material when, if omitted or misstated, it could influence decisions that users make on the basis of financial information about a specific reporting entity.</p> <p>Omissions or misstatements of items are material if they could, individually or collectively, influence the economic decisions that users make on the basis of the financial statements. Materiality depends on the size and nature of the omission or misstatement judged in the surrounding circumstances. The size or nature of the item, or a combination of both, could be the determining factor.</p>
<i>Ordinary Citizen Transactions (OCTs)</i>	Transactions that an ordinary citizen would undertake with Council are usually not material to related party disclosure requirements. OCTs do not apply if the terms and conditions are different to those offered to the general public.
<i>Related Party of Council</i>	People and entities, such as companies, trusts and associations, can be related parties of Council. Most commonly these will be entities related to Council, KMP of Council (including elected members), close family members of KMP and entities that are controlled or jointly controlled by KMP or their close family members.
<i>Related Party Transaction</i>	A transfer of resources, services or obligations between a reporting entity and a related party, regardless of whether a price is charged.

LINKS TO OTHER LEGISLATION AND AUSTRALIAN ACCOUNTING STANDARDS

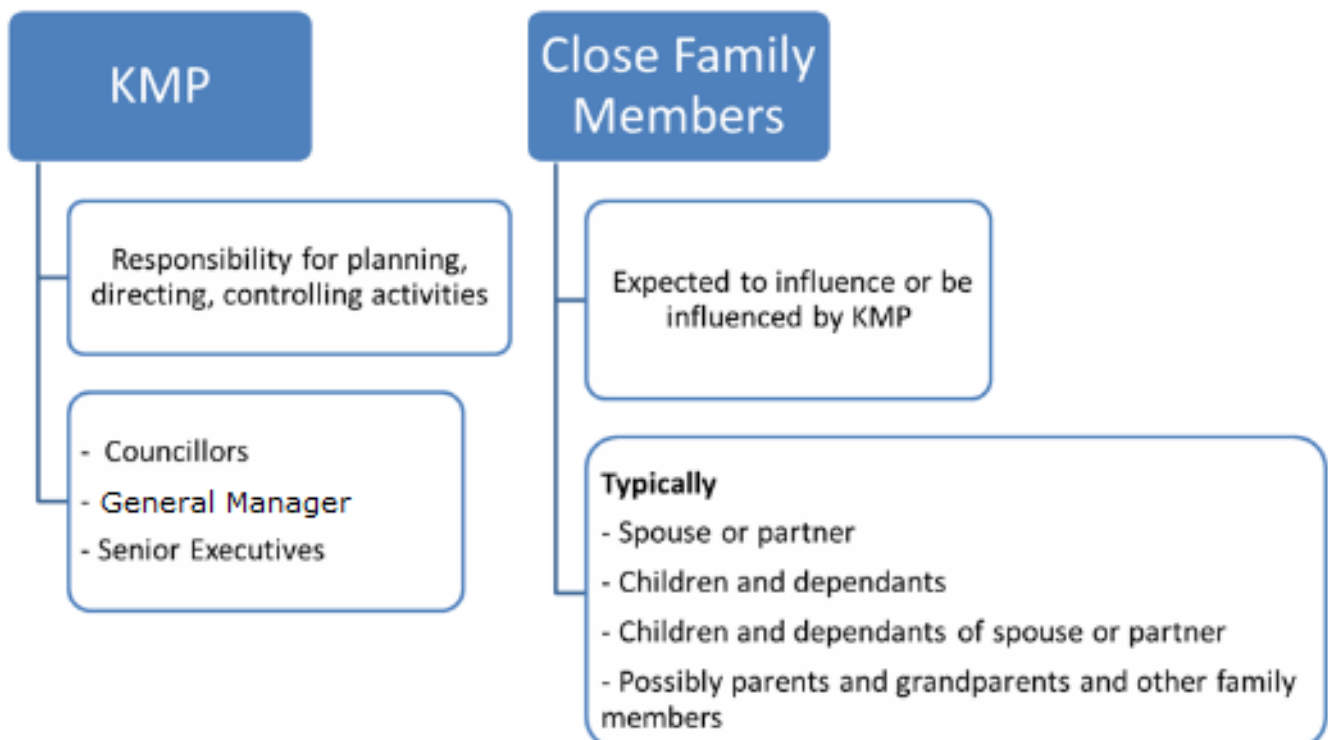
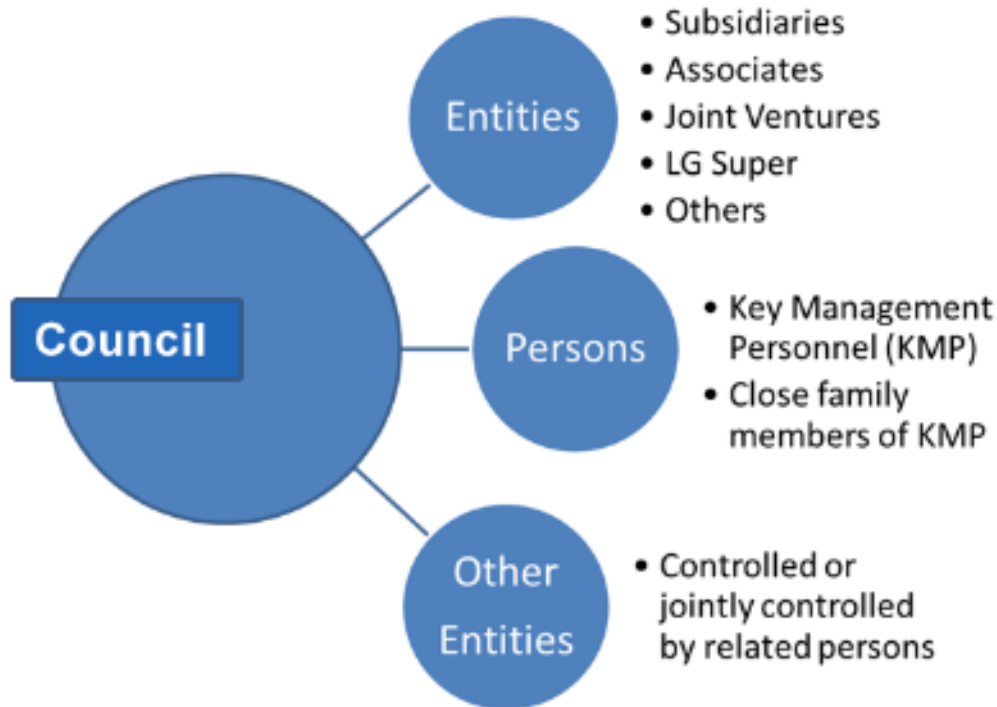
There is overlap between the requirements of AASB 124 and the interest provisions in the *Local Government Act 1993* (LGA). Beyond the provisions of AASB 124 the LGA requires certain disclosures. Council will make these disclosures separately where not adequately covered by AASB 124 disclosures.

Other legislation referred to in this policy include the *Audit Act 2008*, *Archives Act 1983*, *Privacy Act 1988*, *Personal Information Protection Act 2004* (PIP Act) and *Right to Information Act 2009*.

Other Australian Accounting Standards referred to in this policy include AASB 10 *Consolidated Financial Statements*; AASB 11 *Joint Arrangements*; AASB 128 *Investments in Associates and Joint Ventures*.

IDENTIFYING RELATED PARTIES

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





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1. The General Manager will establish, review and maintain a list of Key Management Personnel for Council.

Key Management Personnel (KMP) for council are:

- the Mayor
 - all Aldermen/Councillors
 - the General Manager
 - other senior executives (including division managers).
2. Those persons identified as KMP will complete an annual declaration which outlines the entities, if any, that are controlled or jointly controlled by that KMP or their close family members and which are likely to have transactions with Council (Appendix 1).
 3. For the purpose of this Policy, Close Family Members includes:
 - that person's children and spouse or domestic partner;
 - children of that person's spouse or domestic partner; and
 - dependents of that person or of that person's spouse or domestic partner.

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

Council may seek to ensure alignment between this declaration and the register of interests required under section 54 of the LGA.

Example for Guidance (Son of CFO employed by Council)

Sunny Shire Council has recently employed Paul's son (George) in the Council's parks and garden's area. Paul is Council's Chief Financial Officer but was not involved in hiring George. This process was managed by the Director of Parks and Gardens and included an independent assessment process. Paul did not have any influence in George securing the job.

Paul has been identified as a KMP of Council, which makes him a related party.

George will also be a related party of Council because he is a close family member of Paul. The recruitment process that was undertaken for George's position is irrelevant when assessing whether George is a related party.

Example for Guidance (Cousin of Mayor)

The Mayor of Happy Shire Council (Shelley) has lived in the Shire her whole life. In fact her family has been in the area for over five generations.

Shelley's cousin Mavis, owns and operates the local newsagent through a company Happy News Pty Ltd, in which she owns 100% of the shares. Shelley and Mavis have always been close and regularly socialise together.

Shelley has been identified as a KMP of Council. From these facts it would appear that Mavis is a close family member of Shelley because she would be expected to influence, or be influenced by, that person in her dealings with Council

Both Mavis and the company she controls, Happy News Pty Ltd would therefore be related parties of Council. Any transactions that the Council makes with the newsagent would need to be separately identified and may need to be disclosed.

4. It is the responsibility of General Manager to seek a declaration upon a change of KMP.
5. All KMPs will be asked to provide their declarations by 1 July each year covering the forthcoming financial year. In addition, an updated declaration for the previous financial year will also be provided.
6. It is the responsibility of all identified KMP to update their declaration should they become aware of a change, error or omission.

7. Register of Related Party Transactions

7.1. Maintain a Register

The General Manager or Corporate Services Manager is responsible for maintaining and keeping up to date



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a register of related party transactions that captures and records the information for each existing or potential related party transaction (including ordinary citizen transactions assessed as being material in nature) during a financial year.

7.2. Contents of Register

The contents of the register of related party transactions must detail for each related party transaction:

- a) the description of the related party transaction;
- b) the name of the related party;
- c) the nature of the related party's relationship with Council;
- d) whether the notified related party transaction is existing or potential;
- e) a description of the transactional documents the subject of the related party transaction.

The General Manager or Corporate Services Manager is responsible for ensuring that the information is disclosed in Council's Financial Statements to the extent, and in the manner stipulated by AASB 124.

8. Council will use the declarations of KMP to establish a list of related parties for the purposes of identifying transactions and reporting under AASB 124.
9. Updates will be provided to KMP and Council staff periodically on changes arising from amendments to Australian Accounting Standards, applicable legislation or policy and procedural requirements.

COUNCIL ENTITIES AND SUBSIDIARIES

For the purpose of this policy, entities controlled by Council, jointly controlled by Council or over which Council has significant influence are related parties of Council. Council will need to identify transactions with these entities and may need to make extra disclosure about them in Council's financial statements.

When assessing whether Council has control or joint control over an entity, Council will need to consider AASB 10 *Consolidated Financial Statements* and AASB 11 *Joint Arrangements*. AASB 128 *Investments in Associates and Joint Ventures* details the criteria for determining whether Council has significant influence over an entity.

Example for Guidance (Company that is a related party of Council)

Sunny Regional Council (SRC) owns 90% of the shares in Sunny Regional Development Pty Ltd (the company).

SRC has assessed that it has control over the company. The company is therefore a related party of SRC because SRC controls it.

SRC produces consolidated financial statements which include both a parent entity column and consolidated entity column. In these statements all individually significant transactions between SRC and the company will need to be disclosed. For other transactions that are collectively, but not individually, significant SRC will need to disclose a qualitative and quantitative indication of their extent.

SRC must also disclose the nature of its relationship with the company.

ENTITIES CONTROLLED (OR JOINTLY CONTROLLED) BY KMP OR THEIR CLOSE FAMILY

1. KMP will exercise their best judgement in identifying related parties.
2. KMP, including elected members, will carefully assess the information and examples following before declaring, or not declaring, an entity over which they, or a close member of the family, have control or joint control.

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

When assessing whether or not a KMP or close member of their family controls, or jointly controls, an entity, Council will need to refer to AASB 10 *Consolidated Financial Statements* and AASB 11 *Investments in Associates and Joint Ventures*.



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Example for Guidance

Mayor is the President of a local football club.

The Mayor of Sunny Shire Council is the President of League Heroes Inc, the local football club. This club is overseen by a committee which comprises the President and four other committee members. Each member has a single vote when making decisions at meetings. The committee members are not related and do not have agreements to vote with one another. The club has over 100 members that each have a vote in electing the committee members at the club's annual general meeting.

From these facts it would appear that the Mayor does not control or jointly control the football club so it will not be a related party of Council just because the Mayor is the president of the club.

Example for Guidance (Joint control)

Fred is the Mayor of Sunny Shire Council and owns 50 per cent of the ordinary shares in Sunny Development Company Pty Ltd (the company). Fred's brother Stan owns the other 50 per cent of ordinary shares. Fred and Stan are the only Directors of the company and have equal voting rights on the board.

Fred and Stan have joint control of the company because any decisions require the unanimous consent of them both.

Fred will need to include the company on his related party declaration.

RELATED PARTY DISCLOSED BY COUNCIL

1. Each year Council will declare the following related party transactions:

- 1.1. Transactions with Council subsidiaries, by transaction type.
- 1.2. KMP compensation, including:
 - short-term employee benefits;
 - post-employment benefits;
 - long-term benefits; and
 - termination benefits.
- 1.3. Transactions with other related parties, including:
 - purchases or sales of goods (finished or unfinished);
 - purchases or sales of property and other assets;
 - rendering or receiving of services;
 - leases;
 - transfers of research and development;
 - transfers under licence agreements;
 - transfers under finance arrangements (including loans and equity contributions in cash or in kind);
 - provision of guarantees or collateral;
 - commitments to do something if a particular event occurs or does not occur in the future, including executory contracts (recognised and unrecognised); and
 - settlement of liabilities on behalf of the entity, or by the entity on behalf of that related party.
- 1.4. Transactions of a similar nature will be disclosed in aggregate except when separate disclosure is necessary for an understanding of the effects of a related party transaction on the financial statements of council, having regard to the following criteria:
 - the nature of the related party transaction
 - the significance of the transaction (individually or collectively) in terms of size or value (including where the materiality arises due to the fact that no consideration for the transaction is given or received by Council)
 - whether the transaction is carried out on non-arm's length terms
 - whether the nature of the transaction is outside normal day-to-day business operations.



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1.5. Outstanding balances in relation to transactions with related parties, including:

- Entities controlled by KMPs; and
- Bad or doubtful debts in respect of amounts owed by related parties.

1.6. Non-monetary transactions such as use of facilities, peppercorn rents.

2. **If a KMP or close associate is named individually in disclosure reports, the KMP will be given a copy of the intended disclosure for review and information purposes. Feedback must be provided within seven (7) days.**
3. **Council will not capture Ordinary Citizen Transactions (OCTs) with related parties. Nor will Council disclose non-material transactions.**
4. **For the purpose of this Policy, example of OCTs are:**

Examples of OCTs

Using a council's public swimming pool after paying the normal fee
Parking fees at rates available to the general public
Attending council functions that are open to the public
Fines on normal terms and conditions
Visiting a council art gallery
Paying rates and utility charges
Dog registration

Examples of transactions that are NOT OCTs

Purchases or sales of property
Leases
Transfers under finance arrangements (eg. Loans)
Settlement of liabilities
Infrastructure charges or contributions
Purchase of goods and services, regardless of conditions
Employee expenses of close family members of KM

Guidance note:

OCTs are generally not material transactions because of their nature, and therefore Council may wish to identify them upfront and exclude them from being recorded as a related party transaction (step 3).

Note, however, if the OCTs were to occur on terms and conditions that are different to those offered to the general public, the volume of transactions or other qualitative factors of the transactions may become material and give rise to an audit issue if not disclosed. Care needs to be taken in identifying these types of transactions.

The list of OCTs will be reviewed periodically with updates provided to KMP.

5. **The General Manager will assess the materiality of the related party transactions that have been captured prior to disclosure.**

Council does not have to disclose transactions that are not material. In determining materiality, the size and nature of the transaction individually and collectively will be considered and assessment will be made in consultation with the Audit Office.

6. **In making disclosures in the annual financial statements Council will include:**

- 6.1 Relationships between a parent and its subsidiaries, irrespective of whether there have been transactions between them.
- 6.2 KMP compensation in total and for each of the following categories:
 - short-term employee benefits;



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- post-employment benefits;
 - other long-term benefits; and
 - termination benefits.
- 6.3 Where related party transactions have occurred:
- the nature of the related party relationship; and
 - information about the transactions, outstanding balances and commitments, including terms and conditions.
- 6.4 Separate disclosure in aggregate for each category of related party transactions.

Note: Transactions that are individually significant, either because of their amount or nature, are included in the aggregate disclosure but also need to be disclosed separately.

- 6.5 The types of transactions disclosed such as:
- purchases or sales of goods;
 - purchases or sales of property and other assets or rendering or receiving property and other assets or rendering or receiving goods;
 - rendering or receiving of services;
 - leases;
 - guarantees given or received;
 - commitments;
 - loans and settlements of liabilities;
 - expense recognised during the period in respect of bad debts; and
 - provision for doubtful debts relating to outstanding balances.

PRIVACY AND RIGHT TO INFORMATION

Council must comply with the requirements of the *Archives Act 1983* (Tasmania), *Privacy Act 1988* (Commonwealth), *Personal Information Protection Act 2004* (Tasmania) and *Right to Information 2009* (Tasmania) in the collection, storage, management, disclosure and reporting of information.

A declaration statement from KMP is incorporated into the *Declaration of Related Party Transactions Form* (Appendix 1) to enable the disclosure and reporting of information in accordance with AASB 124. A Related Party Information Collection Notice will be provided to KMP and included in their Declarations (Appendix 2).

Guidance note:

In accordance with the PIP Act, Council cannot use personal information for purposes other than the reason it is collected, and unique identifiers cannot be assigned to an individual unless necessary to carry out required functions efficiently.

DISPUTES RESOLUTION

Disputes will be managed in accordance with Council's dispute resolution policy.



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APPENDIX 1: DECLARATION OF RELATED PARTY TRANSACTIONS AND CONSENT FORM

PRIVATE AND CONFIDENTIAL

Related Party Declaration by Key Governance Personnel

Name of Key Governance Person:

Position of Key Governance Person:

Key Governance Personnel's Name	Nature of likely transactions with Council or Council entities		
Name of Entity over which the KGP has control	Relationship with KGP	Nature of likely transactions with Council or Council entities	
Close Family Member's Name	Relationship with KGP	Nature of likely transactions with Council or Council entities	Nature of likely transactions with Council or Council entities

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

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

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

Signature of KGP:

Name of KGP:

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



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APPENDIX 2: RELATED PARTY INFORMATION COLLECTION NOTICE

Collection Notice

RELATED PARTY TRANSACTIONS DISCLOSURE BY KEY MANAGEMENT PERSONNEL

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

PURPOSE OF COLLECTION, USE AND DISCLOSURE OF RELATED PARTY INFORMATION

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

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

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

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

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

RELATED PARTY TRANSACTIONS DECLARATION BY KEY MANAGEMENT PERSONNEL

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

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

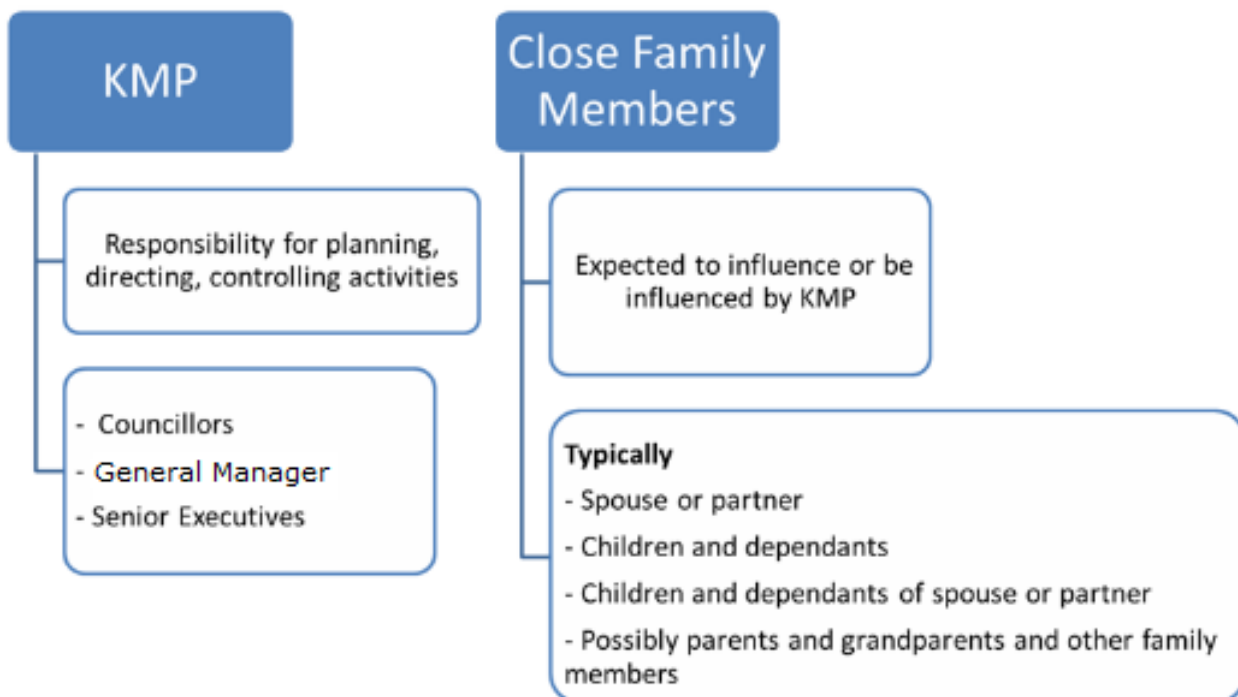
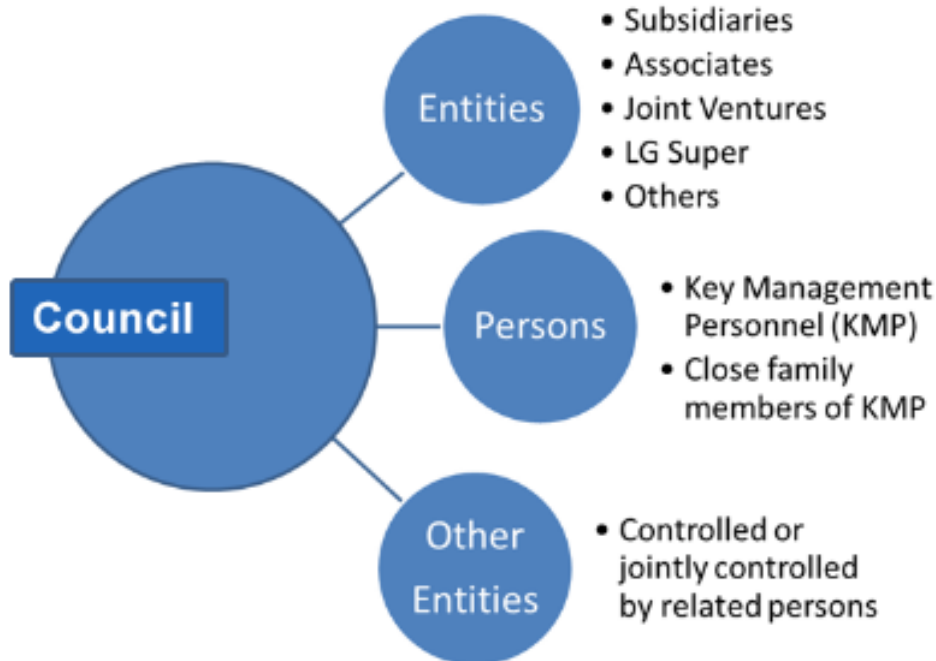
HOW WILL THE INFORMATION CAPTURED IN THE DECLARATION BE USED?

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

WHO ARE RELATED PARTIES?

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

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



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



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

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

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

WHAT IS AN ENTITY THAT I, OR MY CLOSE FAMILY MEMBERS, CONTROL OR JOINTLY CONTROL?

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

You control an entity if you have:

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

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

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

For more information about Council's disclosure requirements under AASB 124 Related Party Transactions, please refer to the Council's Related Party Disclosures Policy, which can be found at www.northernmidlandscouncil.tas.gov.au

All information collected by Council is in accordance with Council's Privacy Policy and is protected by law, including the Privacy Act 1988 and the Personal Information Act 2004. Council's privacy policy can be found at www.northernmidlandscouncil.tas.gov.au



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REPORTING

- Originated Date:** Adopted 20 November 2006 – Min. No. 414/06 (as Policy 50)
- Amended Date/s:** Endorsed 14 April 2014 – Min. No. 93/14
Endorsed 27 June 2016 – Min. No. 159/16
Revised 16 August 2021 – Min. No. 312/21
Reviewed 17 November 2025 – Min. No. 25/352
- Applicable Legislation:** *Local Government Act 1993*
- Objective** To provide Council with relevant information covering external reports sought by Council Officers.
- Administration:** Governance
- Review Cycle/Date:** Review every 4 years, next review 2029.

OVERVIEW

Good governance relies on successful working relationships between all parties, an understanding of role differences, and sharing of relevant information. In practice, council members and officers work together in all domains of a council's work. However, for good governance to be practiced the relationships between the various parties, councillors, General Manager and staff, should foster partnership, maturity, a high level of respect and above all, trust.

Communities expect their Councils to be well managed with the efficient and effective provision of services and facilities and the efficient and effective management of assets. If elected members are to provide the necessary assurance to their communities about the performance of the Council, they must be kept appropriately informed of governance issues.

Elected members need access to information on a wide range of subjects. The Local Government Act requires council to

- monitor the implementation of strategic plans and budgets; and
- monitor the application of policies, plans and programs.

The General Manager is to ensure that elected members have appropriate access to such information to enable appropriate monitoring of these areas.

OBJECTIVES

Council Reports are the formal means for providing advice to councillors, giving them relevant data, issues, options and advice that will enable them to consider the matter at hand and make a decision.

Council engages professional staff to advise Council and the professional staff use their knowledge, experience, research and other specialist skills to prepare reports for the council that meet the requirements set out above. Professional staff may, as part of their duties, seek advice and reports from external parties to assist in the implementation of Council's plans, policies and programmes or to prepare for the future or proposed programmes.

This policy has been put in place to ensure a co-operative working relationship between Councillors and management is maintained. These guidelines are designed to assist Councillors receive information necessary for them to fulfil their obligations as councillors, yet enable managers to manage the policies, projects and plans for which they have stewardship and responsibility. It recognises that whilst the Council monitors performance it does not unduly interfere in the day to day operations of Council for which professional staff have been engaged and given responsibility. Tensions often arise when there is inappropriate interference by one element in the role of another.

This Policy is to be read in conjunction with the Council's Communication Policy.



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FUNCTIONS:

1. The Council has the following functions:
 - to develop and monitor the implementation of strategic plans and budgets;
 - to determine and monitor the application of policies, plans and programs;
 - to determine and review the council's resource allocation and expenditure activities;
 - to monitor the manner in which services are provided by the Council.
2. The General Manager has the following functions:
 - to implement the decisions, policies, plans and programs of the Council;
 - to be responsible for the day-to-day operations and affairs of the Council;
 - to provide advice and reports to the council on the exercise and performance of its powers and functions and any other matter requested by the council;
 - to liaise with the mayor on the affairs of the council and the performance of its functions; and
 - provide leadership to staff under his or her management
 - appoint staff, including senior managers to manage the implementation of decisions, policies, plans and programs of the council;
 - seek appropriate professional advice and reports as are required to fulfil the obligations of the position and ensure the policies, plans and programs of the Council are carried out or to plan or prepare for the future.
3. Senior Management have the following functions:
 - provide leadership to staff under their management,
 - ensure that the Department meets its requirements and targets under the Council's Annual Plan and Strategic Plan.
 - manage the staff within the Business Unit.
 - participate as a member of the senior management team in the planning and implementation of Council's corporate objectives.
 - ensure that all matters are carried out in accordance with policy and within budgetary constraints.
 - prepare briefs and reports on issues related to their department either for internal or external use.
 - manage and co-ordinate their area of responsibility within the Council,
 - attend Council meetings, Committee meetings and other meetings as required and prepare reports arising out of recommendations by Council.
 - make recommendations to the General Manager on relevant policies and ensure that all relevant policies are adhered to and understood within the appropriate section of the Business Unit.
 - comply with Council's policies and procedures.
 - seek appropriate professional advice and reports as are required to fulfil the obligations of the position and ensure the policies, plans and programs of the Council are carried out or to plan or prepare for the future.

PROCEDURES

1. Subject to the provisions below, the General Manager shall ensure that Councillors are given access to all information necessary for them to properly perform their functions and fulfil their responsibilities as elected members.
2. Professional staff shall, where appropriate, seek advice and reports from external parties to assist in carrying out the requirements of their position and the undertaking of programmes and policies.
3. Budgets for specific projects or programmes will include an amount for external consultancy if required to undertake the project.
4. Correspondence received by Council which is generated by or from Government or Statutory sources which falls within the scope of the functions of Councillors, shall be provided to Councillors in a timely manner.



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5. Council will be advised of the nature of the reports obtained for a particular programme or project and the cost when the final report on the project or programme is provided to Council.
6. Any advice or report concerning staffing or employment matters will not be disclosed to Council unless in the opinion of the General Manager such disclosure is necessary.
7. Reports should be accurate and professional.

These guidelines

- are in place to ensure a co-operative working relationship between Council, the General Manager and senior managers is maintained.
- are designed to assist Council to receive appropriate and timely reporting on the implementation and progress of its policies, plans and programs.
- are designed to assist the General Manager and senior managers in fulfilling their obligations as employees of the Council.



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RISK MANAGEMENT POLICY & FRAMEWORK

Originated Date: Adopted 28 June 1999 – Min. No. 285/99 (as Policy 21)

Amended Date/s: Revised 28 August 2000 – Min. No. 377/00
Revised 2 May 2005 – Min. No. 124/05
Revised 21 April 2008 – Min. No. 76/08
Revised 21 January 2013 – Min. No. 08/13
Revised 12 December 2016 – Min. No. 363/16
Revised 19 July 2021 – Min. No. 273/21
Reviewed 15 December 2025 – Min. No. 25/379

Applicable Legislation: Reference: AS ISO 31000:2018 Risk Management - Principles and Guidelines
Local Government Act 1993 (Tas)
Work Health and Safety Act 2012 (Tas)
Information and Communication Technology Resources and Electronic Communications Acceptable Use Policy and Procedures

Objective The objectives of the Policy are to:

- Identify and analyse Council's liability associated with risk
- Promote and support risk management practices throughout the Council
- Encourage the identification and reporting of potential risks
- Recognise that successful risk management relies on input from ALL employees & stakeholders
- Protect Council's corporate image as a professional, responsible and ethical organisation

Administration: Corporate Services

Review Cycle/Date: Every 4 years, next review 2029.

1. POLICY STATEMENT

Northern Midlands Council is committed to systematically managing risk which arises from daily business activities providing and maintaining a healthy and safe living environment for the general community within all Council controlled areas. Council recognises that risk management is an essential tool for sound strategic and financial planning and the ongoing physical operations of the organisation.

Council recognises that risk management is an essential tool for sound strategic and financial planning and the ongoing physical operations of the organisation.

In order to achieve these objectives, this Risk Management Policy has been introduced and adequate funds and resources will be provided to ensure the following outcomes:

- Identify and analyse Council's liability associated with risk;
- Encourage the identification and reporting of potential risks;
- Minimise any potential liabilities;
- Protect the community against losses that are controllable by Council;
- Reduce the cost of insurance premiums;
- Provide a basis for higher standards of accountability;
- Set performance standards and regularly review practices and procedures;
- Allow for more effective allocation and use of resources;
- To promote and raise the awareness of Risk Management practices throughout the organisation; and
- Protect Council's corporate image as a professional, responsible and ethical organisation.



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The above objectives will be achieved by managing risks in accordance with the AS ISO 31000:2018 Risk Management - Principles and Guidelines. This involves logically and systematically identifying, analysing, assessing, treating and monitoring risk exposures that are likely to adversely impact on Council's operations. Specifically, this includes the following areas of losses:

- Personnel (Workplace Health and Safety);
- Plant and Property
- Liability (including Public Liability and Professional Indemnity);
- Financial;
- Business interruption.

The purpose of this policy is to provide a framework for the management of risk, and to define the responsibilities of staff and management in the risk management process.

2. LINK TO COUNCIL'S STRATEGIC PLAN

The management of risk is integral to achieving Council's mission as outlined in its Strategic Plan:

- it enables the information of contemporary risk management initiatives across all levels of the Council;
- it facilitates and initiates innovation, co-operation and sharing of resources;
- it enhances Council's programs of economic development, environmental management, urban enhancement, community well-being, quality management and customer service.

Many of Council's key values have relevance to the Risk Management Policy:

- Concern for citizens;
- Respect for the rights of others;
- Responsiveness to customer needs.

3. RESPONSIBILITIES

Councillors, management, employees and contractors all have a joint responsibility of making risk management a priority as they undertake their daily tasks in the operations of Northern Midlands Council. Management and staff are to be familiar with and competent in the application of Council's Risk Management Policy and are accountable for adherence to that policy within their areas of responsibility.

3.1 COUNCILLORS

- Are committed to best practice risk management in order to benefit the community and manage costs
- Provide the support and basis on which the risk management policy can be implemented. This includes listing risk management as a priority in Council's Strategic Plan
- Ensuring risk management issues are considered in decision making
- Ensuring there is adequate budgetary provision for the implementation and maintenance of this policy
- Responsible for approving the risk management policy and risk management strategy.

3.2 GENERAL MANAGER

- Recognising and adopting risk management as a key function of the organisation
- Ensuring risks are managed in accordance with the AS ISO 31000:2018 Risk Management - Principles and Guidelines
- Development and provision of awareness and training throughout Council and
- Provide risk management related information, as requested by Council.

3.3 BUSINESS UNIT MANAGERS

- Ensuring that Council's assets and operations, together with liability risks to the public, are adequately protected through appropriate risk financing and loss control programs and measures



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- Maintaining overall responsibility for the effective management of all types of risks related to this policy across Council's operations
- Providing risk management related information as requested by Council
- Preparing and implementing documented procedures for each aspect of operations under their control and/or direction
- Monitoring and auditing practices and processes to ensure they are appropriate to current conditions and practices
- Immediately act upon information provided by employees or residents who are reporting a hazard or incident to ensure the risk is eliminated or mitigated so far as reasonably practicable.

3.4 SUPERVISORS

- Providing assistance and requested information in relation to any insurance claim or risk management issue, in a timely manner
- Ensuring that Council responds immediately to any report of a hazard or incident received from a resident, employee or visitor
- Advising of any risk management matter that should be incorporated in forthcoming budgets.

3.5 EMPLOYEES

- Familiarising themselves with Council's risk management policy, principles and procedures
- Making loss control/prevention a priority whilst undertaking daily tasks in Council's operations
- Reporting and acting on where reasonably practicable any hazard or incidents as soon as possible that may have a potential risk exposure to Council, employees, contractors or the public
- Providing risk management related information as requested by their business unit manager.

3.6 CONTRACTORS

- Familiarising themselves with Council's risk management policy, principles and procedures
- Reporting and acting on where reasonably practicable any hazard or incidents as soon as possible that may have a potential risk exposure to Council, employees, contractors or the public.

3.7 RISK MANAGEMENT AND EXECUTIVE MANAGEMENT TEAM (EMT)

- Coordinating and facilitating risk management operations within the framework provided by AS ISO 31000:2018 Risk Management - Principles and Guidelines
- Providing advice and assistance to management and employees in the management of risk within their areas of responsibility
- Developing and providing risk management awareness training throughout Council
- Monitoring the recommendations and outcomes from risk management audits.

4. IMPLEMENTATION

A comprehensive review of all Council's activities is to be undertaken in order to assess the level of compliance with this policy. Progressive adjustment of practices will be undertaken including the documentation and recording of those practices to achieve full compliance with this policy.

The objective is for Council to be ultimately recognised as achieving and maintaining best practice standards for managing risk within local government.



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4.1. EMERGING RISKS

Council acknowledges the evolving risk landscape and commits to proactive identification and management of emerging risks, including:

- Climate Change & Environmental Risks: Incorporate resilience planning for extreme weather events, bushfires, and flooding.
- Cybersecurity & Data Privacy: Implement robust controls to protect Council systems and community data (Information and Communication Technology Resources and Electronic Communications Acceptable Use Policy and Procedures).
- Public Health & Pandemic Preparedness: Maintain contingency plans for health emergencies impacting service delivery.

5. PERFORMANCE REVIEW

Council will ensure that there are ongoing reviews of its management system to ensure its continued suitability and effectiveness in satisfying the requirements of AS ISO 31000:2018 Risk Management - Principles and Guidelines. Records of all reviews and changes shall be documented for future reference.



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RISK MANAGEMENT STRATEGY

Statutory Authority Reference AS ISO 31000:2018 Risk Management - Principles and Guidelines
AS 4000:1997 General Conditions of Contract

Policy: Workplace Health & Safety Policy
Risk Management Policy
Strategic Plan 2017-2027

1. DEFINITIONS

- **Risk:** “effect of uncertainty on objectives”.
A risk is often specified in terms of an event or circumstance and the consequences that flow from it.
A risk is measured in terms of a combination of the consequences of an event and their likelihood.
Risk may have a positive or a negative impact.
- **Consequence:** “the outcome or impact of an event”.
There can be more than one consequence from one event.
Consequences can range from positive to negative.
Consequences can be expressed qualitatively or quantitatively.
Consequences are considered in relation to the achievement of objectives.
- **Likelihood:** “used as a general description of probability or frequency”.
Can be expressed qualitatively or quantitatively.
- **Risk Management:** “the culture, processes and structures that are directed towards realising potential opportunities whilst managing adverse effects”. (AS ISO 31000:2018 Risk Management - Principles and Guidelines).
- **Stakeholders:** Councillors, Managers, All Staff, Contractors, Volunteers, Community Members.

2. INTRODUCTION

Risk Management is critical to the Northern Midlands Council’s ability to achieve the Strategic Objectives contained in the Strategic Plan. The Council has limited human, financial and material resources. Prudent decision making in relation to their use is critical to the Council’s achievement of its endorsed vision of developing the Northern Midlands communities as “vibrant, sustainable and resilient, promoting their diversity and conserving the heritage values of our towns”.

To this end, not only must Council staff identify and minimise threats to the safe and effective employment of Council resources, they also have an obligation to identify and exploit opportunities to make such employment more efficient. By fostering a vibrant Risk Management culture that encourages all staff to systematically apply the principles and procedures outlined in this strategy, the Council seeks to minimise resource waste and ensure that all Council events, activities and projects are undertaken with minimal risk to staff and the general public.

3. STATEMENT OF COMMITMENT

The major risk for most organisations is that they fail to achieve their strategic, business or project objectives, or are perceived to have failed by their stakeholders. The Northern Midlands Council is committed to managing this risk by logically and systematically identifying, analysing, evaluating, treating, monitoring and communicating all risks that directly or indirectly impact on the Council’s ability to achieve the vision and strategic objectives outlined in the Council’s adopted Strategic Plan.

This strategy, when read in conjunction with Council’s adopted Risk Management Policy, Risk Register and Strategic Plan demonstrates the Council’s commitment, by detailing the Risk Management framework to be employed by all staff members, contractors, committees and volunteers engaged in Council business and defining the responsibilities of



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individuals and committees involved in the Risk Management process. The Council believes that good Risk Management is essential for the successful implementation of the Council's Annual Plan, as it:

- Directly supports the achievement of
 - Part 1 – Governance:
Strategies - Human Resource Management; Emergency Management
 - Part 2 – Corporate Services
Strategies – Insurances, Risk Management; Work Health & Safety
 - Part 3 – Development Services
Strategies – Compliance
- Indirectly supports the achievement of the Council's other strategic objectives, through:
 - Facilitating innovation, cooperation and the sharing of resources;
 - Enhancing the development and delivery of Council programs;
 - Supporting the Council's key values and ethics;
 - Encouraging a closer working partnership between the Council and the community;
 - Ensuring consultation with all Stakeholders on key issues;
 - Encouraging a proactive approach to problem solving.

4. SCOPE

This Risk Management Strategy will be implemented by all Council departments and across all Council services, functions and activities, whether directly controlled by Council or delivered through third party arrangements.

All employees, contractors, partner organisations and volunteers engaged in the conduct of Council business are to apply consistent, proactive and systematic Risk Management practices in the employment of Council resources and the delivery of Council services. Successful Risk Management relies on input from all stakeholders and ownership of identified risks by responsible staff. To manage risks in accordance with best practice, the Council will observe the principles contained in AS ISO 31000:2018 Risk Management - Principles and Guidelines. The Council's established business practices, policies and procedures will be reviewed, to ensure that they are not in conflict with this Standard.

5. STRATEGY PRINCIPLES

The principles of the Strategy are to:

- Identify evaluate and prioritise the Council's risk associated opportunities and threats, with a view to:
 - Exploiting opportunities
 - Reducing, mitigating, transferring or eliminating threats
- Promote and support Risk Management processes throughout the Council
- Recognise that successful Risk Management relies on input from ALL employees and Stakeholders
- Allow for more effective allocation and use of resources
- Provide a basis for higher standards of accountability
- Protect the Council's corporate image as a professional, responsible and ethical organisation and an employer of choice.

6. RISK MANAGEMENT REQUIREMENTS

Risk Management principles shall be a consideration in all Council decision making processes. In accordance with its common law 'duty of care', statutory responsibilities and Council Policy, the Council will ensure that resources are allocated to:

- Minimise the Council's exposure to loss and litigation
- Protect and enhance the Council's reputation
- Protect the Council's financial and physical assets



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- Maintain employee Health & Safety programmes.

7. RESPONSIBILITIES

All employees, contractors and volunteers are to be familiar with and competent in the application of the Council's Risk Management Policy and Strategy.

Business Unit managers and supervisors are accountable for adherence to this Strategy within their areas of responsibility. Detailed responsibilities are listed at Annexure A.

8. RISK MANAGEMENT PROCEDURE

The Risk Management procedure to be applied within the Northern Midlands Council is based on AS ISO 31000:2018 Risk Management - Principles and Guidelines. As these procedures are developed, they will be detailed at Annexure B.

9. RISK MANAGEMENT PRIORITIES AND RESOURCES

The Council accepts that it does not have the resources to immediately address all of the risks it faces. The Executive Management Team (EMT) will annually review and reprioritise all of the risks identified, determine those which must be afforded the highest priority and determine the resources required to address those risks.

These risks will represent the Council's corporate focus for the following 12 months and be included in the Council's budget as a discrete line item. All staff members should note that the absence of a risk from this Strategy does not preclude its management from within departmental resources. Nor is the annual review process inflexible: extreme and high priority risks identified at any time will be assessed and treated in accordance with the procedure described in this Strategy.

10. STRATEGY IMPLEMENTATION

The Council recognises that the implementation of this Strategy represents a significant, but necessary short term workload for all staff involved. A comprehensive review of all the Council's activities will be undertaken in conjunction with the Strategy's implementation, through the development and approval of success measures for all the Council events, projects and activities. This is a significant Council undertaking, but integral to the success of an integrated, comprehensive Risk Management Strategy.

11. PERFORMANCE REVIEW

This Strategy takes effect immediately upon adoption by the Council. It is to be reviewed on an annual basis by the Executive Management Team, to ensure its continued suitability and effectiveness against the requirements of AS ISO 31000:2018 Risk Management - Principles and Guidelines and the Council's Risk Management Policy. The General Manager shall be responsible for ensuring this review occurs.

Records of such reviews are to be maintained on file. The Risk Management responsibilities detailed at Annexure A are to be incorporated into all Council Position Descriptions and the success measures developed for all staff are to form the basis of annual performance appraisals.

It is important that all staff are made aware of the risk management strategy. Training is a key method for communicating with staff and volunteers about risk management. A Risk Management Strategy is a "working" document. This means that there is a need to constantly monitor, review and update the document.

Although 'monitoring and reviewing' might generally be understood to be one of the last steps in the risk management process, in reality, it's a constant task even before any analysis or assessment is made. In some cases, a manager may be presented with existing risk management arrangements, or a partly completed risk analysis. Nevertheless, the manager must take responsibility for the risk management process.

The imbedding of the Risk Management responsibilities is under the direction of the General Manager and will be



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incorporated into the annual Staff Appraisal process and Annual preparation. These processes will also assist in the development of a training matrix and programme for the next financial year. This training matrix will assist in identification and closure of potential risk management deficiencies.



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ANNEXURE A

ANNEXURE TO NORTHERN MIDLANDS COUNCIL: RISK MANAGEMENT STRATEGY

RISK MANAGEMENT RESPONSIBILITIES

A.1. THE COUNCIL

The Council will:

- Develop and maintain the Council Strategic Plan
- Adopt a Risk Management Policy and Strategy to support the Council's Annual Plan
- Ensure that funding is made available to adequately manage the risks identified in the Council's Risk Register.

A.2 GENERAL MANAGER

The General Manager will:

- Provide a safe and healthy work environment, in accordance with the Workplace Health and Safety legislation and related Codes of Practice and Australian Standards
- Understand the principles of Risk Management, including their application to resource conservation and incident/claim reduction
- Ensure that the Council meets its "duty of care" to all staff, volunteers, contractors and the general public and protects its assets and operations through:
 - Education
 - Appropriate risk financing
 - Adequate loss control programs and measures
- Monitor and evaluate the performance of Business Unit Managers against their Risk Management responsibilities
- Contribute to the analysis of all potential and actual high loss incidents (in excess of \$10,000 or more than one night in hospital)
- Lead Executive Management Team in the maintenance of the Council's Business Continuity recovery program
- Assist the Council in the development and maintenance of the Council Strategic Plan
- Develop agreed and assessable success measures with all Business Unit Managers, to support the Strategic Objectives contained in the Council's Annual Plan
- Assist Business Unit Managers in the identification, evaluation and mitigation of risks associated with their success measures
- Lead the Executive Management Team in the development and implementation of Risk Action Plans for all risks assessed as Extreme
- Promote Risk Management as a vital business principle.

A.3 EXECUTIVE MANAGEMENT TEAM

The Executive Management Team will:

- Monitor the implementation of the Risk Management Policy and this Strategy across the organisation
- Approve or modify all entries in the Council's Risk Register
- Approve or modify the Council's Risk Management training program
- Direct actions to be taken in relation to annual Risk Management Audit Reports
- Oversee the Council's Business Continuity recovery program
- Assist the Council in the development and implementation of the Council Strategic Plan
- In conjunction with the General Manager, develop and implement Risk Action Plans for all risks assessed as Extreme



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- Approve and monitor Plans once developed.

A.4 BUSINESS UNIT MANAGERS

Individual Business Unit Managers will:

- Provide a safe and healthy work environment, in accordance with the Workplace Health and Safety legislation and related Codes of Practice and Australian Standards
- Understand the principles of Risk Management, including their application to resource conservation and incident/claim reduction
- Ensure that proposed events and projects within their jurisdiction are not approved without a formal risk assessment that effectively identifies and manages all the risks associated with them
- Monitor and evaluate the performance of managers against their Risk Management responsibilities through the annual appraisal system
- Contribute to the analysis of all potential and actual high loss incidents within their jurisdiction (in excess of \$10,000 or more than one night in hospital)
- The Community Recovery Co-ordinator will lead Departmental input into the Council's Business Continuity recovery programme
- Assist the Council in the development and maintenance of the Council's Annual Plan
- Develop approved Departmental Plans to support the Annual Plan, linking all Departmental Objectives to the Council's Strategic Objectives
- Develop agreed and measurable success measures in conjunction with all subordinates, to support Department Plan objectives
- Assist managers in the identification, evaluation and mitigation of risks associated with their success measures
- Monitor all risks and associated Risk Management Plans entered into the Council's Risk Register which fall within their jurisdiction
- Promote Risk Management as a vital business principle
- The Manager of Corporate Services will
 - lead the management of Council's insurance policies, to ensure that the Council has adequate cover for:
 - Public Liability
 - Professional Indemnity
 - Fidelity
 - Industrial Special Risks/Property
 - Motor Vehicle
 - Other general insurance, as required
 - Manage all under excess insurance claims on the Council's behalf
 - Coordinate the Council's cooperation with insurers and/or solicitors in the investigation and defence of over excess claims.

A.5 MANAGERS/FOREMAN/SUPERVISORS

Individual managers/ supervisors will:

- Provide a safe and healthy work environment, in accordance with the Workplace Health and Safety legislation and related Codes of Practice and Australian Standards
- Understand the principles of Risk Management, including their application to resource conservation and incident/claim reduction
- Monitor and evaluate the performance of Team Leaders against their Risk Management responsibilities
- Contribute to the analysis of all potential and actual high loss incidents within their jurisdiction (in excess of \$10,000 or more than one night in hospital)
- Contribute to the maintenance of the Council's Business Continuity recovery programme



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- Assist their Business Unit Manager in the development and maintenance of the Department Plan
- Develop approved Management Plans to support their Departmental Plan, linking all Management Objectives to Departmental Objectives
- Develop agreed and measurable success measures in conjunction with all subordinates, to support Management Plan objectives
- Assist subordinate staff in the identification, evaluation and mitigation of risks associated with their success measures
- Enter all risks within their jurisdiction onto the Council's Risk Register and manage them
- Contribute to the development and implementation of Risk Action Plans for all risks within their jurisdiction assessed as Extreme
- Keep staff appropriately informed of all changes relating to registered risks
- Advise of any risk issues within their jurisdiction that should be incorporated in forthcoming budgets
- Ensure that the induction process for all new employees in their area includes:
 - The Council's Risk Management Policy and Strategy
 - An overview of the Council's cascading plans and their contribution to the relevant objectives at each planning level
- Provide timely assistance and requested information in relation to any insurance claim or Risk Management issue
- Ensure that the Council responds immediately to any report of a hazard or incident received from a resident, employee or visitor
- Promote Risk Management as a vital business principle.

A.6 ALL STAFF

All staff members are to:

- Understand and observe the Risk Management Policy, Strategy and related procedures
- Assist their manager in the development and maintenance of the Management Plan
- Develop agreed and measurable success measures to support the Management Plan's objectives
- Assist their manager in the identification and management of risks to be entered into the Council's Risk Register
- Contribute to the development and implementation of Risk Action Plans and strategies within their jurisdiction
- Identify, evaluate and mitigate risks associated with their agreed success measures
- Provide timely assistance and requested information in relation to any insurance claim or Risk Management issue
- Make loss control/prevention a priority whilst undertaking daily tasks in the Council's operations
- Perform their duties in a manner which does not represent an unacceptable level of risk to the health and safety of:
 - Themselves
 - Other employees including volunteers
 - The Council's customers or visitors
 - Contractors
 - The wider community
- Report any illness, injury, hazard, near miss or incidents and losses as soon as they are detected to their manager or supervisor. Individuals should take steps to eliminate or mitigate hazards identified where reasonably practicable prior to reporting
- Encourage the public to respect Council property.

A.7 EVENT AND PROJECT MANAGERS/ENGINEERS

In addition to their generic responsibilities under this Strategy, Event and Project managers/engineers are to undertake and document a formal risk assessment for all proposed events/projects, prior to their submission for funding consideration. This assessment must:



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- Consider known risks identified for similar events/projects
- Identify unique risks associated with a particular event/project
- Where possible, modify the event/project's design to eliminate or at least minimise these known risks
- Where risks cannot be eliminated through redesign or re-engineering, establish plans to mitigate the risk to an acceptable level during an event or after a project's completion or implementation.

A.8 CONTRACT/TENDER MANAGERS

In addition to their generic responsibilities under this Strategy, Contract/Tender managers are to:

- Ensure that tenders issued and contracts let by the Council comply with the risk management, insurance and indemnity requirements of Australian Standards and conform to the intent of the Council's Risk Management Policy and Strategy
- Manage contracts to ensure their compliance with the above.

A.9 RISK MANAGEMENT COORDINATOR

In addition to his or her generic responsibilities under this Strategy, the Risk Management Officer will:

- Provide advice and assistance to all the Council staff in relation to the development and implementation of an effective Risk Management System that observes the principles of AS ISO 31000:2018 Risk Management - Principles and Guidelines
- Encourage all Council staff, business partners, contractors and volunteers to actively employ Risk Management in their decision making processes
- Assist all staff with the procedural aspects of Risk Management
- In conjunction with the General Manager:
 - Develop and review the Council's Risk Management Policy and Strategy
 - Review and respond to annual Risk Management Audit Reports
 - Develop a Risk Management training program for the Council
 - Develop a report on Council's achievements against its Risk Management Policy and Strategy over the previous year, for inclusion in Council's Annual Report
- Maintain the Council's Risk Register.

A.10 WORK HEALTH AND SAFETY COMMITTEE

The Workplace Health and Safety Committee will monitor the Council's risk environment, as part of its functions. Members of the Committee will receive training appropriate to their role. The Committee will:

- Ensure the Council's Risk Management practices operate within the framework provided by AS ISO 31000:2018 Risk Management - Principles and Guidelines, relevant legislation and Council policy
- Review annual Risk Management Audit Reports and make recommendations to the Executive Management Team (EMT)
- Develop, implement and review a Risk Management training program for the Council utilising information received from the staff appraisal process
- Report progress to the Executive Management Team (EMT) after each meeting.

A.11 WORK HEALTH & SAFETY RESPONSIBILITIES

Work Health & Safety and Risk Management are closely linked, but separate functions within the Council. The Workplace Health and Safety Committee will be comprised of individuals selected to ensure coverage of the Council's key risk areas. Broadly, these risk areas are:

- Physical Assets
- Recreation / Open Space



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- Corporate Governance
- Human Services
- Fiduciary Control
- Contract Management
- Operations
- Planning and Compliance
- Information Management



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ANNEXURE B

ANNEXURE TO NORTHERN MIDLANDS COUNCIL: RISK MANAGEMENT STRATEGY

RISK MANAGEMENT PROCEDURE

This procedure is based on the Australian Standard AS ISO 31000:2018 Risk Management - Principles and Guidelines. It details the common methodology to be used to assess and address the level of risk inherent in the Northern Midlands Council activities. For guidance in relation to the application of this procedure or assistance in the conduct of risk assessments, contact the Work Health & Safety Officer.

B.1 COMMUNICATE AND CONSULT

Has everybody who needs to know been contacted, involved, informed and kept up to date?

Communication and consultation are important considerations at each stage of the Risk Management process. They should involve a dialogue with all stakeholders (both internal and external) with a focus on consultation, rather than a one-way flow of information from the decision maker to the stakeholders. All Stakeholders must be confident that their views have been appropriately considered and that they have been kept informed of the actions being taken and the reasons behind those actions. This may extend to sending a report to all Stakeholders, regarding the success or otherwise of risk controls put in place as a result of the Risk Assessment being conducted. Broad “ownership” of the risk and the plans to manage it is essential to a successful Risk Management outcome.

B.2 ESTABLISH THE CONTEXT

The first step in Risk Management is to establish the context of the risk. This can be done by asking a series of questions, such as:

- What do we want to do or achieve? Define the desired outcomes of the event, activity or project.
- How will we know we have been successful? Identify the success measure or measures for each desired outcome. For established activities, success measures should have been developed and agreed during the development of the Council’s hierarchy of plans.
- Who will be involved in or affected by what we want to do? Identify the major Stakeholders for this activity, both internal and external to the Council.
- Do any of the Stakeholders need to be involved in the Risk Assessment? All Stakeholders who may feel that they have a right to be consulted should be. A formal risk assessment should not proceed until all appropriate Stakeholders can be assembled and/or consulted. All Stakeholders who are actively involved in the achievement of your success measures must be involved in the Risk Assessment.
- What records do we need to keep? The likely consequences of the decisions to be made and the importance of future stakeholders (including the Courts) being able to understand why these decisions were made, will dictate the level of record keeping required. As a minimum, the electronic Risk Assessment Form mentioned earlier should be used for all risks assessed as moderate or above. Decisions concerning the making and capturing of records should take into account:
 - The legal and corporate governance needs for records
 - The cost of creating and maintaining records
 - The benefits of re-using information in the future
 - What criteria will we use to analyse the risk? Criteria may be either qualitative or quantitative in nature
 - How will the rest of the risk management process be structured? Determine the elements or steps that the activity/event/project can be subdivided into to create a logical framework that helps ensure significant risks are not overlooked.



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B.3 IDENTIFY THE RISKS

What, where, when, how and why can things happen to prevent us from achieving our success measures? Risks that have not been identified cannot be assessed. Alternative methods to identify risks include:

- A brainstorming session with all Stakeholders
- Checklists developed for this or similar events/activities/projects
- An examination of previous events/activities/projects of this type
- The constitution of an Experienced Panel to consider the event/activity/ project
- Risk areas may include, but are not limited to:
 - Management (planning, supervision, leadership)
 - People (competence, skills, experience, reliability, safety, training, insurance)
 - Property and other Assets (availability, suitability, damage, insurance)
 - Financial (funding, sponsorship, salaries, budgeting, control)
 - Regulatory/Legal (statutory requirements, committee duties and responsibilities, Duty of Care to Stakeholders)
 - Political (community participation and support, Government policies, risk of adverse publicity).
 - Weather (heat, cold, rain, fire ban, fog)
 - Communication (Memorandum of Agreement/Memorandum of Understanding required, meetings, marketing, methods and frequency of contact?)
 - Anything else you can think of (nobody knows your activity better than you!)
- All risks identified should be communicated to your immediate supervisor, if he or she not participated in the risk identification exercise.

B.4 ANALYSE THE RISKS

How big are the risks we have identified? Determine how likely a risk is to occur and how large the impact would be if it did occur. These tables are generic in nature and careful consideration should be given to their applicability for the specific risk profile being assessed.

B.5 EVALUATE THE RISKS

Are there any controls already in place? Determine if there are any existing controls already in place to address the identified risks. Existing controls could include any policies, processes or procedures established to:

- Eliminate or reduce the likelihood of a risk occurring
- Mitigate the impact if a risk does occur
- Share or transfer the identified risk (e.g.: insurance and /or indemnity clauses).
- Once existing controls have been identified, risks need to be re-evaluated and prioritised, to ensure that the greatest risks are addressed first. The process to follow is:
 - Note any existing controls identified against the appropriate risks in the interim Risk Register
 - Re-assess the risk in light of existing controls and adjust its Risk Level accordingly
 - Make a recommendation as to whether the risk is considered to be acceptable or unacceptable, with the reasons why
 - Forward a copy of the completed risk assessment and recommendation to the Risk Management Officer, who will then present all information to the Risk Management Committee for confirmation or modification of the recommendation and Risk Level
- If the risk is deemed unacceptable (a confirmed Risk Level of moderate or above), it will then be:
 - Prioritised in relation to other registered risks (considering the confirmed Risk Level rating, the nature of the people and/or property at risk and the impact on the Council's reputation and credibility, should the risk event occur)



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- Presented to the Executive Management Team for approval or modification
- Entered onto the Council Risk Register.

B.6 TREAT THE RISKS

What are we going to do about the risks we have identified? After a risk has been entered onto the Council Risk Register, options to treat it must be considered and action plans developed. Risk Action Plans must detail:

- The actions which will be taken to address the risk
- The manager responsible for ensuring that the Risk is addressed (Responsible Manager)
- When the specified actions are to be completed by
- Unless actions are determined and responsibilities for them are allocated, the Risk Identification and Assessment processes will have been wasted. The outcome of any actions specified should be to (in priority order):
 - Eliminate the possibility of a risk occurring
 - Reduce the likelihood of occurrence to an acceptable level
 - Mitigate (reduce) the consequences, should a risk occur
 - Transfer or share the risk, generally through insurance or contracting out.

Actions to be taken in relation to specified Risk Levels are:

- Extreme – immediate action to be initiated and Risk Action Plans to be developed and implemented under the direct control of the Executive Management Team and General Manager. All documentation must be retained for future reference
- High – action timeframe to be determined by Executive Management Team, with Risk Action Plans developed by Responsible Business Unit Manager/s for Executive Management Team approval
- Moderate – action timeframe determined and Risk Action Plans developed by Responsible Manager/s, with relevant Business Unit Manager/s kept informed of progress
- Low – Responsible Managers develop or modify policy or procedure to address the risk. If necessary, a simple Risk Action Plan can also be developed
- Insignificant – Risk noted and treated appropriately by those affected.

Remember, all risks identified as Moderate and above are to be entered into the Council Risk Register.

In a climate of constrained resources, careful consideration must be given to how resources are allocated to action plans. You may find it more valuable to reduce higher priority risks to an acceptable level, rather than eliminate them altogether and then use any resources saved to address lower priority risks. Finally, consult your supervisor and any Stakeholders who may not have been available the Risk Assessment, to ensure that you have left nothing out.

B.7 MONITOR AND REVIEW.

Have we got it right? Registered risks will remain open until they have been reduced and accepted, or eliminated. The Responsible Manager is to monitor the risk to ensure that agreed actions are being taken and review the risk levels, to reflect changes made. Whenever an action is taken against an Action Plan, the Responsible Officer is to notify the Responsible Manager, who will:

- Assess the effectiveness of the action taken
- Reassess the Action Plan to:
 - Confirm its continued applicability; or
 - Determine any changes that may now be required
- Reassess the risk rating and notify the Risk Management Officer of the new suggested rating
- The details of the reassessment will then be confirmed or modified to determine whether or not the risk rating should be adjusted.

Once all directed actions have been completed, the risk will be re-assessed by the Responsible Manager and a decision



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made as to its acceptability or otherwise. If a risk is considered to be unacceptable, further action needs to be taken to address that risk. No activity should proceed with a risk that has been identified as unacceptable. If in doubt, all Stakeholders involved with the original Risk Assessment are to be consulted, prior to a risk being closed off.

B.8 RECORD THE RISK MANAGEMENT PROCESS

Each stage of the Risk Management process must be recorded appropriately, as determined during the “Establish the Context” step. For risks assessed as moderate and above, assumptions, methods, data sources, analyses, results and reasons for all decisions should all be recorded.

During the conduct of an event, activity or project for which a Risk Assessment has been undertaken, make notes on how effective the Action Plans have been and what (if any) changes were made to the original Plans. This will allow better planning for the same or similar activities in the future.



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ROADSIDE MOBILE FOOD VENDORS

Originated Date: 11 December 2017 - Min. Ref. 390/17

Amended Date/s: 21 October 2019 - Min. Ref 337/19
Reviewed 18 August 2022
16 September 2024 – Min. Ref 24/0407
18 May 2026 – Min. Ref 26/0132

Applicable Legislation: *Vehicle & Traffic Act 1999*
Food Act 2003
Local Government (Highways) Act 1982

Objective To identify guidelines by which Mobile Food Vendors may operate in the Northern Midlands.

Administration: Community and Development

Review Cycle/Date: Every 12 months. Next review 2027.

1. PURPOSE

The purpose of this policy is to identify guidelines by which Mobile Food Vendors may operate in the Northern Midlands.

2. DEFINITIONS

Roadside Mobile Food Vendor (mobile vendor) - Means a person or persons trading from a mobile vending vehicle that is equipped to a specified standard as a moveable kitchen, from which food is commercially prepared and sold at different locations. Food is served directly from the vehicle to customers for immediate consumption, either in the vicinity of the vehicle or as takeaway.

Roadside Mobile Vending Vehicle (mobile vehicle) - Means any road-registered vehicle that is registered as a mobile food and beverage business within Tasmania under the *Food Act 2003* and that seeks to trade within any road, public place, or Council land within the Northern Midlands municipal area. Only vehicles where all trade is conducted wholly from within the vehicle may operate as a mobile vending vehicle. This may include trucks, vans, caravans, or enclosed trailers.

Roadside Mobile Food Vending Permit (permit) - Means a permit issued by Northern Midlands Council in accordance with these Guidelines and section 56C of the *Vehicle and Traffic Act 1999*.

The Permit authorises the permit holder to trade at pre-approved locations on roads, public places, or Council land within the Northern Midlands municipal area only.

Public Place - For the purposes of these Guidelines, means any land or part of land—including car parks associated with reserves, parks, and other recreation areas—that is owned, controlled, managed, or maintained by Northern Midlands Council.

Local highway means a local highway as defined in the *Local Government (Highways) Act 1982*, Section 4.

3. CONDITIONS OF OPERATION

The following conditions of operation must be met by Mobile Food Vendors who operate in the Northern Midlands.

3.1 APPLICATION FORM AND FEE

All Mobile Food Vendors intending to operate in the Northern Midlands must complete an Application for Permit and pay the required fee, as set per Council's fee schedule.

Copies of the following documents must be completed and submitted together with the application of the permit:

- a) Current certificate of registration of a Statewide Mobile Food Business;



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- b) Current Public Liability and Product Liability Insurance Certification (minimum \$20million cover); and
- c) Current road vehicle registration.

3.2 PERMIT

A Mobile Food Vendor must not operate on a local highway in the Northern Midlands without a valid permit.

A Mobile Food Vendor may apply for an annual permit, or a six-month permit.

Annual permits are valid from 1 August to 31 July.

Special event permits are valid for the duration of the event as specified in the application form.

Permit fees are in accordance with Council's Fees Schedule.

A Mobile Food Vendor is only permitted to operate on a local highway in the Northern Midlands once a permit has been issued.

Permits are issued to one vehicle only and are not transferrable. Permits are not automatically renewed.

A Mobile Food Vendor must be able to produce a copy of their permit on request. All conditions of the permit must be complied with at all times of operation.

3.3 WASTE

Mobile Food Vendors must provide rubbish collection receptacles at the site and ensure all rubbish generated from their use at the site is removed and disposed of responsibly.

Whilst trading to the public, a mobile food vendor must provide, at least one bin to accept waste and one bin for recyclable materials. The bins must be at least fifty litres.

Wastewater and waste oil are not to be deposited into the stormwater system and must be contained within the vendor business and correctly disposed of as per according to environmental health standards.

Where Council is forced to undertake extra cleaning or rubbish removal as a direct result the vending activity, the permit holder will be required to reimburse Council for these costs.

A permit may be cancelled if a permit holder breaches any conditions of the waste requirements of the permit.

3.4 DEPARTMENT OF STATE GROWTH ROADS

Council cannot issue a permit for a state-owned road. Mobile Food Vendors are not permitted to operate on a state-owned road, unless with approval issued by the Department of State Growth.

3.5 SAFETY AND COMPLIANCE

Mobile Food Vendors must:

- Have in place current Public Liability Insurance to operate;
- Have in place a current Certificate of Registration for business selling food;
- Ensure they have approval to erect any signs or furniture associated with their business, in accordance with Council's Footpath Trading By-Law No. 1 of 2022, if applicable.
- Mobile food vehicles must not be left unattended whilst operating on a public street or on Council owned or managed property.
- Food or beverage preparation, cooking or serving equipment or structures are not to be installed or erected outside the vehicle to display, prepare or serve food.
- Customers must be served from the footpath side of the vehicle only, and not queue across footpaths, into



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roadways, driveways or other pedestrian or trafficked accesses.

- The installation, maintenance and operation of gas and/or electrical appliances within the vehicle must comply with the relevant Australian Standards.
- Safety of people is not to be compromised in any way by the location or operation of the mobile food vehicle.
- Mobile food vehicles must not arrive and set up more than 30 minutes before the permitted time and must vacate and leave the site 30 minutes after the permitted time.
- Vacating the site is to remove the mobile food vending vehicle from the permitted site and not return to the site for a period of not less than 8 hours. Vacating the site does not mean to cease business operation but remain parked in the permitted area.
- A permit may be cancelled if a permit holder breaches any conditions of the safety and compliance requirements of the permit.

3.6 ACCESS TO POWER

Council only has power available to Mobile Food Vendors at the following locations:

- Longford Village Green

If Mobile Food Vendors wish to access power they must pay for power usage in accordance with Council's fee schedule.

Payment for power must be made upon collection of the power box key from the Council offices.

4. LOCATIONS AND TIMES

4.1 DESIGNATED MOBILE FOOD VENDOR LOCATIONS

Council has identified the following locations as designated locations to park within the Northern Midlands municipality.

- Avoca – Blenheim Street, adjacent to Boucher Park
- Campbell Town – Franklin Street, adjacent to Blackburn Park
- Cressy – Church Street, adjacent to the Trout Park
- Evandale – Rogers Lane or Russell Street, adjacent to Harry Murray Memorial
- Longford – Archer and Lyttleton Streets, adjacent to Victoria Square (Village Green)
- Perth – Little Mulgrave Street, adjacent to the Train Park
- Ross – Church Street, adjacent to the Village Green (33 Church Street)

Applications to park outside of these designated locations will be considered, however, may be refused if not considered suitable.

Mobile Food Vendors are not to operate on public roads within 100m (measured by travel distance of a pedestrian) of a residential dwelling.

4.2 TIME RESTRICTIONS

Mobile Food Vendors may apply for a permit to operate between the hours of 4:00pm and 9:00pm on any given day, except in the circumstances the Mobile Food Vendor is operating at a pre-organised event.

Mobile Food Vendors may apply for a permit to operate for 4 Hours between 7am – 4pm Saturday – Sunday and Public Holidays.



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4.3 EXCEPTION: AVOCA ONLY

Mobile food vehicles are not permitted to operate within two hundred (200) metres of an established permanently fixed food premises unless the proprietor of the established fixed food premises has clearly expressed in writing a tolerance for mobile food vehicles operating within that distance.

Operating hours restricted to the hours between 7.00am and 2.00pm.

5. EXCLUSIVE USE NOT GUARANTEED

A permit issued by Council does not guarantee availability or exclusive use of the site.

6. EXEMPTIONS

Mobile Food Vendors parking for a period of less than 60 minutes are not required to obtain a permit pursuant to this policy. This exemption only applies **once** per twenty-four (24) hours.

7. ENFORCEMENT

In accordance with Section 56C(5) of the *Vehicle and Traffic Act 1999 (the Act)*, monetary penalties will apply to Mobile Food Vendors contravening *the Act* and this Policy, penalties may include the revocation of the Mobile Food Vendor permit.

8. REVIEW

This Policy is to be reviewed in twelve (12) months.



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RURAL REFUSE COLLECTION SERVICE

Originated Date: Adopted 6 May 2002 – Min. No. 175/02 (as Policy 48)

Amended Date/s: Amended 21 September 2015 – Min. No. 270/15
Amended 20 August 2018 – Min. No. 230/18
Reviewed 18 July 2022 – Min. No. 22/241

Applicable Legislation:

Objective Extend the current refuse collection and recyclable service to the proposed routes shown on the Rural Waste Collection area map with all property owners (316 in total) on the route charged for the new service and the costs spread evenly over all properties serviced within the scheme (rural & residential)

Administration: Works

Review Cycle/Date: Every 4 years. Next Review 2026

1 PURPOSE

To extend the current refuse collection and recyclable service in the rural area with all property owners on the route charged for the new service and the costs spread evenly over all properties serviced within the scheme (rural & residential).

2 WASTE MANAGEMENT CHARGES

The waste management charges are reviewed each year under the annual Budget and Rating process.

3 EXEMPTIONS

No exemptions apply for rural users on the designated collection route, except as follows: -

- (i) Exempt the charge in rural areas when a doctor has provided evidence that none of the property owner/tenants are capable of wheeling the mobile garbage bin from the property boundary (2 metres inside the entrance) to the roadside for collection.
- (ii) Exempt the waste collection service charge where houses are vacant and the service is not used, and an annual application has been provided.

4 EXTENSIONS

Any extensions to the service must consider the magnitude of any subsidy to collect a particular property. The Council stated that the waste management service becomes compulsory if a property containing a house is located on the extended designated route.

As a result any extension to the designated route must satisfy two essential criteria - these being:

- (i) that any Council subsidy is limited to 50% of the additional collection cost, and;
- (ii) that every property (with a dwelling) located on the proposed extended route agree to the waste management service.

4.1 PROCEDURE

4.1.1 The Kerbside Collection Administration Officer assesses the degree of subsidy for a request to include a new route. The calculation is as follows:



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Please note that amended Travel and Pickup rates to be sought and provided by Contractor at time of each calculation.

Garbage

Length of road to gate & back again	=km ('L')
Number of occupied properties along proposed route	= ('No')
Formula 1	=	$L \times \$1.50 + No \times \1.53
	=	\$.....
Formula 2	=	$No \times \$1.53$
	=	\$.....
Subsidy Ratio	=	Formula 1
		Formula 2
	=

If Subsidy Ratio > 2, then subsidy too great to provide service.

Recycling

Length of road to gate & back again	=km ('L')
Number of occupied properties along proposed route	= ('No')
Formula 1	=	$L \times \$1.50 + No \times \1.71
	=	\$.....
Formula 2	=	$No \times \$1.71$
	=	\$.....
Subsidy Ratio	=	Formula 1
		Formula 2
	=

If Subsidy Ratio > 2, then subsidy too great to provide service.

4.1.2. If both subsidy ratio less than or equal to 2, then seek an accurate cost to collect services along proposed route from Waste Management Contractor and Recycling Contractor then recalculate subsidy ratio as shown below:

Formula 1	=	Collection cost provided by contractor + $No \times \$1.50$
	=	\$.....
Formula 2	=	$No \times \$1.50$
	=	\$.....
Subsidy Ratio	=	Formula 1
		Formula 2
	=

4.1.3 If Subsidy Ratio confirms to be less than or equal to 2, then write to every property (containing a dwelling) along the proposed new route seeking their comments on being included within the waste management area.

4.1.4 Upon the return of all questionnaires, then extend waste management service to new area only if 100% support.

4.1.5 Advise rate collector of extended area to amend rate records and prepare invoices for part year services.

4.1.6 Send invoices and information brochures to properties.

4.1.7 Arrange for waste and recycling contractor to deliver wheelie bins and begin service.

5 REVIEW

The Council will review this policy at least every four years.



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SAFEGUARDING CHILDREN AND YOUNG PEOPLE

Originated Date: Adopted 11 December 2023; Min. Ref. 23/0462

Amended Date/s: 19 August 2024 – Min. Ref. 24/0280

Applicable Legislation: *Child and Youth Safe Organisations Act 2023 (Tas)*

Objective The objective of this policy is to define Northern Midlands Council's ("the Council") commitment to creating and maintaining a Child Safe Organisation. This policy outlines the Council's position and responsibilities toward the safeguarding of children and young people in our physical and online environments.

Administration: Governance

Review Cycle/Date: Annual review – next review 2025.

1. SCOPE

In line with the *Child and Youth Safe Organisations Act 2023* ("the Act"), this policy applies to all employees and representatives of the Council, including:

- a. The Mayor and Councillors;
- b. Full-time, part-time and casual employees;
- c. Permanent and temporary employees performing work for the Council, including work experience students, apprentices, interns and trainees;
- d. Temporary and casual individuals engaged through an employment agency;
- e. Staff on secondment from another roll or another council;
- f. Volunteers of the Council; and
- g. Contractors, or consultants, directly engaged/renumerated by the Council.

This policy applies irrespective of their involvement in child related work. There are no exclusions to the application of this policy.

2. DEFINITIONS

The definitions of terms used in this policy are as set out below:

Abuse means an act, or a failure to act, towards or on behalf of a child or young person that may result in harm. It can occur on one occasion, or multiple occasions. Sometimes the impact of multiple events leads to harm that becomes cumulative in nature. Types of abuse include physical, emotional, sexual and neglect.

Child/Children/Young Person Any person under 18 years of age as defined by *Children, Young Persons and their Families Act 1997 (TAS)*.

Child Safe For this policy, child safe means protecting the rights of children and young people to be safe by taking actions that can help prevent harm and abuse.

Child Safe Organisation Defined in the Royal Commission Final Report as an organisation that:

- creates an environment where children's safety and wellbeing are at the centre of thought, values, and actions.
- places emphasis on genuine engagement with and valuing of children and young people.
- creates conditions that reduce the likelihood of harm to children and young people.
- creates conditions that increase the likelihood of identifying any harm, and
- responds to any concerns, disclosures, allegations, or suspicions of harm.



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Note: in the context of local governments, this would involve referring concerns to the Independent Regulator and in the case of suspected criminal behaviour then to Tasmania Police to respond as appropriate.

Implementation of the Child and Youth Safe Standards (which mirror the National Principles for Child Safe Organisations) give effect to the above.

Child and Youth Safe Standards or The Standards	Ten standards that specific organisations in Tasmania (including councils) must put into practice in an ongoing and simultaneous manner. These are defined under the legislation and mirror the National Principles for Child Safe Organisations.
Contractor	In the scope of this policy means a person or company used by Council to provide services directly to children and young people, or where the contract's activities will, or are likely to involve contact with children and young people that is a usual part of and more than incidental to, the services.
Council facilities	Properties, buildings, and facilities including parks and sporting facilities owned and managed by Council including those used by the public or available for hire.
Council Staff	Includes Northern Midlands Council employees, volunteers, students on placement, contractors, consultants, elected representatives, and anyone else who undertakes work on behalf of the Northern Midlands Council. This is regardless of their work related to children or young people.
Direct Employee	Includes Northern Midlands Council employees covered by the <i>Northern Midlands Council Enterprise Agreement</i> , students on placement, elected representatives, and anyone else who receives direct payments subject to PAYG Withholding from the Northern Midlands Council. This is regardless of their work related to children or young people.
Harm	Any detrimental effect of a significant nature on the child's wellbeing, whether caused by a single act, omission or circumstance, or a series or combination of acts, omissions, or circumstances.
Independent Regulator	An independent oversight body that exists to help organisations understand how to comply with Tasmania's Child and Youth Safe Framework, provide guidance and advice, and monitor compliance.
LGAT	Means the Local Government Association of Tasmania.
Reportable Conduct Scheme or the Scheme	Requires leaders of specific organisations to notify the Independent Regulator when concerns are raised about conduct related to child abuse.
Safeguarding	Taking the actions necessary to ensure children and young people feel safe and are safe. This also means that if children or young people don't feel safe, steps are taken to restore their safety.
Universal Principle for Aboriginal Cultural Safety or Universal Principle	This applies across all ten Child and Youth Safe Standards and means the right of Aboriginal and Torres Strait Islander children and young people to cultural safety must be respected.
Wellbeing	Wellbeing of children and young people includes the care, development, education, health and safety of children and young people.

3. POLICY

3.1 NORTHERN MIDLANDS COUNCIL CHILD SAFE STATEMENT OF COMMITMENT

Council makes the following public commitment:

- a. We are committed to the safety and wellbeing of children and young people while enabling their participation as valued members of our community.



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- b. We have zero tolerance to child abuse and harm. Our people are obligated to prioritise the safety of the children they interact with in the performance of their role and to report conduct of concern.
- c. We recognise the importance of child safety in the provision of quality community services. All children who attend services, programs, events, and community spaces (including online environments) that are delivered, owned, contracted, or managed by Council, have the right to feel safe, be safe, and be heard.
- d. We recognise our legal and moral responsibilities in keeping children and young people safe and have robust policies and procedures in place to meet this commitment that are aligned with the National Principles for Child Safe Organisations.
- e. We want children to thrive, be safe, happy, and empowered, and are dedicated to ensuring their views are listened to and respected, and they are given opportunities to contribute to how we plan and deliver our services that affect them.
- f. We are committed to being a Child Safe Organisation.

Council's public commitment will be advertised on Council's website landing page and as within this policy.

3.2 POLICY CONTEXT

- a. Council is committed to the safety of children and young people. Council is legally required to comply with the Child and Youth Safe Framework, which aims to protect children and young people from abuse and harm.

3.2.1 Child Safe Standards

- a. The Standards outline how an organisation can develop a culture with child safety and wellbeing at its centre. The Standards contribute to preventing abuse and harm. They require organisations to meet a benchmark which ensures children and young people's rights to safety and wellbeing are respected and upheld.
- b. All ten Standards must be put into practice in accordance with a Universal Principle for Aboriginal Cultural Safety. The Universal Principle says organisation must provide an environment that ensures the right to cultural safety of Aboriginal and Torres Strait Islander children is respected.
- c. Tasmania's ten Child and Youth Safe Standards mirror the National Principles for Child Safe Organisations which emerged from the work of the Royal Commission into Institutional Responses to Child Sexual Abuse.
- d. The ten Child and Youth Safe Standards are:

Standard	Requirements
Standard 1: Child safety and wellbeing is embedded in organisational leadership, governance, and culture.	All people in the organisation care about children and young people's safety and wellbeing above everything else, and make sure they act that way and lead others to act that way.
Standard 2: Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously.	Children and young people are told about their human rights, have a say in decisions and are taken seriously.
Standard 3: Families and communities are informed and involved in promoting child safety and wellbeing.	Families, carers, and communities know about and are involved in the organisation's child and safety and wellbeing activities.
Standard 4: Equity is upheld and diverse needs respected in policy and practice.	The rights of every child and young person are being met, and children and young people are treated with dignity, respect, and fairness.
Standard 5: People working with children and young people are suitable and supported to reflect child safety	People working with children and young people are safe to work with children and young people and are respectful of them. They



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Standard	Requirements
and wellbeing values in practice.	are taught how to keep children safe and well.
Standard 6: Processes to respond to complaints and concerns are child focused.	Children, young people, families, carers, staff, and volunteers are listened to and can share problems and concerns.
Standard 7: Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.	Staff and volunteers keep learning all the time so they know how to keep children and young people safe and well.
Standard 8: Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.	Children and young people are safe in online and physical spaces.
Standard 9: Implementation of the Child and Youth Safe Standards is regularly reviewed and improved.	The organisation keeps reviewing and improving its child safety and wellbeing practices.
Standard 10: Policies and procedures document how the organisation is safe for children and young people.	The organisation writes down how it keeps children and young people safe and well, and makes sure that everyone can see these documents

3.2.2 Reportable Conduct Scheme

- a. The Reportable Conduct Scheme aligns closely with the Standards. The Scheme aims to improve how organisations (in this instance, Council) respond to allegations of certain types of misconduct involving children and/or young people, committed by their workers and volunteers.
- b. The Scheme imposes legal obligations on the General Manager as head of the organisation to have systems in place to prevent child abuse, and if child abuse is alleged, to ensure allegations are brought to the attention of the Independent Regulator within three business days of receipt of the complaint, along with appropriate persons for investigation and response.
- c. Council will be employing an external third party for the purpose of conducting investigations and reporting on allegations of abuse.
- d. Under the Scheme, reportable conduct is broader than suspected criminal behaviour, and includes:
 - i) Sexual offences (against, with or in the presence of, a child)
 - ii) Sexual misconduct (against, with or in the presence of, a child)
 - iii) Physical violence (against, with or in the presence of, a child)
 - iv) Grooming of a child
 - v) Behaviour that causes significant emotional or psychological harm; and
 - vi) Significant neglect
 - vii) Relevant offences such as failing to report child abuse.

3.3 POLICY FUNCTIONS

Northern Midlands Council will ensure the following functions of this policy are resourced and assigned to the relevant officers for implementation:

- a. Establishment of an internal Child Safe Organisation Working Group (“Working Group”) to collectively implement the Child Safe Standards across the organisation and continue to monitor where improvements can be made.



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- b. Providing the necessary resources to prepare and implement policy and procedural changes required to comply with the Child Safe Standards. This work includes:
 - i) Developing a Child Safe Code of Conduct;
 - ii) Conducting risk assessments for Council services, programs, or facilities used by children and young people;
 - iii) Developing allegation and complaints handling procedures;
 - iv) Updating relevant Human Resources policies and procedures;
 - v) Updates to contractor/supplier/procurement policy and procedures; and
 - vi) Documenting reporting and record keeping procedures related to this policy.
- c. Provide resources for staff awareness and training in relation to this policy.
- d. Developing a process to deliver child safe messages at Council venues, grounds, facilities, and events.
- e. Connecting and supporting local community groups, organisations, and stakeholders to child safe resources (including culturally safe and inclusive resources).

3.4 ROLES AND RESPONSIBILITIES

- a. Safeguarding children and young people is a shared responsibility across Council.
- b. The implementation of this policy and the Northern Midlands Council Child and Youth Safe Standards Action Plan will be overseen by the Working Group once established.

3.4.1 Child Safe Organisation Working Group

- a. The Working Group will meet as per the Working Group Terms of Reference to provide overall governance and leadership related to the development and implementation of the Northern Midlands Council Child and Youth Safe Standards Action Plan.
- b. The Working Group is led by the General Manager and Executive Officer. The Working Group consists of Council Manager's and Officer's from across the organisation.
- c. Key functions of the Working Group are to:
 - i. Review implementation of this Interim Safeguarding Children and Young People Policy;
 - ii. Develop and implement the Northern Midlands Council Child Safe Standards Action Plan and monitor the implementation of this policy across departments; and
 - iii. Advocate and educate management and colleagues on the Standards and encourage implementation of the Standards across all departments.

3.4.2 Roles And Responsibilities Across Council

The following council staff have specific responsibilities in relation to this policy, as follows:

- | | |
|-----------------|--|
| Elected Members | <ol style="list-style-type: none">1. Model a culture of child safety and wellbeing.2. Understand and comply with their obligations in relation to child safety and wellbeing.3. Participate in training/education to identify, prevent, and report child abuse and harm.4. Report any concerns about child safety and wellbeing to the General Manager.5. Helping to promote the Northern Midlands Council as a Child Safe Organisation and to direct community members to appropriate information and resources, or Child Safe Officer. |
| General Manager | <ol style="list-style-type: none">1. The 'head of an entity' under the <i>Child and Youth Safe Organisations Act 2023</i>2. Has legal obligations (including timeframes) around sharing of reportable conduct information. This includes reporting to the Independent Regulator any allegations of misconduct involving children and young people by Council staff.3. Ensure adequate resources and support to enable staff to effectively deliver this Interim Safeguarding Children and Young People Policy.4. Be the first point of contact in relation to the Reportable Conduct Scheme and investigations. |



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- Managers, Supervisors and Team Leaders
1. Ensure a culture of safeguarding children and young people is embedded among their team.
 2. Ensure safeguarding children and young people policies and procedures, and other relevant policies are implemented within the work areas they are responsible for.
 3. Provide team members with induction, support, supervision, and access to ongoing professional development around safeguarding children and young people relevant for each team member's role and duties.
 4. Conduct risk assessments, taking reasonable steps to identify any potential risks to the safety and wellbeing of children within the work remit of their team/s and remove or minimise the risks.
- Work Health and Safety Officer
1. Ensure induction of new and existing volunteers includes the provision of the Safeguarding Children and Young People Policy and Procedures and training to support them to understand their roles and responsibilities relating to child safety.
 2. Ensure all new and existing volunteers are holders of a current Volunteer class Tasmanian Working with Vulnerable People Registration, and registration is verified every 3 years.
 3. Facilitate re-imbursment of the cost to all new and existing volunteers in obtaining a current Volunteer class Tasmanian Working With Vulnerable People Registration upon receiving a receipt from the individual.
- People and Culture Business Partner
1. Ensure all recruitment, selection and on boarding processes meet the requirements of the Child and Youth Safe Standards.
 2. Ensure appropriate safety and screening checks are undertaken prior to engagement of a Direct Employee and maintained according to Council's Human Resources policies, including requiring a National Police Check to be provided within 2 months of commencement, and a current Employment/Volunteer class Tasmanian Working with Vulnerable People Registration is held, or provided within 2 months of commencement, and registration status is verified every 3 years, and including assisting anyone to obtain these on an as needs basis.
 3. Ensure induction of new employees includes the provision of this Interim Safeguarding Children and Young People Policy and Procedures and training to support them to understand their roles and responsibilities relating to child safety.
 4. Oversee the implementation of child safety training for new employees and refresher training for all employees on an ongoing basis and keep records of training completed.
 5. Manage disciplinary procedures as they relate to child safety and wellbeing.
 6. Responsible for the provision of training, capacity building and awareness-raising initiatives to ensure employees are appropriately equipped to recognise, respond to and report child abuse.
- Council Staff
1. Understand and comply with their roles and responsibilities in keeping children safe.
 2. Report any concerns about the safety and wellbeing of a child or young person to the designated Child Safe Officer or the General Manager.
 3. Obtain and maintain a Working with Vulnerable People Check where directed.
 4. Participate in training and education in relation to safeguarding children and young people as required.
 5. Provide environments for children and young people where they feel safe, empowered, and can participate.
 6. Behave safely and appropriately with children and young people.
- Contract Managers
1. The management of contracts includes, but is not limited to, all agreements, leases, licences, grant recipients, funded partners, and labour hire. Anyone managing these contracts will ensure:
 - a. All third-party operators are provided with a copy of Council's Child Safety Commitment Statement and this Interim Safeguarding Children and Young People Policy; and



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- b. Contracts contain the relevant child safe clauses, including the requirement for Working with Vulnerable People Registration where relevant; and compliance with the Standards.
2. Where contracts specify the requirement for Working with Vulnerable People Registration where relevant, that the persons entering the workplace to perform work under that contract are holders of a current Employment/Volunteer class Tasmanian Working with Vulnerable People Registration, and registration is verified every 3 years for the duration of the contract.

3.4.3 Council's Obligations With External Parties

- a. Although Northern Midlands Council is not legally responsible for providing oversight of compliance with child safe practices outside of this organisation, the Council will take any reasonable steps to engage with persons who utilise Northern Midlands Council facilities to operate in alignment with this policy.

3.4.4 Council's Approach To Royal Commission Recommendation 6.12

- a. The Royal Commission into Institutional Responses to Child Sexual Abuse defined a role for Local Government under Recommendation 6.12 which states:

"With support from governments at the national, state and territory levels, local governments should designate child safety officer positions from existing staff profiles to carry out the following functions:

- a) *developing child safe messages in local government venues, grounds and facilities;*
- b) *assisting local institutions to access online child safe resources;*
- c) *providing child safety information and support to local institutions on a needs basis; and*
- d) *supporting local institutions to work collaboratively with key services to ensure child safe approaches are culturally safe, disability aware and appropriate for children from diverse backgrounds."*
- b. In developing this policy, Council has been working with LGAT to understand how to best implement Recommendation 6.12 in the context of the legislation and our limited resourcing.
- c. LGAT continues to advocate to the national and state government for more support to local governments (which has yet to be forthcoming).
- d. Northern Midlands Council acknowledges it has a leadership role in our community to support relevant organisations to be child safe and promote child safe practices, and will work towards the functions of Recommendation 6.12 where possible.
- e. Our approach to working towards the desired outcomes from Recommendation 6.12 is to manage this workload through the Northern Midlands Council Child and Youth Safe Organisation Working Group and Child Safe Officer, once appointed.
- f. It is anticipated that over time more resources to assist with implementation of Recommendation 6.12 may be made available to Council from the State Government. Council may also decide to put more resources to this on its own accord. This policy should be reviewed and updated accordingly.

4. RELATED DOCUMENTS

- a. It is anticipated this Policy and the implementation of the Framework will have wide ranging impacts on numerous Human Resources and Council policies. A review of the policies will be undertaken by the Working Group and this section updated in due course.

SOLAR PANELS

Originated Date: Adopted 10 December 2012 – Min No 353/12 (as Policy 66)

Amended Date/s: Amended 20 February 2017 Min. No. 55/17
Reviewed 18 August 2022

Applicable Legislation: *Local Government Act 1993;*
Land Use Planning & Approvals Act 1993;
Northern Midlands Planning Scheme

Objective To provide guidance for consistent and equitable assessment of applications for solar panels.

Administration: Community and Development

Review Cycle/Date: 4 years, next review 2026.

INTRODUCTION

Where a planning permit is required for solar panels, the Northern Midlands Council has determined that assessment should have specific regard to the visual impact of the proposal.

OBJECTIVES

To ensure that solar panels are designed and located to minimise the impact on heritage-listed buildings and the streetscape.

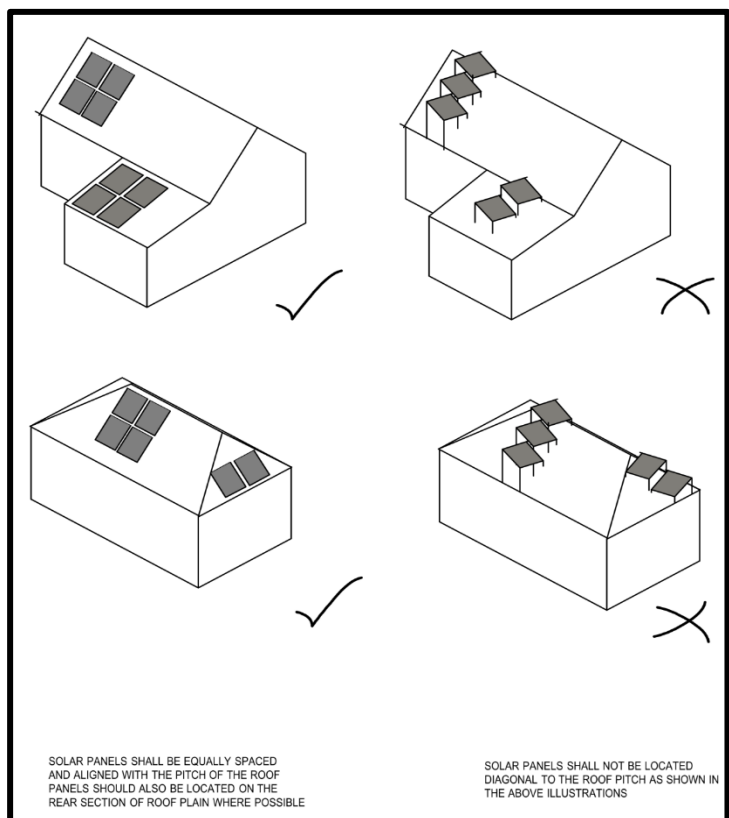
APPLICATION OF THE POLICY

When considering an application for solar panels on heritage listed buildings and in heritage areas, Council's Development Services Department shall consider the following criteria:

Solar panels should be placed on roof areas away from the street, where that roof area faces between north and east, and between north and west.

Solar panels must not:

- Be installed above the highest part of the roof (hip line and ridge line), excluding the chimney;
- Extend beyond a gable end;
- Project more than 200mm from the roof surface.





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STORMWATER QUALITY MANAGEMENT

Originated Date: Adopted 11 December 2023; Min Ref. 23/0468

Amended Date/s:

Applicable Legislation: *Urban Drainage Act 2013*

Environmental Management and Pollution Control Act 1994

Australian Rainfall and Runoff 2019

AS3500.3:2021 Plumbing and Drainage

Tasmanian Stormwater Policy Guidance and Standards for Development 2021

State Stormwater Strategy 2010

Tasmanian Planning Scheme: State Planning Provisions

Objective To ensure that stormwater runoff generated by new urban developments is managed in an appropriate manner, and meets the stormwater quality targets contained in the *State Stormwater Strategy (2010)* and the *Tasmanian Stormwater Policy Guidance and Standards for Development (2021)*.

Administration: Community and Development

Review Cycle/Date: Next review by 1st November 2027

PURPOSE

This policy details the controls enforced by Council to ensure the stormwater quality generated by new urban development is controlled onsite, does not enter the public stormwater system, and minimises the harm to waterways.

BACKGROUND

Stormwater generated in urban areas usually contains litter and other gross pollutants, sediment, bacteria, hydrocarbons, nutrients, heavy metals and other pollutants. When contaminated stormwater drains to waterways it causes degradation to them, and degradation can occur at very low levels of urbanisation. Water Sensitive Urban Design (WSUD) is a way of designing urban areas and stormwater systems that helps to preserve natural systems and ecosystems, and improves water quality by reducing stormwater pollutant exports. WSUD can be applied at every scale from individual allotments to large subdivisions and commercial and industrial developments.

Effective stormwater quality management in urban areas benefits the whole community by improving water quality entering receiving environments and minimising the harm to waterways, estuaries, and ocean environments.

LEGISLATIVE CONTEXT

Under the *Environmental Management and Pollutant Control Act 1994* have a duty to prevent or control pollution entering waterways from the public stormwater system. In Tasmania stormwater quality targets are outlined in the *State Stormwater Strategy 2010* and the *Tasmanian Stormwater Policy Guidance and Standards for Development 2021*.

The *Urban Drainage Act 2013* (UDA) is the Act which provides for the management of urban drainage and stormwater systems and infrastructure in Tasmania. The Objectives of the Act are to:

- a) protect people and property by ensuring that stormwater services, infrastructure and planning are provided so as to minimise the risk of urban flooding due to stormwater flows; and
- b) provide for the safe, environmentally responsible, efficient, and sustainable provision of stormwater services in accordance with the objectives of the resource management and planning system of Tasmania as set out in Schedule 1.



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Section 14 of the Act states that without General Managers consent a person must not build on or near existing stormwater infrastructure:

- 14. *Interference with public stormwater systems*
 - (1) *A person must not, without a general manager’s consent, cause or permit*
 - a) *any works to be connected to a public stormwater system; or*
 - b) *the alteration or removal of, or interference with, a public stormwater system.*

Interference or alteration with/of a public stormwater systems includes connections to a public stormwater system.

Section 18 of the Act states that property owners are not to discharge anything other than stormwater into the public stormwater system:

- 18. *Discharge of matter into public stormwater system*
 - (1) *A person must not discharge, or cause or permit to be discharged, anything other than stormwater into a public stormwater system.*

Therefore, Councils have the power to require developers and owners to acquire General Managers consent before connecting to any public stormwater system. Conditions, such as requirements for stormwater quality controls, may be placed upon the design and construction of the stormwater arrangements in order to ensure pollutants are not discharged into the public stormwater system. The General Manager can withhold consent to connect until the preconditions are met.

Conditions and restrictions regarding stormwater quality can also be applied under Tasmanian Planning Scheme 6.11.2(g).

APPLICATION

This policy applies to all:

- All urban developments

POLICY

Stormwater quality treatment requirements shall be incorporated into new urban developments in accordance with the *Tasmanian Stormwater Policy Guidance and Standards for Development* (Version 1, 2021) S2.4.1 Target Level 2.

Target Level	Water Quality Treatment Target
1. Site specific stormwater treatment requirements	Site specific requirements at discretion of the Stormwater Service Provider (for example sites with, or draining to, areas with environmental values, potentially contaminating activities etc).
2. Standard stormwater treatment requirements	90% reduction in the average annual load of litter/gross pollutants based on typical urban stormwater concentrations; AND 80% reduction in the average annual load of total suspended solids (TSS) based on typical urban stormwater TSS concentrations; AND 45% reduction in the average annual load of total phosphorus (TP) based on typical urban stormwater TP concentrations; AND 45% reduction in the average annual load of total nitrogen (TN) based on typical urban stormwater TN concentrations.

Extract from Tasmanian Stormwater Policy Guidance and Standards for Development 2021 Table 3

Site specific Target Level 1 requirements may be requested at discretion of Council (for example sensitive sites with, or draining to, areas with environmental values, potentially contaminating activities etc).

In addition, runoff from all developments should be visually free of hydrocarbons.



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EXEMPTIONS

Exemptions will be applied as per Tasmanian Stormwater Policy Guidance and Standards for Development (Version 1, 2021) S2.4.2 Table 4:

- i) A single dwelling on a single lot that will be connected to the existing public stormwater system;
- ii) Development creating new impervious area less than 500m²;
- iii) A subdivision creating new lots greater than 5000m² in area, and with new roads and footpaths less than 500m² in area;
- iv) Subdivisions which are solely for the purpose of creating road reserve, public open space, public infrastructure, littoral or riparian reserve or minor boundary adjustments.

Note - if a staged development occurs within a 5-year period, treatment requirements will be assessed on the size of the total final development and will be required for the total final development

CONTRIBUTIONS

There may be instances where the stormwater quality requirements in residentially zoned land can be more effectively met, or partially met, outside the proposed development land parcel. At the discretion of Council, a developer contribution option may be implemented to ensure that the impacts on the community and environment from the development can still be mitigated whilst allowing development to proceed. Refer to *Tasmanian Stormwater Policy Guidance and Standards for Development 2021* Figure 13 for the contribution suitability flow chart.

Subdivisions are required to pay the applicable fee as determined in Councils Fees and Charges schedule each year per lot.

Developments are required to pay the applicable fee as determined in Councils Fees and Charges schedule each year per additional dwelling.

WATER QUALITY DESIGN REQUIREMENTS FOR DEVELOPMENT APPROVAL

The following requirements must be submitted with a design application for any development required to meet stormwater quality treatment objectives, as per Tasmanian Stormwater Policy Guidance and Standards for Development (Version 1, 2021) S2.4.2 Table 5:

- Indication of design approach taken to fulfill water quality targets
- Proposed location of infrastructure and easements
- Design details indicating available fall through proposed system and into outlet.
- STORM UPDATED report or MUSIC model or other work demonstrating that proposal will meet quality targets.
- Details of bypass system
- Details of maintenance requirements

Refer to Section 2.4.2 of Tasmanian Stormwater Policy Guidance and Standards for Development 2021 for the minimum design requirements for **small development** (less than 2500m² for residential, less than 5000m² for non-residential) and **large development** (greater than 2500m² for residential, greater than 5000m² for non-Residential).

Proposed treatment systems shall be designed and certified by a Suitably Qualified Person, be suitable for the site and, where they system is to be adopted as part of the public stormwater system, the ongoing maintenance burden (including site access) must be reasonable.

MAINTENANCE REQUIREMENTS

As the Stormwater Service Provider, Council will use Plumbing Permits to condition for maintenance for any private WSUD systems via a Form 46.



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Prior to commencement of use an Operation and Maintenance Plan for the WSUD will be provided to Council.

REVIEW

The next review of this document is scheduled for completion by 1st November 2027.



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TOWN ENTRANCE STATEMENT

Originated Date: Adopted 17 August 2015 Min. No: 224/15
Amended Date/s: Reviewed 14 December 2020 – Min. No. 423/20
Amended 18 September 2023 – Min. No. 23/0330

Applicable Legislation:

Objective To provide guidelines for acceptable design, location and development standards for entrance statements to the seven Northern Midlands Council townships.

Administration: Governance

Review Cycle/Date: Every 4 years. Next review 2027.

1. PURPOSE

It has been identified that the installation of a town entrance statement provides a sense of identity, place and belonging for the community of that town.

A town entrance statement is a structure to identify a town, constructed of stonework, metal and/or timber and located at the entrance of the town.

An entrance statement can be used to help define the character of a region.

2. LOCATION

An entrance statement is to be located as closely to the town boundary as possible, whilst giving consideration to the following:

- Topography;
- Line of sight from the road;
- Existing infrastructure;
- Speed limits; and
- Access (for maintenance purposes).

The entrance statement is to be designed to ensure vehicle and pedestrian sightlines are not compromised.

3. DESIGN AND MATERIALS

The type of structure and the material used for an entrance statement should take into consideration factors such as susceptibility to vandalism.

The following factors ought to be considered in the design of an entrance statement:

- Large, flat surfaces should be avoided;
- The design should be in keeping with, and sympathetic to any heritage features of the town (if applicable);
- Materials should be low maintenance and complimentary to the heritage features of the town (if applicable);
- Materials used must be frangible;
- Consideration should be given to lighting of the entrance statement using, where possible, solar power or low energy lighting systems.



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4. PLANNING AND OTHER APPROVALS

The entrance statement design is to be compliant with any applicable planning and building requirements and approved by Council.

Where required, consultation is to be had, and approval sought from the State Government roads department.

Consultation and approval should also be sought from any other affected land owners and members of the community.

5. REVIEW

This Policy is to be reviewed every 4 years.



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UNREASONABLE CUSTOMER CONDUCT

Originated Date: Adopted Date: 16 October 2023 - Min No. 23/0375

Amended Date/s:

Applicable Legislation:

- Local Government Act 1993
- Personal Information Protection Act 2004
- Right to Information Act 2009
- Workplace Health and Safety Act 2012

Objective

To ensure that all customers are treated fairly and reasonably.
To provide guidance, education and training as appropriate for staff and Councillors in dealing with customers.
To ensure that Council resources are used efficiently and effectively when dealing with customers.
To protect the health, safety and security of complainants, Councillors, Council staff and third parties.

Administration: Governance / Corporate Services

Review Cycle/Date: 4 year review, review 2027.

1. POLICY STATEMENT

Council will strive to meet the needs of our customers in a professional and ethical manner with courteous and efficient service, as per Council's adopted Customer Service Charter.

We are committed to being accessible and responsive to all members of the community who approach us for assistance, or with a complaint.

It is recognised that all members of the community have a right to ask questions, express opinions, and lodge complaints about us and the services we provide; however this right must be balanced with the rights of staff and Councillors to safety and respect, and the equitable allocation of time and resources to all customers.

We recognise that our customers often contact us because they require our assistance or advice, and we understand these matters can be sensitive in nature and be accompanied by heightened emotions. Most people who access Council's services act reasonably and responsibly in their interactions with us, even when they are experiencing high levels of distress, frustration and anger about their complaint; however, in a very small number of cases some people behave in ways that are inappropriate and unacceptable despite our best efforts to help them.

This policy has been developed to assist our customers to better understand how we manage Unreasonable Customer Conduct (UCC). Its aim is to ensure that all complainants:

- have a clear understanding of the criteria that will be considered before we decide to change or restrict a complainant's access to services
- are aware of the processes that will be followed to record and report Unreasonable Customer Conduct (UCC) incidents as well as the procedures for consulting and notifying complainants about any proposed actions or decisions to change or restrict their access to our services
- are familiar with the procedures for reviewing decisions made under this policy, including specific timeframes for review.

When customers behave unreasonably, their conduct can have a significant impact on our ability to assist the customer, and on our staff. As a result, we will take proactive and decisive action to manage all conduct that negatively and



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unreasonably affects staff.

2. DEFINING UNREASONABLE CUSTOMER CONDUCT (UCC)

UCC is any behaviour, which because of its nature or frequency, raises substantial health, safety, resource and/or equity issues for Council staff, other service users and/or the customer themselves.

In this policy, UCC is separated into five categories of conduct:

2.1 UNREASONABLE PERSISTENCE

Unreasonable persistence is continued, incessant and unrelenting conduct by a customer that has a disproportionate and unreasonable impact on Council staff, services, time and/or resources.

Some examples of unreasonably persistent behaviour include:

- Unwillingness, or inability to accept reasonable explanations including final decisions that have been comprehensively considered and dealt with;
- Persistently contacting Council about the same matter when it has been comprehensively considered and dealt with;
- Reframing a complaint or request in an attempt to get it reconsidered;
- Refusing to accept further action cannot, or will not, be taken in response to a complaint or request;
- Persistently demanding a review without presenting a case for one;
- Contacting different staff members to get a different outcome or more sympathetic response;
- Submitting excessive amounts of communication after being asked not to do so.

2.2 UNREASONABLE DEMANDS

Unreasonable demands are any demands (express or implied) that are made by a customer that have a disproportionate and unreasonable impact on Council staff, services, time and/or resources.

Some examples of unreasonable demands include:

- Issuing instructions and making demands about how a complaint or request should be handled, the priority it was given or the outcome;
- Insisting on talking to the Mayor, Councillors, CEO or a General Manager when it is not appropriate or warranted;
- Insisting on a moral outcome, for example, justice in the community interest, when really a personal interest is at stake;
- Insisting on outcomes that are not possible or appropriate in the circumstances;
- Demanding services that are of a nature or scale that cannot be provided.

2.3 UNREASONABLE LACK OF COOPERATION

Unreasonable lack of cooperation is an unwillingness and/or inability by a customer to cooperate with Council staff, or the complaints system, that results in a disproportionate and unreasonable use of Council services, time and/or resources.

Some examples of unreasonable lack of cooperation include:

- Presenting a large quantity of information that is not organised;
- Providing little or no detail with a complaint, or request, or presenting information in dribs and drabs;
- Refusing to define the underlying issues;
- Refusing to follow reasonable instructions, suggestions, or advice without a clear or justifiable reason for doing so;
- Arguing frequently or with extreme intensity that a particular solution is the correct one, despite valid contrary arguments and explanations;



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- Displaying unhelpful behaviour such as withholding information, acting dishonestly or misquoting others.

2.4 UNREASONABLE ARGUMENTS

Unreasonable arguments include any arguments that are not based on reason or logic, that are incomprehensible, false or inflammatory, trivial or delirious and that disproportionately and unreasonably impact upon Council staff, services, time, and/or resources.

Arguments are unreasonable when they:

- Fail to follow logical sequence;
- Are not supported by any evidence, or are based on conspiracy theories;
- Lead a customer to reject all other valid and contrary arguments;
- Are not reasonable when compared to the amount of time, resources and attention that the customer demands;
- Are false, inflammatory or defamatory.

2.5 UNREASONABLE BEHAVIOUR

Unreasonable behaviour is conduct that is unreasonable in all circumstances – regardless of how stressed, angry or frustrated a complainant is – because it unreasonably compromises the health, safety and security of our staff, other service users or the complainant themselves. Some examples of unreasonable behaviours include:

- acts of aggression, verbal abuse, derogatory, racist, or grossly defamatory remarks;
- harassment, intimidation or physical violence;
- rude, confronting and threatening correspondence;
- threats of harm to self or third parties, threats with a weapon or threats to damage property including bomb threats;
- stalking (in person or online);
- emotional manipulation.

Violence is not restricted to acts of aggression that may result in physical harm. It also includes behaviour or language, whether verbal or written, that may cause staff to feel afraid, threatened or abused, and may include threats, personal verbal abuse, derogatory remarks or rude/inappropriate language. Council also considers inflammatory statements and unsubstantiated allegations to be abusive behaviour.

Council has a zero tolerance policy towards any acts of aggression, abuse or threats, and any conduct of this kind will be managed accordingly.

3. OPTIONS FOR RESPONDING TO AND MANAGING UCC

Our staff will ensure that all reasonable steps have been taken to assist a member of the public before changing or restricting a complainant's access to our services.

Before deciding to change or restrict a person's access to our services, we will ensure:

- any limits are proportionate to the risk posed by the behaviour;
- we are complying with legal obligations;
- the decision has been properly authorised in accordance with this policy
- the person has been informed in writing about the decision, what access has been restricted or terminated and on what basis, and the option to seek a review of the decision and how they may do so.

3.1 CHANGING OR RESTRICTING A PERSON'S ACCESS

UCC incidents may be managed by limiting or adapting the ways that we interact with and/or deliver services to people by restricting:



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- who they have contact with – for example, limiting a person to a sole contact person/staff member in our organisation;
- what they can raise with us – for example, restricting the subject matter of communications that we will consider and respond to;
- when they can have contact – for example, limiting a person’s contact with our organisation to a particular time, day, or length of time, or curbing the frequency of their contact with us;
- where they can make contact – for example, limiting the locations where we will conduct face-to-face interviews to secured facilities or areas of the office;
- how they can make contact – for example, limiting or modifying the forms of contact that the person can have with us. This can include modifying or limiting face-to-face interviews, telephone and written communications, prohibiting access to our premises, contact through a representative only, taking no further action or terminating our services altogether.

When applying these restrictions, we recognise that discretion will need to be used to adapt them to suit a complainant’s personal circumstances, such as level of competency or literacy skills. In this regard, we also recognise that more than one approach may need to be used in individual cases to ensure their appropriateness and efficacy.

3.2 COMPLETELY TERMINATING A COMPLAINANT’S ACCESS

In rare cases, and as a last resort when all other strategies have been considered and/or attempted, we may decide that it is necessary for our organisation to completely restrict a complainant’s contact/access to our services.

A decision to have no further contact with a complainant will only be made if it appears that the complainant is unlikely to modify their conduct and/or their conduct poses a significant risk for our staff or other parties including where it involves one or more of the following types of conduct:

- Acts of aggression, verbal and/or physical abuse, threats of harm, harassment, intimidation, stalking, assault;
- Damage to property while on our premises;
- Threats with a weapon or common office items that can be used to harm another person or themselves;
- Physically preventing a staff member from moving around freely either within their office or during an off-site visit – for example, entrapping them in their home;
- Conduct that is otherwise unlawful.

Council has a zero-tolerance policy towards any harm, abuse or threats directed towards its staff.

3.3 OTHER MECHANISMS FOR RESTRICTING ACCESS

A person’s access to our services and our premises may also be restricted (directly or indirectly) using the legal mechanisms such as trespass laws/legislation or legal orders to protect members of our staff from personal violence, intimidation or stalking by a complainant.

3.4 NOTIFICATION OF RESTRICTING ACCESS

In the case where a decision has been made to restrict access to services, the person will be advised in writing about the decision, what access has been restricted or terminated and on what basis, and the option to seek a review of the decision and how they may do so.

In some circumstances, a written warning may be issued to a complainant regarding unreasonable behaviour before restricting their access to our services.

4. REVIEW SOUGHT BY COMPLAINANT

Complainants are entitled to seek one review of a decision to change/restrict their access to our services.



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A request for a review of such a decision must be made within 60 days of the person being notified of the decision.

The request must include an explanation of why a review is necessary and any evidence about why it is believed that the decision should not stand.

Complainants requesting a review will be notified of the outcome within 30 days from when the request is received. Requests for review may be undertaken by a delegate nominated by the General Manager or delegate.

If a complainant continues to be dissatisfied after the appeal process, they may seek an external review from an oversight agency such as the Ombudsman or Tasmania's Department of Premier and Cabinet's Local Government Division.

The Ombudsman/Local Government Division may accept the review (in accordance with its administrative jurisdiction) to ensure that we have acted fairly, reasonably, and consistently and have observed the principles of good administrative practice including, procedural fairness ([link to the Ombudsman's website](#)).

5. MANAGING STAFF STRESS RELATING TO UCC

Council will follow relevant internal procedures to ensure the appropriate support is provided to staff when necessary. All staff are required to notify their manager of UCC incidents, and any stressful incidents experienced whilst performing normal work duties.

6. GENERAL

In all of the situations referred to in this policy, adequate documentary records must be made and maintained in Council's records system.

Where the General Manager determines to limit a customer's access to Council in any of the ways specified in this policy, the General Manager will advise Councillors as soon as possible of the relevant circumstances and the action taken, and forward such advice where appropriate, to the Department of Local Government and the Ombudsman for information.

7. OTHER RELEVANT POLICIES/PROCEDURES

Customer Service Charter

8. POLICY REVIEW

This Policy will be reviewed every four (4) years or earlier in the event of major changes to legislation or related policies, procedures or if deemed necessary by the General Manager.



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USE OF LONGFORD LOGO

Originated Date: Adopted 15 August 2016 – Min. No. 218/16

Amended Date/s: Amended 21 February 2022 – Minute No. 22/53

Applicable Legislation:

Objective To ensure that Council retains control over the use of the Longford logo; and Council's role in the community is clearly recognised and its image, reputation and brand are protected and enhanced through accurate, consistent and high quality reproduction of its logo.

Administration: Governance

Review Cycle/Date: Next review 2026.

1. POLICY

Council recognises that it is important to establish a framework for the use of the Longford logo to ensure that Longford, and its brand are promoted publicly in a consistent and professional manner, minimising exposure to poor publicity through inappropriate use of the Longford logo.

Any approved use of the logo will be in accordance with Council's "*Application / Guidelines for the Use of the Longford Logo*".

USE BY EXTERNAL PARTIES

Authorisation for the use of the logo by external parties may be given where a sponsorship, partnership, joint marketing, joint venture or other similar relationship exists. Such authorisation is to be discussed with the General Manager (or his delegate). In such cases, the logo may only be used for the express purpose for which approval was granted and its reproduction must be in accordance with the "*Application / Guidelines for the Use of the Longford Logo*".

Approval to use the logo in a particular circumstance does not constitute an ongoing right to use.

A copy of the proposed use/layout showing the positioning and relativity of the logo must be forwarded to the General Manager (or his delegate) for approval and any deficiencies remedied prior to publication.

The General Manager (or his delegate) should coordinate distribution of the logo to external organisations. This ensures consistency in reproduction and assists in monitoring external use of the logo.

The logo may not be used in any manner by any person or organisation for electoral or other political purposes.

Northern Midlands Council reserves the right to take legal action to prevent or curtail the unauthorised use of the Longford logo.

2. WHO CAN REQUEST TO USE THE LOGO?

Any individual, group, business, community organisation or school may request to use the logo by submitting the "*Application / Guidelines for the Use of the Longford Logo*".

Permission to use the logo does not include any guarantee of sponsorship or support.

3. WHERE CAN THE LOGO BE DISPLAYED?

The Longford logo may be displayed on written correspondence, documents, media publications including television, website and social media advertising, stationery, posters, buildings, billboards and vehicles upon receipt of written



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approval by the Northern Midlands Council. Displaying of the logo must be in accordance with the *“Guidelines for the Use of the Longford Logo”* and only for the specified period.

4. HOW CAN I REQUEST THE LOGO?

Applications should be made at least four weeks in advance of any specific date for which the use of the logo is requested.

Applicants are required to read the *“Guidelines for the Use of the Longford Logo”* and complete the *“Application for the Use of the Longford Logo”*.

Completed application forms are to be faxed or emailed as per the directions included in the document. A proof of the intended artwork including placement of the logo must be provided for approval by Northern Midlands Council prior to publication or display.

Northern Midlands Council will confirm the terms and conditions of use of the logo in writing.



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APPLICATION/GUIDELINES FOR USE OF LONGFORD LOGO

GUIDELINES

These guidelines specify the way in which the Longford logo should be used on all promotional material you produce for your initiative.

Throughout this document the term “Longford Logo” refers to the graphics below:



Where to use the logo

The Longford Logo may be applied to all materials produced for your initiative; including signage, invitations, posters, programs, newsletters, advertising, websites, merchandise and brochures once a draft of each has been approved by the Northern Midlands Council.

Size and scale

The minimum logo size is 15mm in height.

MINIMUM FIELD

- A minimum field should always be observed so any logo has adequate ‘breathing space’, the defined minimum field of the border should be equivalent to 1/4 of the measurement of the logo size allowance on each side of the logo.
- No graphics, images included, should encroach upon the field identified. The field identified should always be scaled within proportion to the logo.

LOGO RESTRICTIONS

The Longford logo should never be altered in any way other than described within these guidelines, specifically:

- No other colours should be used apart from the corporate colours of the Longford logos. Colours should never be changed.
- The logo should never be reproduced as an outline.
- The symbol should never be used without the words “Longford, Tasmania”.
- The full colour logo should never appear with an image as the background.
- The logo should never be reproduced in white on a light background.



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Please complete this application form and email, fax or post, along with a draft or explanation of your promotional material/documentation to;

POST: Northern Midlands Council
PO Box 156
Longford TAS 7301
FAX: (03) 63 977 331
Email: council@nmc.tas.gov.au

Organisation

Postal Address

Contact Person

Phone number(s)

Email

Event

Date of Event

Describe briefly the intended use of the Longford logo;

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.....

The logo will only be supplied in an electronic format via email.



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1. I have read, understood and agree to comply with the Terms and Conditions.
2. The Longford logo is only to be used in promotional material for the intended purpose listed above.
3. The Longford Logo is for the identity, marketing and promotion of the town of Longford. It does not seek to replace the Northern Midlands Council logo, nor should it be used to promote the council area at large. Its purpose is to position the town as an attraction in its own right, the logo reflects the brand values of the town, and does not aim to represent the Northern Midlands Council area/region.
4. I understand that I must provide a draft copy of any material incorporating the Longford logo to the General Manager (or his delegate) to obtain approval of the design before publication.
5. I understand that the Longford logo can only be used in relation to the promotion of the above mentioned purpose.
6. I understand that the Longford logo must not be edited or distorted in any way.
7. I understand that the General Manager or his delegate has the right to refuse the production and distribution of a design should it be deemed inappropriate or non-compliant with these Terms or Conditions.
8. I understand that deviations from these terms and conditions are not acceptable unless agreed to in writing by the General Manager.

I agree to the above terms and conditions

Signature

Name

Date

Office Use Only

Logo Request approved by:

Signature:

Date:

USE OF NORTHERN MIDLANDS COUNCIL LOGO

Originated Date:	Adopted 19 March 2012 – Min. No.75/12 (as Policy 62)
Amended Date/s:	Amended 21 March 2016 – Min. No. 62/16 Endorsed 20 August 2018 – Min. No. 219/18 Amended 17 August 2020 – Min. No.267/20 Amended 31 January 2022 – Min. No. 22/9 Amended 11 April 2022 – Min. No. 22/121
Applicable Legislation:	<i>Trade Marks Act 1995 (Cth)</i> <i>Trade Marks Regulations 1995 (Cth)</i> <i>Local Government Act 1993</i>
Objective	To ensure that Council retains control over the use of its logo; and Council’s role in the community is clearly recognised and its image, reputation and brand are protected and enhanced through accurate, consistent and high quality reproduction of its logo.
Administration:	Governance
Review Cycle/Date:	This Policy will be reviewed as required.

1. COUNCIL LOGO

Council’s logo is an important part of our brand and similarly, it represents our identity. The three colours within the logo depict various landscapes within the municipality. The pink/purple represents the morning light on the Western Tiers, the green denotes the vast farming lands and the blue signifies the rivers and waterways in and around our communities.

Council adopted the logo at its meeting of 11 October 1993 (Minute Reference 499/93), and adopted the logo as Council arms in accordance with section 336 of the *Local Government Act 1993* at its meeting of 31 January 2022 (Minute Reference 22/9) which adoption was clarified by a resolution of Council passed at its meeting on 11 April 2022 (Minute Reference 22/121).

Council’s logo is also a valuable piece of our intellectual property and accordingly, any approved use of the logo will be in accordance with Council’s guidelines to ensure Council retains control of its use.

The portrait style high resolution logo is the preferred logo to use and following is a breakdown of the correct logo colours:

2. WHERE SHOULD THE LOGO BE DISPLAYED?



NORTHERN
MIDLANDS
COUNCIL

CMYK: c26, m100, y2, k0
RGB: r188 g27 b138
PMS 240C
#ac2e8b

CMYK: c85, m15, y100, k4
RGB: r11 g149 b71
PMS 362C
#41ad49

CMYK: c100, m57, y8, k0
RGB: r0 g106 b171
PMS 300C
#006aab

CMYK: c0 m0 y0 k100
RGB: r0 g0 b0
PMS Black
#000000

The Northern Midlands Council logo should be clearly displayed in accordance with the guidelines contained within the Northern Midlands Council Style Guide and the *Application/Guidelines for the Use of the Northern Midlands Council Logo*.



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The logo should be displayed on all Council stationary, documents, written correspondence, advertising, and media releases. In addition to this, the logo may be displayed on Council buildings and vehicles.

3. WHO CAN REQUEST TO USE COUNCIL'S LOGO

Any individual, business, community organisation, school or group that has been supported by way of 'in kind' or via a sponsorship agreement with the Northern Midlands Council may request to use the logo. Such request must be made directly to Council using the *Application/Guidelines for the Use of the Northern Midlands Council Logo*. Authorisation to use the logo does not guarantee any sponsorship or financial support from the Northern Midlands Council.

Completed application forms are to be emailed to Council, with a proof of the intended artwork, including where Council's logo will be placed, for approval prior to publication or display. Northern Midlands Council will confirm the terms and conditions of the use of Council's logo in writing.

Application should be made to Council at least four weeks in advance of the date for which the use of the logo is requested.

4. AUTHORISATION TO USE COUNCIL'S LOGO

Permission to use the logo will be for the specified period only and does not constitute an ongoing arrangement to use Council's logo. For example, the logo may only be used for the express purpose for which approval has been granted. In addition, the logo's reproduction must be in accordance with the Northern Midlands Council Style Guide and the *Application/Guidelines for the Use of the Northern Midlands Council Logo*.

The logo should be accompanied by a statement identifying the nature of Council's involvement or relationship, for example, 'Proudly supported/sponsored by the Northern Midlands Council'. Similarly, where Council's logo appears in conjunction with logos of other external entities, the size of Council's logo should be proportionate to the level of investment or support that Northern Midlands Council has provided, and relative to that of the other entities as well.

A copy of the proposed use and layout showing the positioning and relativity of the logo must be forwarded to the General Manager (or his delegate) for approval and any deficiencies corrected prior to publication.

The logo must not be used in any manner by any person or organisation for electoral or other political purposes.

Northern Midlands Council reserves the right to take legal action to prevent or curtail the unauthorised use of its logo.



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APPLICATION/GUIDELINES FOR USE OF THE NORTHERN MIDLANDS COUNCIL LOGO

Please complete this application form and email or post, with your proposed artwork and the placement of Council's logo to:

Post: Northern Midlands Council
P O Box 156
Longford Tasmania 7301
Email: council@nmc.tas.gov.au

Organisation Name:

Postal address:

Contact Person:

Contact Phone:

Contact Email:

Event Title:

Event Date:

Describe Briefly the intended use of the logo:

.....
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.....
.....

To help us supply you with the correct version of the logo and graphic for use, please select from the options. The logo will be supplied in an electronic format via email.



*Portrait
High Resolution
JPEG File*



*Portrait
Monochrome
JPEG File*



*Landscape
Colour
JPEG File*



*Landscape
Monochrome
JPEG File*



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I acknowledge, understand and accept:

- *To comply with the terms and conditions associated with using the Northern Midlands Council logo.*
- *The Northern Midlands Council logo is only to be used for the express purpose in which it is being sought. If permission is granted, this does not constitute an ongoing arrangement to use the logo.*
- *I must provide a proof/draft of the intended artwork, including where Council's logo will be placed for approval by the General Manager (or his representative) before publication. This should be accompanied by a statement identifying the nature of Council's involvement or relationship.*
- *The Northern Midlands Council logo can only be used for the purpose of the promotion or event outlined in this application.*
- *The Northern Midlands Council logo cannot be edited or distorted in any way and the correct colours as per the Northern Midlands Council Logo Usage Policy must be adhered to.*
- *The General Manager (or his representative) has the right to refuse the design should it be deemed inappropriate or non-compliant with these terms and conditions.*
- *That any deviation from these terms and conditions are not acceptable unless agreed to and confirmed in writing by the General Manager (or his representative).*

Print Name:

.....

Signature:

.....

Date:

.....

Office Use Only:

Logo Request

Approved by:

.....

Signature:

.....

Date:

.....



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The following guidelines outline the way in which the Northern Midlands Council logo should be clearly displayed

The Northern Midlands Council logo should never be altered or edited or distorted in any way and likewise, the correct colours as per the Northern Midlands Council Logo Usage Policy must be adhered to.

Establishing the correct size and positioning of the logo will ensure the impact and legibility of the logo is not compromised in any situation.

For example, when using the portrait logo (colour or monochrome) for print purposes the logo should not be less than 20mm wide and for digital purposes, no less than 40 px wide. Similarly, when using the landscape logo (colour or monochrome) for print purposes the logo should not be less than 25mm wide and for digital purposes, no less than 60px wide. This is as per the Northern Midlands Council Style Guide.

To ensure legibility of the logo there is always a minimum clear space around the logo. The clear space isolates the logo from any other graphics that might lessen the impact of the Northern Midlands Council logo. The minimum clear space is calculated as the height of the title area (wording Northern Midlands Council) as shown in the diagram below.



The Northern Midlands Council logo may be applied to materials such as signage, invitations, posters, programs, newsletters, advertising, websites, merchandise, banners, and brochures once the draft has been approved by the General Manager (or his representative).



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VOLUNTEER POLICY

Originated Date: Adopted 16 February 2026 – Min. No. 26/066

Amended Date/s:

Applicable Legislation: *Local Government Act 1993*
Local Government (Meeting Procedures) Regulations 2025
Workplace Health and Safety Act 1995
Personal Information Protection Act 2004
Workers Rehabilitation and Compensation Act 1988
Anti-Discrimination Act Tasmania 1988

Objective To assist Northern Midlands Council to strengthen community wellbeing by inspiring, valuing and celebrating volunteering. It provides direction and structure to the way the Council engages volunteers ensuring that the relationship between the Council and its volunteers is clearly defined.

Administration: Governance

Review Cycle/Date: At least every 4 years. Next review 2030

1. PURPOSE

This policy will provide scope to cover volunteers participating in Council activities and projects. The policy will assist Council in meeting the National Standards for best practice in volunteer management.

2. DEFINITION OF A VOLUNTEER

Volunteers are defined as persons who:

- Undertake activities without monetary reward.
- Undertake activities of their own free will.
- Undertake activities of benefit to the community and Council.
- Undertake activities that complement but do not replace the services provided by paid staff.

3. VOLUNTEER ROLE, RESPONSIBILITIES AND CONDITION

3.1 WHY VOLUNTEER?

- To become more physically, mentally and socially active.
- To help make our community a great place to live and work.
- To enhance and complement the work of Council.
- To foster social inclusion (that is residents feel valued and respected regardless of their differences).
- To enhance social relations, networks and trust that allow coordination and cooperation (social capital).
- To learn new skills and to teach/share skills
- To meet new people

3.2 RIGHTS OF COUNCIL VOLUNTEERS

Volunteers have the right:



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- To a plain written description of their role and a mutual understanding of what it means to be a volunteer.
- To be placed according to their abilities.
- To be given accurate information about the project being undertaken.
- To work within the guidelines of Council's Volunteer Policy and Associated Procedures (policy to be provided to volunteers).
- To be interviewed and engaged in accordance with equal opportunity and anti-discrimination legislation.
- To have personal and confidential information dealt with in accordance with the relevant Acts.
- To make a choice about the type of involvement and time committed.
- To be supplied with appropriate training and induction, including personal protective equipment where applicable.
- To be supported and supervised.
- To have a designated supervisor to provide volunteers with instructions.
- To be acknowledged as a valued member of the Council volunteer team.
- To regularly receive constructive feedback.
- To be informed and consulted on matters which directly or indirectly affect the volunteer or their work.
- To be informed of their entitlement to out-of-pocket expenses including travel and meal allowance, if applicable.
- To have a working environment that meets all occupational health and safety requirements.
- To be adequately covered by insurance.
- Not to do the work of paid employees during industrial disputes.

3.3 RESPONSIBILITIES OF COUNCIL VOLUNTEERS

Volunteers have a responsibility:

- To be reliable and punctual.
- To notify their supervisor or activities co-ordinator if unable to attend or perform duties.
- To be accountable and accept constructive feedback.
- To undertake relevant training when necessary to perform designated volunteer tasks.
- To ask for support when needed.
- To carry out agreed duties.
- To respect decisions made by staff.
- To respect confidentiality at all times as defined in Item 2.6.
- To provide truthful and accurate information to Council, fellow volunteers and community members.
- To register with Council and complete and sign any relevant documentation.
- To comply with Council's occupational, health and safety practices to protect Council, themselves, fellow volunteers, staff and clients.
- To comply with Council's policies and procedures, particularly in regard to dangerous and emergency situations.
- To immediately report all incidents, accidents, illnesses and risks to health and safety.
- To notify Council of any potentially hazardous situations or unsafe working conditions.
- To take reasonable care of the health and safety of themselves and others.
- To report any damage to Council or other parties' equipment or possessions.
- To provide parent/guardian consent if the volunteer is under 18 years of age.

3.4 COUNCIL RIGHTS

Northern Midlands Council has the right:



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- To make a decision as to where the volunteer would fit best.
- To expect acceptance of responsibilities as to policies, procedures, confidentiality, reliability and good performance.
- To expect from the volunteer open communication at all times.
- To expect volunteers to perform the given tasks to the best of their ability.
- To expect from all volunteers, respect and courtesy towards others.
- To express concerns about poor volunteer effort in a diplomatic way.
- To release an unsuitable volunteer.

3.5 COUNCIL RESPONSIBILITIES

Northern Midlands Council has the responsibility:

- To assess volunteer skills to match tasks with expectations, interest and time commitments.
- To recognise the different roles, rights and responsibilities of volunteers.
- To provide appropriate induction, training and support.
- To provide written job descriptions and procedures for volunteer jobs when appropriate.
- To provide a safe work environment free from discrimination with an environment of mutual respect.
- To ensure volunteers are appropriately registered and have access to insurance cover for Personal Accident and Public Liability (cover arranged by Council's insurers).
- To require volunteers to work under the supervision of staff and/or appointed co coordinators
- To address areas of conflict between volunteers and others.
- To ensure volunteers are not used to permanently replace paid staff.
- To respect the confidentiality of both volunteers and customers.
- To formally and informally recognise the contribution of volunteers.

4. CONFIDENTIALITY

Volunteers working with Council must keep privileged information in relation to Council, other employees and clients confidential. Volunteers are expected to maintain the same standards of confidentiality as Council's paid employees. This includes privileged information held by the Council; information shared between volunteers and the designated managers; and information about particular circumstances.

Any written and verbal communication that is privileged must be treated as confidential by volunteers. Volunteers are required to read and sign the Northern Midlands Council Confidentiality Agreement for Volunteers. If in any doubt as to the confidentiality status of any information, volunteers should seek the guidance of the Council Manager or Project Coordinator responsible for their role.

Any breach of this confidentiality may lead to:

- The termination of the volunteer's services.
- Any other action deemed necessary by the General Manager and Council

5. WORKING WITH CHILDREN AND POLICE CHECKS

Council may require the volunteer to undergo the Working with Children Check or relevant Police Checks for certain activities as appropriate. If a Police Check is required, Council will provide the volunteer with a Police Check form and pay for the check to be processed. If the Police Check confirms a criminal record, the relevant Council Manager will assess the suitability of the volunteer for the role in question. If a volunteer does not consent to a Police Check where required, they will not be eligible to work in this area of Council.



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6. INSURANCE

All registered Council volunteers who have attended an induction session are covered by the Council's insurance policy whilst undertaking approved duties on behalf of Council, unless otherwise arranged (eg. work experience students). Council will maintain appropriate insurance cover for volunteers engaged in Council activities as outlined in their written job description. Council may require volunteers to undergo a medical examination, dependent upon the nature of the volunteers' work.

7. DRIVING COUNCIL AND PRIVATE VEHICLES

Volunteers are generally not permitted to operate Council vehicles as part of their volunteering duties. In the unlikely event that they are required to drive any Council vehicle; the volunteer must provide Council with proof of their current driver's licence. The driver's licence must be sighted by the appropriate Council Manager or Project Coordinator and a copy taken for Council records. Volunteers must notify Council should the conditions of their licence change for any reason.

Council does not provide insurance for volunteers' private motor vehicles when used for transport to and from volunteer projects or when parked. If using a private vehicle, the volunteer must provide evidence of their motor vehicle comprehensive insurance details by 1 July each year. Volunteers are responsible for any parking or traffic offences and/or fines incurred either in their own vehicle or when driving a Council vehicle.

8. TRAVEL ALLOWANCE

Council recognises that travel to and from the place of volunteering is a substantial cost to the volunteer. Council will pay a travel and meal allowance to volunteers on condition that the appropriate Council Manager has pre-authorised this expense. This travel allowance will be paid upon the production of a completed mileage claim form signed by the Council Manager.

9. OCCUPATIONAL HEALTH AND SAFETY (OH&S)

Volunteers are entitled to work in an environment that is safe. OH&S requirements will be made clear to volunteers during induction and training. Further OH&S training will be provided as required. Volunteers shall follow all safe work procedures as defined in the Job Risk Assessment or other assessments made by Council staff and seek instruction when required.

10. UNSATISFACTORY PERFORMANCE

If a volunteer's work is not up to standard, deviates from principles and goals of the service, contravenes the rights and responsibilities of volunteers or places a client, employee or any other person at risk, the appropriate Council Manager will issue a verbal warning. Such warnings are to be placed on file for Council records. If the volunteer's actions cause an immediate and/or significant danger, or harm to others, or is regarded as significantly inappropriate, the volunteer arrangement may be terminated immediately.

11. CESSATION OF VOLUNTEERING ARRANGEMENT

In the case of a volunteer's resignation, all materials, files and equipment are to be returned to Council prior to leaving. Council asks that volunteers intending to resign give as much prior notice as possible to their supervisor.

12. IMPLEMENTATION

The Procedures for Implementation of Volunteer Policy document provides guidelines for the correct procedure to implement Council's Volunteer Policy.

13. REVIEW

The Council will review this policy at least every four years.



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POLICY MANUAL

WELCOME TO COUNTRY AND ACKNOWLEDGEMENT OF COUNTRY

Originated Date: 18 February 2019 (min. ref. 036/19)

Amended Date/s: 21 March 2022 (min. ref. 22/90)

Applicable Legislation:

Objective

- 1) To acknowledge the cultural importance of Aboriginal people and their connection to Northern Midlands heritage and identity.
- 2) To provide direction and support to the Mayor, Deputy Mayor, Councillors and officers of the Northern Midlands Council for Welcome to Country and Acknowledgment of Country protocols.

Administration: Governance

Review Cycle/Date: Next review 2026

DEFINITIONS

Welcome to Country

A Welcome to Country is given by Aboriginal people, welcoming visitors to their Land.

Acknowledgement of Country

An Acknowledgement of Country is respect and recognition of Tasmanian Aboriginal peoples' survival and continual connection with the land spanning more than 40,000 years.

APPLICATION

Welcome to Country

Only Tasmanian Aboriginal people can give a Welcome to Country in Tasmania. It is highly disrespectful for anyone else to do so.

Acknowledgement of Country

An Acknowledgement of Country pays respect to Aboriginal people present.

An Acknowledgment of Country can be given at an official opening, meeting, concert, school assembly, or other event. Any person can give an Acknowledgement of Country.

In the absence of a Welcome to country, an Acknowledgment of Country may be given; and it should be the first item on the agenda. Speakers also often acknowledge Country as they speak for the first time (even though a Welcome to Country or Acknowledgement of Country may have already been given).

An acknowledgement of Country is to be given in accordance with the guidelines and examples provided on the Tasmanian Government, Department of Communities Tasmania (or this departments successor) website.

Resource: Department of Communities Tasmania – Acknowledgement and Welcome to Country



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WHISTLEBLOWER

Originated Date: Adopted 18 October 2021 – Min. No. 21/403

Amended Date/s: Reviewed/Amended 19 August 2024 – Min. No. 24/0277

Applicable Legislation: *Public Interest Disclosures Act 2002*

Objective To provide a framework and support for employees to report non-compliant actions by other people.

Administration: Governance

Review Cycle/Date: 3 years, next review 2027

1. PURPOSE

The purpose of this policy is to:

- a) encourage staff to report matters that may cause harm to individuals or financial or non-financial loss to the Northern Midlands Council, or damage to its reputation;
- b) enable the Northern Midlands Council to deal with reports from whistleblowers in a way that will protect the identity of the whistleblower as far as possible and provide for the secure storage of the information provided;
- c) establish policies for protecting whistleblowers against reprisal by any person internal or external to the entity;
- d) provide for the appropriate infrastructure;
- e) help to ensure the Northern Midlands Council maintains the highest standards of ethical behaviour and integrity.

2. SUSPECTED ILLEGAL OR CORRUPT BEHAVIOUR

Where an employee of the Northern Midlands Council believes in good faith, and on reasonable grounds that another employee, volunteer, or contractor has breached any provision of the general law, that employee must report their concern to:

- their supervisor; or, if they feel that their supervisor may be complicit in the breach,
- the General Manager; or, if they feel that the General Manager may be complicit in the breach,
- the People & Culture Business Partner, or
- the duly constituted authorities responsible for the enforcement of the law in the relevant area.

The person making their concern known shall not suffer any sanctions from the organisation on account of their actions in this regard provided that their actions:

- are in good faith, and
- are based on reasonable grounds, and
- conform to the designated procedures.

Any person within the organisation to whom such a disclosure is made shall:

- if they believe the behaviour complained of to be unquestionably trivial or fanciful, dismiss the allegation and notify the person making the allegation of their decision;
- if they believe the behaviour complained of to be neither trivial nor fanciful, ensure that the allegation is investigated, a finding is made, and the person making the allegation is informed of the finding.

Any such investigation shall observe the rules of natural justice and the provisions of procedural fairness.



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Disclosures may be made anonymously, and this anonymity shall as far as possible be preserved by the organisation.

3. SUSPECTED IMPROPER OR UNETHICAL BEHAVIOUR

Where an employee of the Northern Midlands Council believes in good faith, and on reasonable grounds that another employee, volunteer, or contractor has breached any provision of the organisation's policies, code of conduct, or generally recognised principles of ethics, that employee may report their concern to:

- their supervisor; or, if they feel that their supervisor may be complicit in the breach,
- the General Manager; or, if they feel that the General Manager may be complicit in the breach,
- the People & Culture Business Partner.

The person making their concern known shall not suffer any sanctions from the organisation on account of their actions in this regard provided that their actions

- are in good faith, and
- are based on reasonable grounds, and
- conform to the designated procedures.

Any person within the organisation to whom such a disclosure is made shall:

- if they believe the behaviour complained of to be unquestionably trivial or fanciful, dismiss the allegation and notify the person making the allegation of their decision;
- if they believe the behaviour complained of to be neither trivial nor fanciful, ensure that the allegation is investigated, a finding is made, and the person making the allegation is informed of the finding.

Any such investigation shall observe the rules of natural justice and the provisions of procedural fairness.

Disclosures may be made anonymously, and this anonymity shall as far as possible be preserved by the organisation.

4. DISCLOSURES FROM CONTRACTORS, VOLUNTEERS, AND MEMBERS OF THE PUBLIC

Under the *Public Interest Disclosures Act 2002*, a disclosure can be made by a Contractor, Volunteer, or member of the public about one or more public officers, or about the Council as a whole. In accordance with the act, these disclosures can only be made to the Ombudsman Tasmania or the Integrity Commission.



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POLICY MANUAL

WIND TURBINES

Originated Date: Adopted 21 January 2013 – Min. No. 17/13 (as Policy 67)

Amended Date/s: Amended 20 February 2017 – Min. No. 54/17
Reviewed 18 August 2022

Applicable Legislation: *Local Government Act 1993;*
Land Use Planning & Approvals Act 1993;
Northern Midlands Planning Scheme

Objective To provide guidance for consistent and equitable assessment of applications to develop wind turbines.

Administration: Community and Development

Review Cycle/Date: 4 year review. Next review 2026.

1. INTRODUCTION

Where a planning permit is required for a wind turbine, the Northern Midlands Council has determined that assessment should have specific regard to the visual and acoustic impact of the proposed turbine.

2. OBJECTIVES

To ensure that applications for wind turbines:

- (i) Address the acoustic impact of the proposed turbine on surrounding dwellings; and
- (ii) Address the visual impact of the proposed turbine on the streetscape or landscape.

3. APPLICATION OF THE POLICY

Applications for wind turbines must provide an acoustic report to demonstrate the impact on surrounding residences, and photomontages to demonstrate the impact on the streetscape or landscape, unless the applicant demonstrates to the satisfaction of the planning authority that the information is not relevant to the assessment of the application.



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POLICY MANUAL

WORK, HEALTH AND SAFETY AND EMPLOYEE WELLBEING

Originated Date: Adopted 19 October 2015 – Min. No. 293/15
(Replacing Policy 12 – Occupational Health & Safety Policy)

Amended Date/s: **Review:** 19 August 2024 – Min. No. 24/0278
Incorporating the following policies:
1) Council Policy - Work Health and Safety Policy
2) Human Resources Policy – Work Health & Safety Policy,
3) Human Resources Policy – Health & Wellbeing Policy
4) Human Resources Policy – Employee Assistance

Council Policy:

Amended: 20 February 2017 – Min. Ref 35/17
Reviewed: May 2018
Amended: 15 March 2021 – Min. Ref. 095/21
Amended: 20 October 2025 -Min. Ref. 25/318

Human Resources Policies:

January 2017
May 2018
August 2019

Applicable Legislation: *As Listed*

Objective Council recognises its duty of care and will provide a fair and flexible approach to work, health and safety activities that takes into consideration the individual, operational and environmental circumstances.

Administration: Governance and Corporate Services

Review Cycle/Date: This Policy is to be reviewed every four (4) years or as required by legislation changes.

1. PURPOSE

The aims of this Policy are to:

- a) recognise Council’s commitment to its primary duty of care under the *Work Health & Safety Act 2012 (TAS)*;
- b) recognise Council’s commitment to, and promotion of, providing a safe, healthy and supportive workplace for Workers and Other Persons at the Workplace whose health or safety could be at risk through our work;
- c) recognise Council’s commitment to identifying and effectively managing Psychosocial Hazards and Psychosocial Risks to Workers and Other Persons at the Workplace;
- d) recognise Council’s commitment to providing a supportive workplace culture where healthy lifestyle choices are valued and encouraged;
- e) offer professional and confidential counselling assistance to employees who may need support to manage issues affecting their wellbeing, both personally and work related;
- f) direct and guide Workers and Other Persons at the Workplace regarding action considered reasonably practicable to protect health and safety;
- g) provide a fair and flexible approach to work health and safety activities which take into consideration the individual,



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operational and environmental circumstances;

- h) ensure Council, its Workers and Other Persons at the Workplace operate with any Applicable Laws or policies and procedures;
- i) comply with Applicable Laws through implementing:
 - i. appropriate plans, policies, procedures and programs to support and implement this Policy;
 - ii. measurable safety performance objectives and targets;
 - iii. training on health and safety matters relevant to Council work;
 - iv. induction programs;
 - v. consultation, cooperation and coordination processes;
 - vi. adequate resources;
 - vii. monitoring, reviewing and verification of Council systems; and
 - viii. corrective action where it is identified that the acts or omissions of persons are putting themselves or others at risk.

2. DEFINITIONS & INTERPRETATION

2.1 Definitions

- i. **Applicable Laws** means all laws in connection with the carrying out of work or the Workplace including:
 - *Age Discrimination Act 2004* (Cth)
 - *Anti-Discrimination Act 1998* (Tas)
 - *Asbestos Related Diseases (Occupational Exposure) Compensation Act 2011* (Tas)
 - *Australian Human Rights Commission Act 1986* (Cth)
 - *Child and Youth Safe Organisations Act 2023* (Tas)
 - *Disability Discrimination Act 1992* (Cth)
 - *Fair Work Act 2009* (Cth)
 - *Local Government Act 1993* (Tas)
 - *Long Service Leave Act 1976* (Tas)
 - *Racial Discrimination Act 1975* (Cth)
 - *Sex Discrimination Act 1984* (Cth)
 - *Work Health & Safety Act 2012* (Tas)
 - *Work Health & Safety Regulations 2022* (Tas)
 - *Workers (Occupational Diseases) Relief Fund Act 1954* (Tas)
 - *Workers Rehabilitation & Compensation Act 1988* (Tas)
- ii. **Control Measure** in relation to risk to health and safety, means a measure to eliminate or minimise the risk.
- iii. **Council** Northern Midlands Council.
- iv. **Councillor** An elected member of Council known as Councillor or Alderman or otherwise meeting the definition of Councillor as defined under section 3 of the *Local Government Act 1993* (Tas).
- v. **Employee** A person who carries out work for the Council as an employee of the Council.
- vi. **Employee Assistance Program ("EAP")** A confidential and free counselling service offered to Employees who may require help with personal or work-related problems.
- vii. **General Manager** The General Manager of Council as appointed under section 61 of the *Local Government Act 1993* (Tas).



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- viii. **Infringing Workplace Behaviour** Any act or omission, which amounts to a breach of any Council policy, contractual obligation or misconduct at common law.
- ix. **Manager/Supervisor** A person at the Workplace who is appointed to a position that has management/supervisory responsibility for others or their appropriately nominated or authorised delegate.
- x. **Officer** Means:
(a) An officer within the meaning of section 9 of the *Corporations Act 2001* of the Commonwealth other than a partner in a partnership; or
(b) An officer of the Crown within the meaning of section 247 of the *Work Health and Safety Act 2012* (Tas); or
(c) An officer of a public authority within the meaning of section 252 of the *Work Health and Safety Act 2012* (Tas) –
Other than a Councillor/elected member of a local authority acting in that capacity.
- xi. **Other Persons at the Workplace** Any person at the Workplace who is not a Worker, including visitors, Councillors, and ratepayers.
- xii. **Policy** This Policy including the 'Authority and Application'.
- xiii. **Psychosocial Hazard** A hazard within the meaning of regulation 55A of the *Work Health and Safety Regulations 2022* (Tas), being one that:
a) Arises from, or relates to –
i) The design or management of work; or
ii) A work environment; or
iii) Plant at a work environment; or
iv) Workplace interactions or behaviours; and
b) May cause psychological harm (whether or not it may also cause physical harm).
- xiv. **Psychosocial Risk** A risk to the health and/or safety of a Worker or Other Person at the Workplace arising from a Psychosocial Hazard.
- xv. **Worker** A person who carries out work in any capacity for the Council, including work as:
a) An Employee;
b) A contractor or subcontractor;
c) An employee of a contractor or subcontractor;
d) An employee of a labour hire company who has been assigned to work at Council;
e) An outworker;
f) An apprentice or trainee;
g) A student gaining work experience; or
h) A volunteer.
- xvi. **Workplace** A place where work is carried out for, or by, Council.

2.2 Interpretation

- a) The singular includes the plural and vice versa.
- b) A reference to any legislation includes all delegated legislation made under it and amendments, consolidations, replacement or re-enactments of any of them.
- c) A reference to policy or procedure means any approved policies or procedures of Council unless otherwise stated.
- d) "Including" and similar expressions are not words of limitation.



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- e) A reference to a document (including this document) is to that document as amended, novated or replaced unless otherwise stated.
- f) Where a word or expression is given a particular meaning, other parts of speech and grammatical forms of that word or expression have a corresponding meaning.
- g) Examples used in the Policy are for illustrative purposes only and are not intended to be exhaustive and depending on the circumstances, may or may not amount to Infringing Workplace Behaviour.
- h) Unless expressly provided for, this Policy is not in any way incorporated as part of any Enterprise Agreement and does not form part of any Employee's contract of employment and any applicable Enterprise Agreement or contract of employment will prevail over this Policy to the extent of any inconsistency.
- i) It is not intended that this Policy impose any obligations on Council or those covered by it that are unreasonable or contrary to the operation of Applicable Laws. Any obligation, direction, instruction or responsibility imposed by this Policy must be carried out in a manner that an objective third party would consider fair and reasonable taking into account and in the context of all the relevant Applicable Laws, operational and personal circumstances.
- j) Questions relating to the interpretation, application or enforcement of this Policy should be directed to a person's Manager/Supervisor, Work, Health & Safety Officer or the People & Culture Business Partner.

3. COVERAGE

With the exception of clause 6 (Employee Health and Wellbeing Benefits), this Policy covers and applies to all Workers and Other Persons at the Workplace in relation to all work, health and safety matters.

4. OBLIGATIONS

4.1 General

- a) Workers and Other Persons at the Workplace must comply with this Policy and all Applicable Laws, and must not directly or indirectly engage in, or encourage, behaviour in breach of this Policy or Applicable Laws.
- b) Workers and Other Persons at the Workplace are required to meet their duty of care obligations and to be accountable for their own safety and the safety of others at the Workplace.
- c) Workers and Other Persons at the Workplace (unless otherwise notified in writing) are required to adhere to lawful and reasonable directions, policies and procedures regarding compliance with this Policy and health and safety generally.
- d) Managers/Supervisors are required to:
 - i. Promote this Policy within their area of responsibility;
 - ii. Take reasonable steps to ensure that any potential breaches of this Policy are identified, taken seriously and acted upon appropriately; and
 - iii. Where applicable, if and as Officers, meet their due diligence obligations.

4.2 Psychosocial Hazards and Risks

- a) Without limiting the generality of clause 4.1, Council, Workers and Other Persons at the Workplace have a duty to ensure that discrimination, harassment, bullying, sexual harassment, victimisation, and inappropriate workplace behaviour does not occur.
- b) Managers/Supervisors must take reasonable steps to:
 - i. Identify reasonably foreseeable Psychosocial Hazards;



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- ii. Implement appropriate Control Measures to, so far as is reasonably practicable, eliminate Psychosocial Risks in the Workplace or, where elimination is not reasonably practicable, minimise Psychosocial Risks so far as is reasonably practicable.
 - iii. Effectively maintain implemented Control Measures by ensuring that the Control Measures remain:
 - (a) fit for purpose; and,
 - (b) suitable for the nature and duration of the work; and,
 - (c) installed, set up and used correctly.
 - iv. Regularly review, and where necessary revise, Control Measures to ensure they remain sufficient to maintain, so far as reasonably practicable, a Workplace that is without Psychosocial Risk.
- c) Prior to implementing Control Measures in accordance with clause 4.2(b)(ii), Managers/ Supervisors are to have regard to all relevant matters, including those in regulation 55D of the *Work Health and Safety Regulations 2022* (Tas) and consult with Workers.
- d) Workers and Other Persons at the Workplace are required to:
- i. Take reasonable care for their own psychological health and safety, and health and safety of others in the Workplace who may be affected by their actions or omissions.
 - ii. Report known Psychosocial Hazards to their Manager/Supervisor, the Work Health & Safety Officer or the People & Culture Business Partner.

4.3 Training and Resources

- a) Council will ensure that Managers/Supervisors have adequate and appropriate resources to eliminate or minimise risks in the Workplace.
- b) Council will provide all persons covered by this Policy with appropriate information, instruction and/or training so they are made aware of their responsibilities and obligations under the Policy.

4.4 Breach of Policy

- a) Persons covered under clause 3 (Coverage) who engage in Infringing Workplace Behaviour in relation to this Policy may (as is appropriate and as applicable) be subject to:
 - i. Disciplinary action in accordance with Council's Disciplinary Policy and Disciplinary Procedure (Employees).
 - ii. Termination of services (Workers, other than Employees).
 - iii. Removal from the Workplace (Workers and Other Persons at the Workplace, including Councillors).
 - iv. A complaint, and subsequent investigation pursuant to Division 3A Subdivision 3 of the *Local Government Act 1993* (Tas) (Councillors) including any sanctions considered necessary by the relevant authority under that Act including:
 - (a) a caution;
 - (b) a reprimand;
 - (c) a requirement to make an apology;
 - (d) a requirement to attend counselling or training;
 - (e) a suspension from performing and exercising the functions and powers of their office as a councillor for a period not exceeding 3 months.
 - v. A referral to WorkSafe Tasmania for failure to comply with a health and safety duty (Workers, Employees, and Other Persons at the Workplace, including Councillors)
- b) Infringing Workplace Behaviour may also amount to breaches of Applicable Laws:
 - i. Exposing individuals to (including Councillors) legal proceedings;
 - ii. Exposing individuals (including Councillors) to criminal charges (including, but not limited to, charges in relation to using communication services such as internet and telephone to make abusive, harassing, threatening and menacing communications); and



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- iii. Making Council vicariously liable for the conduct of others.

4.5 Reporting

- a) Persons covered under clause 3 (Coverage) must reasonably report Infringing Workplace Behaviour or reasonably suspected Infringing Workplace Behaviour in accordance with this clause 4.5.
- b) Where a person who has engaged in Infringing Workplace Behaviour, or is reasonably suspected of having engaged in Infringing Workplace Behaviour, is:
 - i. A Worker (other than the General Manager) or Other Person at the Workplace (excluding a Councillor) – a report is to be made to the reporter’s Manager/Supervisor and/or as otherwise required or permitted by Applicable Laws.
 - ii. The General Manager – a report is to be made to the Mayor (or if the Mayor is unavailable, the next appropriately delegated Councillor) and/or as otherwise required or permitted by Applicable Laws.
 - iii. A Councillor – a report is to be made to the General Manager, or a complaint may be made pursuant to Division 3A Subdivision 3 of the *Local Government Act 1993* (Tas).
- c) Where the Infringing Workplace Behaviour is considered to constitute a criminal offence (i.e using a carriage service to menace, harass, cause offence, or to make a threat):
 - i. the General Manager (or Mayor where the General Manager has engaged in the relevant Infringing Workplace Behaviour) may report the Infringing Workplace Behaviour to Police as necessary if they believe that the circumstances warrant it.
 - ii. in circumstances where such conduct has been carried out against a person, that person may report the Infringing Workplace Behaviour to Police if they believe that the circumstances warrant it.

4.6 Amendment

- a) Council retains the sole discretion to vary, terminate or replace this Policy from time to time. Council will consult before amendments are made and will notify and provide appropriate information, instruction and/or training to those persons who the amendments apply to.

5. EMPLOYEE ASSISTANCE PROGRAM

- a) Council extends an offer of the confidential Employee Assistance Program (EAP) to any Employee or Councillor, who may be affected by personal or work-related problems, or who feel as though they are struggling.
- b) Council has engaged an independent company, Newport and Wildman, to provide confidential EAP services. Employees can access this service by contacting the service provider directly on 1800 650 204.
- c) The service provider is an independent company who employs counsellors and/or psychologists who provide support and advice on a wide range of personal and/or work-related issues, including the following:
 - i. relationship and family problems;
 - ii. stress and anxiety;
 - iii. harassment and discrimination;
 - iv. financial and legal concerns;
 - v. victims of crime and abuse;
 - vi. domestic/family violence;
 - vii. interpersonal conflicts;
 - viii. alcohol and other drug related problems;
 - ix. grief or loss; and
 - x. concerns over work related matters.



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- d) The EAP may also be used to provide immediate assistance in the event of a traumatic or threatening incident occurring during work time.
- e) All personal information provided to the EAP remains confidential and with the EAP service provider. The service provider will not talk with anyone else regarding an Employee's details unless the Employee authorises them to do so in writing.
- f) This service is funded by Council, so there is no expense to the Employee or Councillor.
- g) The counsellors may be able to assist Employees who feel as though they are struggling, and this EAP service can be by a face-to-face appointment or over the telephone.
- h) Employees are entitled to take time off work to attend an EAP appointment if it is not practicable for the appointment to be made outside work hours. Where an EAP appointment is taken during work hours, the Employee may access accrued flextime/RDO hours, paid leave entitlements or take leave without pay to attend the appointment.
- i) Where an Employee makes a request to their Manager/Supervisor to attend an EAP appointment during normal working hours, the Manager/Supervisor must not ask the Employee to explain the reason for their appointment.
- j) Sub-clauses (h) and (i) do not apply to Councillors.
- k) Council encourages all Employees to assist one another directly by discreetly and respectfully reminding their work colleagues that they can access the EAP service where in circumstances a reasonable person would consider that EAP might be able to assist another Employee.
- l) Managers/Supervisors and the People and Culture Business Partner may refer Employees to the EAP service where, for example:
 - i) the employee's work performance or behaviour is being affected by a personal problem; or
 - ii) support may assist an employee as they move through a performance management, disciplinary or fitness for work process.

6. EMPLOYEE HEALTH AND WELLBEING BENEFITS

- a) This clause 6 applies to Employees of Council. For the avoidance of doubt, it does not apply to Councillors.
- b) To support the health and wellbeing of Employees, subject to clause 6(c), Employees will have access to the benefits listed in **Schedule 1**.
- c) The Council may in its absolute discretion replace, terminate or otherwise vary the benefits listed in **Schedule 1**. Where benefits are replaced, terminated or otherwise varied, Council will advise Employees as soon as practicable.

7. RELATED DOCUMENTS

This Policy should be read in conjunction with the new Workplace Behaviour and Employee Code of Conduct Policy.



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SCHEDULE 1 – EMPLOYEE BENEFITS

PHYSICAL HEALTH AND WELLBEING

1. Subsidised Gym Membership

- a) Council will subsidise the cost of an Employee's gym membership at Longford Sports Centre for any employee who want to join the gym.
- b) The subsidy will be fifty percent of the amount paid up front to a maximum of \$60.00 per quarter (maximum annual subsidy \$240.00 per financial year).
 - i) Employees who pay the cost of the gym membership upfront will, pay the cost upfront and must submit an invoice to Council for reimbursement directly to the Employee from Council.
 - ii) Employees paying via the direct debit system will be reimbursed by Council directly on intervals of no less than three months of an amount equivalent to fifty percent of the total cost paid to a maximum of \$60.00 per quarter upon proof of payment being provided by the Employee.
- c) This offer does not extend to family members or friends of the Employee.
- d) The gym membership subsidy is not related to the business owners of the gym and is a direct employee benefit offered by Council.

2. Pool Membership

- a) Council will subsidise the cost of an Employee's pool membership to any of the three Northern Midlands Council owned swimming pools (being those located at Campbell Town, Cressy and Ross).
- b) The subsidy will be fifty percent of the cost of:
 - i) an individual season pass in the Employee's name; or
 - ii) a family season pass taken out in the Employee's name.
- c) For the Ross swimming pool, Council will reimburse fifty percent of the season pass cost directly to the Employee upon upon proof of payment being provided by the Employee.
- d) For the Campbell Town and Cressy swimming pools, Employees will be able to purchase a season pass at a discounted rate equal to fifty percent of the full rate.

3. Health Assessments

- a) Once every two years, Council will provide Employees with the opportunity to receive:
 - i) A free general medical/health assessment to assess their general health.
 - ii) A free skin screening assessment to assess the early detection of skin cancer.
- b) Council will arrange the appointments and be responsible for the costs of the Health Assessments.

4. Sun Protection

- a) Council will provide Employees who are exposed to the elements of ultraviolet radiation from sunlight whilst at work with the appropriate personal protective equipment (PPE) and training to minimise the risk of skin cancer.

5. Immunisations

- a) Council will arrange and be responsible for the cost for Employees to be provided with an annual influenza immunisation for those who wish to receive such immunisation.



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- b) Council will pay for the cost associated with Hepatitis A and B vaccinations for Employees who are at risk and/or require such vaccinations for the position they hold at Council.

6. Massage

- a) Council will subsidize the cost to an Employee of a one-hour remedial massage per quarter at a registered provider within the municipality.
- b) The subsidy will be fifty percent of the cost of the massage, up to a maximum of \$30.00 per quarter (maximum annual subsidy \$120.00 per financial year), which will be reimbursed to the Employee upon presentation of sufficient evidence of payment.
- c) This offer does not extend to family members or friends of the Employee.

7. Annual Childcare Enrolment Fee

- a) Council will waive the cost to an Employee of the Annual Enrolment Fee for children of Employees who are enrolled at a Council childcare service.
- b) This offer does not extend to family members or friends of the Employee.



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WORKPLACE BEHAVIOUR AND EMPLOYEE CODE OF CONDUCT POLICY

Originated Date:	Adopted 19 August 2024 – Min. Ref. 24/0279 Replacing Human Resources Policies: 1) Workplace Behaviour Policy 2) Employee Code of Conduct Policy
Amended Date/s:	
Applicable Legislation:	<i>As Listed</i>
Administration:	Governance and Corporate Services
Review Cycle/Date:	This Policy is to be reviewed every four (4) years or as required by legislation changes

1. PURPOSE

The aims of this Policy are to:

- a) Ensure that Workers and Other Persons at the Workplace understand their obligations and do not engage in Infringing Workplace Behaviour;
- b) Confirm expectations regarding appropriate behaviours and is clear in stating that Council will not tolerate Infringing Workplace Behaviour;
- c) Provide a framework for Workers and Other Persons at the Workplace to make decisions and engage in behaviours that are ethical and appropriate for Council and its Workers;
- d) Support Council's commitment to identifying and effectively managing Psychosocial Hazards and Psychosocial Risks as to ensure a safe, healthy and supporting Workplace for Workers and Other Persons at the Workplace;
- e) Reflect Council's commitment to the highest standards of honesty and integrity in meeting the needs of Council and the community it serves;
- f) Ensure that Workplace Requirements (e.g. recruitment, remuneration, promotion and access to training and development) are determined on the basis of relevant skills, experience, qualifications, knowledge, aptitude and the potential for future development of the individual and is reflected in policies and procedures that relate to Workers and their employment or engagement;
- g) Provide a broad, overarching Policy that incorporates or overlaps some elements of other policies; and
- h) Ensure Council, its Workers and Other Persons at the Workplace operate with any Applicable Laws or policies and procedures.
- i) Comply with Applicable Laws through implementing:
 - i. appropriate plans, policies, procedures and programs to support and implement this Policy;
 - ii. measurable safety performance objectives and targets;
 - iii. training on health and safety matters relevant to Council work;
 - iv. induction programs;
 - v. consultation, cooperation and coordination processes;
 - vi. adequate resources;
 - vii. monitoring, reviewing and verification of Council systems; and
 - viii. corrective action where it is identified that the acts or omissions of persons are putting themselves or others at risk.



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2. DEFINITIONS & INTERPRETATION

2.1 Definitions

i.	Adverse Action	Has the meaning given in Schedule 2 , Item 2.
ii.	Applicable Laws	Means all laws in connection with the carrying out of work or the Workplace including: <ul style="list-style-type: none"> • <i>Age Discrimination Act 2004</i> (Cth) • <i>Anti-Discrimination Act 1998</i> (Tas) • <i>Asbestos Related Diseases (Occupational Exposure) Compensation Act 2011</i> (Tas) • <i>Australian Human Rights Commission Act 1986</i> (Cth) • <i>Children and Youth Safe Organisations Act 2023</i> (Tas) • <i>Disability Discrimination Act 1992</i> (Cth) • <i>Fair Work Act 2009</i> (Cth) • <i>Local Government Act 1993</i> (Tas) • <i>Long Service Leave Act 1976</i> (Tas) • <i>Racial Discrimination Act 1975</i> (Cth) • <i>Sex Discrimination Act 1984</i> (Cth) • <i>Work Health & Safety Act 2012</i> (Tas) • <i>Work Health & Safety Regulations 2022</i> (Tas) • <i>Workers (Occupational Diseases) Relief Fund Act 1954</i> (Tas) • <i>Workers Rehabilitation & Compensation Act 1988</i> (Tas)
iii.	Bully or Bullying	Has the meaning in Schedule 2 , Item 5.
iv.	Confidential Information	Any information, with the exception of information in the public domain other than as a result of a breach by the Worker, disclosed, or communicated to the Worker by, or on behalf of, Council that: <ol style="list-style-type: none"> a) is marked or designated as ‘confidential’ b) would at law be considered secret or ‘confidential’ information of Council c) the Worker might reasonably expect Council to regard as confidential; or d) which comes into the Worker’s possession, or is learnt, accessed or generated by the Worker, in the course of the Worker’s employment or engagement, whether or not the information was originally supplied by the Council; and e) relates to Council dealings, customer or client lists, financial position and arrangements, funding, transaction, general affairs, contracts entered into, program planning and consultant’s advice, promotional information, planning information, equipment and techniques used or any of the above matters for Council’s business; f) without limiting the generality of the above, relates to internal Council management, the structure of Council, information about Workers, policies, marketing programs, strategies, plans, investments or aspects of its future operations; or g) relates to internal Council management, the structure of the business of Council, Council personnel, marketing.
v.	Conflict of Interest	An actual or perceived conflict between duties or work or services provided to Council and private interests of a Worker, in which the Worker has private ‘interests’ which could improperly influence the performance of work, duties or services provided to Council by that Worker.
vi.	Control Measure	In relation to risk to health and safety, means a measure to eliminate or minimise the risk.



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vii.	Council	Northern Midlands Council.
viii.	Council Property	Any real or tangible property (e.g. cash, motor vehicles, plant and equipment), and any intangible property (e.g. intellectual property and goodwill) owned by Council or in Council's possession or control.
ix.	Councillor	An elected member of Council known as Councillor or Alderman or otherwise meeting the definition of Councillor as defined under section 3 of the <i>Local Government Act 1993</i> (Tas).
x.	Discriminate or Discrimination	has the meaning given in Schedule 2 , Item 1.
xi.	Employee	A person who carries out work for the Council as an employee of the Council.
xii.	Employee Assistance Program ("EAP")	A confidential and free counselling service offered to Employees who may require help with personal or work-related problems.
xiii.	General Manager	The General Manager of Council as appointed under section 61 of the <i>Local Government Act 1993</i> (Tas).
xiv.	Harass or Harassment	Has the meaning given in Schedule 2 , Item 3.
xv.	Inappropriate Workplace Behaviour	Has the meaning given in Schedule 2 , Item 9.
xvi.	Infringing Workplace Behaviour	Any act or omission, which amounts to a breach of any Council policy, contractual obligation or misconduct at common law.
xvii.	Manager/ Supervisor	A person at the Workplace who is appointed to a position that has management/supervisory responsibility for others or their appropriately nominated or authorised delegate.
xviii.	Officer	Means: a) an officer within the meaning of section 9 of the <i>Corporations Act 2001</i> of the Commonwealth other than a partner in a partnership; or b) an officer of the Crown within the meaning of section 247 of the <i>Work Health and Safety Act 2012</i> (Tas); or c) an officer of a public authority within the meaning of section 252 of the <i>Work Health and Safety Act 2012</i> (Tas) – other than a Councillor/elected member of a local authority acting in that capacity.
xix.	Other Persons at the Workplace	Any person at the Workplace who is not a Worker, including visitors, Councillors, and ratepayers.
xx.	Policy	This Policy including the 'Authority and Application'.
xxi.	Privileged Information	Any information which is subject to legal professional privilege.



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xxii.	Psychosocial Hazard	A hazard within the meaning of regulation 55A of the <i>Work Health and Safety Regulations 2022</i> (Tas), being one that: <ol style="list-style-type: none"> a) arises from, or relates to – <ol style="list-style-type: none"> i. The design or management of work; or ii. A work environment; or iii. Plant at a work environment; or iv. Workplace interactions or behaviours; and b) may cause psychological harm (whether or not it may also cause physical harm).
xxiii.	Psychosocial Risk	A risk to the health and/or safety of a Worker or Other Person at the Workplace arising from a Psychosocial Hazard.
xxiv.	Sensitive Information	Personal information or an opinion relating to personal information about individuals: <ul style="list-style-type: none"> • Racial or ethnic origin; or • Political opinion; or • Membership of a political association; or • Religious beliefs or affiliations; or • Philosophical beliefs or; • Membership of a professional or trade association; or • Membership of a trade union; or • Sexual preferences or practices; or • Criminal record; and • Health information about an individual.
xxv.	Sexually Harass or Sexual Harassment	Has the meaning given in Schedule 2 , Item 4.
xxvi.	Victimise or Victimisation	Has the meaning given in Schedule 2 , Item 6.
xxvii.	Vilify or Vilification	Has the meaning given in Schedule 2 , Item 7.
xxviii.	Worker	A person who carries out work in any capacity for the Council, including work as: <ol style="list-style-type: none"> a) An Employee; b) A contractor or subcontractor; c) An employee of a contractor or subcontractor; d) An employee of a labour hire company who has been assigned to work at Council; e) An outworker; f) An apprentice or trainee; g) A student gaining work experience; or h) A volunteer.
xxix.	Workplace	A place where work is carried out for, or by, Council.
xxx.	Workplace Violence	Has the meaning given in Schedule 2 , Item 8.



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2.2 Interpretation

- a) The singular includes the plural and vice versa.
- b) A reference to any legislation includes all delegated legislation made under it and amendments, consolidations, replacement or re-enactments of any of them.
- c) A reference to policy or procedure means any approved policies or procedures of Council unless otherwise stated.
- d) "Including" and similar expressions are not words of limitation.
- e) A reference to a document (including this document) is to that document as amended, novated or replaced unless otherwise stated.
- f) Where a word or expression is given a particular meaning, other parts of speech and grammatical forms of that work or expression have a corresponding meaning.
- g) Examples used in the Policy are for illustrative purposes only and are not intended to be exhaustive and depending on the circumstances, may or may not amount to Infringing Workplace Behaviour.
- h) Unless expressly provided for, this Policy is not in any way incorporated as part of any Enterprise Agreement and does not form part of any Employee's contract of employment and any applicable Enterprise Agreement or contract of employment will prevail over this Policy to the extent of any inconsistency.
- i) It is not intended that this Policy impose any obligations on Council or those covered by it that are unreasonable or contrary to the operation of Applicable Laws. Any obligation, direction, instruction or responsibility imposed by this Policy must be carried out in a manner that an objective third party would consider fair and reasonable taking into account and in the context of all the relevant Applicable Laws, operational and personal circumstances.
- j) Questions relating to the interpretation, application or enforcement of this Policy should be directed to a person's Manager/Supervisor, Work, Health & Safety Officer or the People & Culture Business Partner.

3. COVERAGE

3.1 Workers

This Policy covers and applies to all Workers at the Workplace in relation to:

- a) Behaviour at the Workplace;
- b) The performance of work for or in connection with Council; and
- c) Conduct outside the Workplace or working hours if the acts or omissions:
 - i. Are likely to cause serious damage to the relationship between Council and Workers or Other Persons at the Workplace; or
 - ii. Are incompatible with a Worker's duty to Council or their employment relationship or engagement; or
 - iii. Damage, or are likely to damage, Council's interests or reputation;

AND

3.2 All Other Persons at the Workplace

This Policy covers and applies to all Other Persons at the Workplace, including visitors, Councillors and ratepayers, with the exception of Clause 5 (Employee Code of Conduct) in relation to:

- a) Behaviour at the Workplace;
- b) The performance of work for or in connection with Council; and
- c) Conduct outside the Workplace or working hours if the acts or omissions:



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- i. Are likely to cause serious damage to the relationship between Council and Workers or Other Persons at the Workplace; or
- ii. Are incompatible with a Worker's duty to Council or their employment relationship or engagement; or
- iii. Damage, or are likely to damage, Council's interests or reputation.

4. OBLIGATIONS

4.1 General

- a) Workers and Other Persons at the Workplace must comply with this Policy and all Applicable Laws, and must not directly or indirectly engage in, or encourage, behaviour in breach of this Policy or Applicable Laws.
- b) Without limiting the generality of clause 4.1, Council, Workers and Other Persons at the Workplace have a duty to ensure that Discrimination, Harassment, Bullying, Sexual Harassment, Victimisation, and Inappropriate Workplace Behaviour does not occur.
- c) Workers and Other Persons at the Workplace must not:
 - i. Unlawfully Discriminate against other Workers and Other Persons at the Workplace;
 - ii. Engage in unlawful Adverse Action;
 - iii. Harass other Workers or Other Persons at the Workplace;
 - iv. Sexually Harass other Workers or Other Persons at the Workplace;
 - v. Bully other Workers or Other Persons at the Workplace;
 - vi. Victimise other Workers or Other Persons at the Workplace;
 - vii. Vilify other Workers or Other Persons at the Workplace;
 - viii. Engage in Workplace Violence;
 - ix. Engage in Inappropriate Workplace Behaviour;
 - x. Engage in Infringing Workplace Behaviour.
- d) Where a Worker or Other Person at the Workplace reasonably suspects that another Worker or Other Person in the Workplace has engaged in or are engaging in behaviour in breach of this Policy, they must make a report in accordance with clause 4.4(a) (Reporting) and thereafter follow Council's Issue Resolution Policy.
- e) Managers/Supervisors are required to take reasonable steps to:
 - i. Promote this Policy within their area of responsibility;
 - ii. Identify any reasonably foreseeable Psychosocial Hazards and implement and effectively maintain appropriate Control Measures to, so far as is reasonably practicable, eliminate Psychosocial Risks in the Workplace, or where elimination is not reasonably practicable, minimise Psychosocial Risks as far as is reasonably practicable;
 - iii. Regularly review, and where necessary revise, Control Measures to ensure they remain sufficient to maintain, so far as reasonably practicable, a Workplace that is without Psychosocial Risk.
 - iv. Ensure that any potential breaches of this Policy are identified, taken seriously and acted upon appropriately.
- f) Prior to implementing Control Measures in accordance with clause 4.1(e)(ii), Managers/Supervisors are to have regard to all relevant matters, including those in regulation 55D of the *Work Health and Safety Regulations 2022* (Tas), and consult with Workers.
- g) Workers and Other Persons at the Workplace are required to:
 - i. Take reasonable care for their own psychological health and safety, and health and safety of others in the Workplace who may be affected by their actions or omissions.
 - ii. Report known Psychosocial Hazards to their Manager/Supervisor, the Work Health & Safety Officer or the People & Culture Business Partner.



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4.2 Training and Resources

- a) Council will ensure that Managers/Supervisors have adequate and appropriate resources to eliminate or minimise risks in the Workplace.
- b) Council will provide all persons covered by this Policy with appropriate information, instruction and/or training so they are made aware of their responsibilities and obligations under the Policy.

4.3 Breach of Policy

- a) Persons covered under clause 3 (Coverage) who engage in Infringing Workplace Behaviour in relation to this Policy may (as is appropriate and as applicable) be subject to:
 - i. Disciplinary action in accordance with Council's Disciplinary Policy and Disciplinary Procedure (Employees);
 - ii. Termination of services (Workers, other than Employees).
 - iii. Removal from the Workplace (Workers and Other Persons at the Workplace, including Councillors).
 - iv. Prevention from attending the Workplace (Workers and Other Persons at the Workplace, including Councillors).
 - v. A complaint, and subsequent investigation pursuant to Division 3A Subdivision 3 of the *Local Government Act 1993* (Tas) (Councillors) including any sanctions considered necessary by the relevant authority under that Act including:
 - (a) a caution;
 - (b) a reprimand;
 - (c) a requirement to make an apology;
 - (d) a requirement to attend counselling or training;
 - (e) a suspension from performing and exercising the functions and powers of their office as a councillor for a period not exceeding 3 months.
 - vi. A referral to WorkSafe Tasmania for failure to comply with a health and safety duty (Workers, Employees, and Other Persons at the Workplace, including Councillors).
- b) Where necessary, Council can take any lawful action it can take to protect the health and safety of its Workers and Other Persons at the Workplace including, but not limited to:
 - i. Issuing lawful and reasonable directions:
 - (a) to block emails being received by an affected Worker from another person (including Councillors) who has engaged in Infringing Workplace Behaviour against them;
 - (b) for an affected Worker to not have contact with another person (including Councillors) who has engaged in infringing Workplace Behaviour against them; and
 - ii. enable an affected Worker to apply to the Fair Work Commissions for a stop bullying order against a person (including Councillors) who has engaged in workplace bullying against them.
- c) Infringing Workplace Behaviour may also amount to breaches of Applicable Laws:
 - i. Exposing individuals (including Councillors) to legal proceedings;
 - ii. Exposing individuals (including Councillors) to criminal charges (for example, where a person uses a communication service such as internet and telephone to make abusive, harassing, threatening and menacing communications); and
 - iii. Making Council vicariously liable for the conduct of others.

4.4 Reporting

- a) Persons covered under clause 3 (Coverage) must reasonably report Infringing Workplace Behaviour or reasonably suspected Infringing Workplace Behaviour in accordance with this clause 4.4.
- b) Where a person who has engaged in Infringing Workplace Behaviour, or is reasonably suspected of having engaged in Infringing Workplace Behaviour, is:



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- i. A Worker (other than the General Manager) or Other Person at the Workplace (excluding a Councillor) – a report is to be made to the reporter’s Manager/Supervisor and/or as otherwise required or permitted by Applicable Laws.
 - ii. The General Manager – a report is to be made to the Mayor (or if the Mayor is unavailable, the next appropriately delegated Councillor) and/or as otherwise required or permitted by Applicable Laws.
 - iii. A Councillor – a report is to be made to the General Manager, or a complaint may be made pursuant to Division 3A Subdivision 3 of the *Local Government Act 1993* (Tas).
- c) Where the Infringing Workplace Behaviour is considered to constitute a criminal offence (i.e. using a carriage service to menace, harass, cause offence, or to make a threat):
- i. the General Manager (or Mayor where the General Manager has engaged in the relevant Infringing Workplace Behaviour) may report the Infringing Workplace Behaviour to Police as necessary if they believe that the circumstances warrant it.
 - ii. in circumstances where such conduct has been carried out against a person, that person may report the Infringing Workplace Behaviour to Police if they believe that the circumstances warrant it.

4.5 Amendment

- a) Council retains the sole discretion to vary, terminate or replace this Policy from time to time. Council will consult before amendments are made and will notify and provide appropriate information, instruction and/or training to those persons who the amendments apply to.

5. EMPLOYEE CODE OF CONDUCT

- a) All Workers must comply with the Council’s Employee Code of Conduct in **Schedule 1** to this Policy.
- b) Council encourages Workers to speak with their Manager/Supervisor and/or the People & Culture Business Partner to discuss the interpretation and application of the Employee Code of Conduct.
- c) While all final decisions regarding the interpretation, application and enforcement of the Employee Code of Conduct remain with Council, Workers are encouraged, when determining the appropriateness or otherwise of a proposed action or omission, to consider:
 - i. Would other Workers, including their Manager/Supervisor, consider the act or omission appropriate?
 - ii. The potential consequences of the act or omission on other Workers, Council ratepayers, the Worker’s family, and the wider community.
 - iii. Who will benefit from the act or omission? Will that benefit be fair to Council, other parties involved, and the Worker?
 - iv. Whether they could adequately defend the act or omission to their Manager/Supervisor?
 - v. How they would feel if they were on the receiving end of the act or omission?
 - vi. Whether they would act in the same way if it was their money, time, or equipment?
 - vii. Whether they would be comfortable if the act or omission was reported in the media?

6. RELATED DOCUMENTS

This Policy should be read in conjunction with the new Work, Health and Safety and Employee Wellbeing Policy.



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SCHEDULE 1

EMPLOYEE CODE OF CONDUCT

1. Honesty and Integrity

- (a) Acting with honesty and integrity will maintain the respect and confidence in Council. Workers **must**:
- (i) Treat Workers and Other Persons at the Workplace with honesty, respect and courtesy.
 - (ii) Not take improper advantage of their positions in order to obtain a benefit for others or themselves.
 - (iii) Report dishonest, unethical, fraudulent or corrupt behaviour or maladministration by Workers or Other Persons at the Workplace.
 - (iv) Not seek or accept any type of unauthorised compensation, fee/payment (i.e. monetary or non-monetary), commission or gratuity from a third party in connection with the operation of Council.
 - (v) Not offer or accept any hospitality or other financial/non-financial benefit on behalf of or in connection with the operation of Council without the prior written approval of the General Manager.
 - (vi) Not make or take any bribes, kickbacks, inducements or other illegal payments of any kind for the benefit of any person or party in connection with obtaining orders or favourable treatment or for any other purpose in connection with the operations of Council.
 - (vii) Report in writing to the General Manager with full details of any gifts, hospitality, or other financial/non-financial benefit received by the Worker.
 - (viii) Encourage and support good faith reporting of breaches of this Policy without retribution.

2. Professionalism

- (a) Professionalism is conduct that fosters and preserves the reputations of individuals and of Council. To demonstrate professionalism, Workers **must**:
- (i) Not engage in, encourage, or tolerate Infringing Workplace Behaviour.
 - (ii) Support the decisions of Council and, except where authorised by the *Fair Work Act 2009* (Cth), refrain from publicly criticising the decisions of Council.
 - (iii) Not undermine or bring Council's integrity and reputation into disrepute.
 - (iv) Work cooperatively as a team and treat Workers and Other Persons at the Workplace with respect and dignity.
 - (v) Exercise diligence, best endeavours and sound judgment when carrying out their duties or providing services.
 - (vi) Maintain a professional relationship with third parties when engaged as a Worker.
 - (vii) Provide levels of service that they are competent and authorised to provide.
 - (viii) Not make unauthorised statements or commitments on behalf of Council.

3. Laws, Policies and Procedures

- (a) Workers **must**:
- (i) Familiarise themselves with and comply with all relevant laws, policies and procedures.
 - (ii) Comply with all lawful and reasonable directions from authorised persons.
 - (iii) Only act within their authority.
 - (iv) Take care to avoid or minimise the possibility of theft or misuse of Council Property, and otherwise protect Council Property.
 - (v) Only use Council Property for Council purposes and in accordance with the appropriate authorisations.
 - (vi) Not use Council Property for private purposes unless authorised by their Manager or Supervisor.
 - (vii) Comply with delegations and other authorisations as directed.

4. Conflicts of Interest

- (a) Workers **must not**:
- (i) Take on personal business or financial or private interests that compete or conflict with Council's interests.



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- (ii) Use or take advantage of any Council Property or information belonging to Council for personal benefit or for the benefit of another person.
 - (ii) Engage directly or indirectly in any outside business activity involving commercial contact with Council, or work for the benefit of Council commercial customers, suppliers or competitors without the prior written consent of the General Manager.
- (b) **Workers must:**
- (i) Disclose to their Manager/Supervisor situations that may create a Conflict of Interest before a conflict arises, or if a conflict does occur, immediately on becoming aware of the existence of the conflict.
 - (ii) Declare any Conflict of Interest that could occur through shareholdings, ownership of real estate, or being the trustee or beneficiary of a trust.
 - (iii) Disclose to the General Manager ownership of shares in a listed entity which deals with or competes with Council.
 - (iv) Comply with Applicable Laws regarding declaration of any financial interest they or a close associate of theirs may have regarding any matter in which they provide advice, make a decision or determination or make a recommendation to Council about.
 - (v) Obtain written approval from their Manager/Supervisor before taking up other employment or engagement outside of their position with Council, where such employment or engagement may create a Conflict of Interest.

5. Privacy and Use of Information

- (a) **Workers must:**
- (i) Not disclose Confidential Information to any person or entity without the prior written consent of the General Manager.
 - (ii) Not improperly use or disclose to any person or entity without the prior written consent of the General Manager, information that is part of a 'closed' Council or Committee meeting or derived from Council business referred to in sections 338A and 339 of the *Local Government Act 1993* (Tas).
 - (iii) Comply with all relevant provisions of the *Personal Information Protection Act 2004* (Tas).
 - (iv) Where required by law to disclose Confidential Information, Sensitive Information or Privileged Information (e.g. by a Court or Tribunal order), advise the nominated Council delegate and awaiting confirmation of disclosure from the nominated Council delegate prior to the disclosure being made.
 - (v) Not use Confidential Information, Sensitive Information or Privileged Information for the purposes of directly or indirectly obtaining a personal gain or another benefit.
 - (vi) Only access Confidential Information, Sensitive Information or Privileged Information for authorised work-related tasks.
 - (vii) Not encourage others to disclose Confidential Information, Sensitive Information and/or Privileged Information
 - (viii) Ensure that Confidential Information, Sensitive Information and Privileged Information is collected, stored and disposed of securely, regardless of its medium, in accordance with Council's Information Management Policy.

6. Corporate and Personal Responsibility

- (a) Council is committed to service excellence and aims to maintain public confidence and respect.
- (b) **Workers must:**
- (i) Commit to taking reasonable care to avoid acts and omissions that may adversely affect themselves, Workers and Other Persons at the Workplace.
 - (ii) Aim to be socially, financially and environmentally responsible in the use of Council resources.
 - (iii) Report any corrupt or fraudulent conduct or any maladministration.



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SCHEDULE 2

WORKPLACE BEHAVIOUR

1. Discrimination

What is Discrimination?

- a) Discrimination is behaviour that favours one particular individual or group over others based on an attribute, whether known, imputed or assumed, and can be either direct or indirect. Discrimination at the Workplace can occur (by way of example):
 - (i) When determining who should be offered work;
 - (ii) In the terms and conditions of the work that is offered;
 - (iii) In failing or refusing to offer work;
 - (iv) In failing or refusing to grant, or limiting, access to opportunities for promotion, transfer, training or other benefit to the Worker;
 - (v) In dismissing a Worker; and
 - (vi) By treating another person less favourably.
- b) There may be genuine occupational reasons based on the inherent requirements of the role that means Discrimination is not unlawful.
- c) For example, it will not be unlawful to terminate employment- if:
 - (i) Disability prevents a Worker from being able to perform the inherent requirements of their position; or
 - (ii) Performance of the inherent requirements would require services, facilities or reasonably adjustments that would impose an unjustifiable hardship to Council.

What is Direct Discrimination?

- d) Direct Discrimination is where an individual or group is treated less favourably due to a particular attribute or personal characteristic or a characteristic imputed to that attribute. For example, if Council decided:
 - (i) Not to employ or promote a person because of their:
 - (a) Nationality; or
 - (b) Sexuality; or
 - (c) Pregnancy
 - (ii) To terminate an Employee because they took personal leave (because disability includes illness and is a protected attribute), carer's leave or parental leave (because family responsibilities is a protected attribute).

What is Indirect Discrimination?

- e) Indirect Discrimination occurs if a person imposes a condition, requirement or practice which is unreasonable in the circumstances (even if it appears to be fair and neutral) and has the effect of disadvantaging a member of a group of people who:
 - (i) Share, or are believed to share, a prescribed attribute; or
 - (ii) Share, or are believed to share, any of the characteristic imputed to that attribute;
 - (iii) More than a person who is not a member of that group.
- f) For indirect Discrimination to take place, it is not necessary that the person who Discriminates is aware that the condition, requirement or practice disadvantages the group of people.
- g) For example:
 - (i) Offering training opportunities to staff members only at limited and rigid times which prevented staff with parental responsibilities from attending the training;



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- (ii) Not reasonably providing somewhere for a breast-feeding Worker to express milk while at work; or
- (iii) Not providing reasonable equipment to allow a Worker with a back injury to stand and still do computer work.

What are the protected attributes or personal characteristics?

- h) Direct or indirect Discrimination within the Workplace based on any of the following attributes or personal characteristics will breach this Policy:
 - (i) Gender (male, female and intersex) and gender identity;
 - (ii) Marital status;
 - (iii) Relationship status;
 - (iv) Pregnancy;
 - (v) Family responsibilities;
 - (vi) Race;
 - (vii) Skin colour;
 - (viii) National or ethnic origin;
 - (ix) Religion;
 - (x) Physical, intellectual, psychiatric or learning disability;
 - (xi) Impairment (including HIV/aids status);
 - (xii) Parental status;
 - (xiii) Breastfeeding;
 - (xiv) Age;
 - (xv) Sexual orientation;
 - (xvi) Lawful sexual activity;
 - (xvii) Industrial activity;
 - (xviii) Political belief or affiliation;
 - (xix) Political activity;
 - (xx) Irrelevant criminal or medical record;
 - (xxi) Being associated with a person who has (or is believed to have) any of these attributes.

2. Adverse Action

What is Adverse Action?

- a) Any unlawful Adverse Action will breach this policy.
- b) Unlawful Adverse Action can occur where a person engages in Adverse Action (or threatens, organises or coerces other to take Adverse Action) against a person because that person:
 - (i) Has a workplace right (or has exercised or proposed exercising their workplace right or not done so or to prevent a Worker from doing so); or
 - (ii) Engages (has engaged, proposes to engage or not to engage) in industrial activity or is (or is not) an officer or member of an industrial association.

Types of Adverse Action

- c) Dismissal or termination of contract (e.g. terminating employment or a contractor's services).
- d) Injuring the Worker in relation to their employment or terms and conditions of contract (e.g. offering a salary or fee for services that is less than would otherwise be offered).
- e) Alter the position of the Worker to their prejudice (e.g. removing status or areas of responsibility from an Employee or providing a damaging recommendation in relation to a contractor to other service users).



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- f) Discriminates between a Worker and other Workers and other prospective Workers (e.g. preferring applications for annual leave from a non-union member Employee or using contractors with non-union enterprise agreements).
- g) A Worker or Union takes industrial action against Council (e.g. stop work meeting).

Types of Workplace Rights, Relevant Attribute or Industrial Activity

- h) Workplace Rights
 - (i) An entitlement under an award or enterprise agreement or a workplace law (e.g. entitlement to make a Worker's compensation claim).
 - (ii) A role or responsibility under a workplace law or enterprise agreement or award (e.g. to act as a bargaining representative)
 - (iii) Ability to initiate or participate in a process or proceedings under a workplace law or enterprise agreement or award (e.g. making a request for flexible working arrangements or participating in a consultation process regarding redeployment in a redundancy situation).
 - (iv) Ability to make a complaint or inquiry to seek compliance with a workplace law or enterprise agreement or award or generally in relation to a person's employment (e.g. making a complaint to the Anti-Discrimination Commissioner or making an inquiry about their classification or salary level).
- i) Relevant Attributes
 - (i) Race, colour, sex, sexual preference, age, physical or mental disability, marital status, family or carer's responsibilities, pregnancy, religion, political opinion, national extraction or social origin.
 - (ii) Can initiate or participate in a process or proceeding under a workplace law or enterprise agreement (e.g. making an individual flexibility arrangement, appointing a bargaining representative or acting as a witness for another Employee in a Fair Work Commission hearing).
- j) Industrial Activity
 - (i) Is or is not an officer or member of an industrial association.
 - (ii) Engages or does not engage in industrial activity (e.g. promoting, encouraging or participating in an activity on behalf of an industrial association such as an on-site meeting).

3. Harassment

What is Workplace Harassment?

- a) Workplace Harassment will breach this Policy.
- b) Workplace Harassment is any conduct which:
 - (i) Offends;
 - (ii) Humiliates;
 - (iii) Intimidates;
 - (iv) Insults; or
 - (v) Ridicules

another person on the basis of protected attributes in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated that the other person would be offended, humiliated, intimidated, insulted or ridiculed.

- c) Workplace Harassment can be a one-off occurrence and a specific intent or motive is not necessary.

What are the protected attributes for Workplace Harassment?

- d) Protected attributes include:
 - (i) Race;



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- (ii) Age;
- (iii) Sexual orientation;
- (iv) Lawful sexual activity;
- (v) Gender;
- (vi) Gender identity;
- (vii) Intersex;
- (viii) Marital status;
- (ix) Relationship status;
- (x) Pregnancy;
- (xi) Breastfeeding;
- (xii) Parental status;
- (xiii) Family responsibilities; or
- (xiv) Disability.

What are examples of Workplace Harassment?

- e) Examples of Workplace Harassment include:
 - (i) telling a joke about a homosexual person, which may offend someone who is homosexual;
 - (ii) sending an email to workmates ridiculing a colleague because they have taken carer's leave to look after a sick child, which may be humiliating and offensive;
 - (iii) putting a sign on the door of a room where a Worker is expressing breast milk unnecessarily advertising the activity the Worker is engaging in, which may be humiliating;
 - (iv) telling a Worker who is pregnant that they are getting fat or must be having twins, which is offensive;
 - (v) telling a Worker she is 'just a young girl and could not be expected to cope in the Workplace'.

4. Sexual Harassment

What is Sexual Harassment?

- a) Sexual Harassment is unlawful.
- b) Sexual Harassment is any unwanted or unwelcome conduct which:
 - (i) is of a sexual nature in that there is a sexual element, overtone or implication, which may not in isolation appear to be sexual in nature, but may become so because of the surrounding circumstances (e.g. unsolicited act of physical contact of a sexual nature, unwelcome sexual advance or request for sexual favours, unwelcome gesture, action or comment of a sexual nature); and
 - (ii) is unreasonable in the circumstances; and
 - (iii) a reasonable person having regard to all the circumstances would have anticipated that the other person would be offended, humiliated, intimidated, insulted or ridiculed.
- c) Sexual Harassment can be a one-off occurrence and a specific intent or motive is not necessary.

What are examples of Sexual Harassment?

- d) Examples of Sexual Harassment include:
 - (i) Offensive or sexually orientated email or text messages, voice mail messages, screen savers (words and images), telephone calls;
 - (ii) Deliberate and unnecessary physical contact such as patting, pinching, fondling or deliberately brushing against another body, attempts at kissing;
 - (iii) Constant requests for drinks or dates, especially after prior refusal;
 - (iv) Request for sexual favours, gestures or body movements of a sexual or intimidating nature;
 - (v) Crude or sexually orientated jokes, comments and suggestions; or



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- (vi) Innuendo, including sexually provocative remarks, suggestive or derogative comments about a person's physical appearance, inferences of sexual morality or tales of sexual performance.

5. Bullying

What is Bullying?

- a) Bullying is repeated, unreasonable behaviour directed towards a Worker or a group of Workers (or Other Persons at the Workplace), that creates a risk to health and safety.
 - (i) 'Repeated behaviour' refers to the persistent nature of the behaviour and can refer to a range of behaviours over time.
 - (ii) 'Unreasonable behaviour' means behaviour that a reasonable person (i.e. objective test), having regard for the circumstances, would see as unreasonable (e.g. Victimising, Humiliating, undermining or threatening).
 - (iii) 'Risk to health and safety' can refer to physical or psychological injury that may occur as a result of the repeated, unreasonable behaviour.

How does Bullying occur?

- b) Workplace Bullying can be:
 - (i) direct (obvious) or indirect (subtle); or
 - (ii) intended or unintended; or
 - (iii) upwards, downwards or sideways.

What is Direct or Indirect Bullying?

- c) Bullying can involve many different forms of behaviour and can occur face-to-face, over the phone, via email, instant or text messaging or using social media technologies.
- d) Examples of potential *direct* Bullying may include:
 - (i) aggressive and abusive or threatening language;
 - (ii) yelling and invading personal space;
 - (iii) finger pointing, eye rolling and scowling;
 - (iv) inappropriate emails containing unjustified criticism delivered bluntly; and
 - (v) delivering negative feedback in front of co-workers.
- e) Examples of potential *indirect* Bullying may include:
 - (i) spreading rumours or lies;
 - (ii) displaying degrading or offensive material in the Workplace;
 - (iii) deliberately excluding, isolating or marginalising a person;
 - (iv) deliberately withholding information that is vital to do a job;
 - (v) deliberately setting unrealistic deadlines and tasks that are unreasonably above or below a person's skill or experience; and
 - (vi) deliberately changing work arrangements to cause stress.

What is Intentional or Unintentional Bullying?

- f) Bullying can be intentional, where the actions are intended to humiliate, offend, intimidate or distress, whether or not the behaviour did have that effect. Indirect Bullying will often occur intentionally.
- g) Bullying can also be unintentional, where actions which, although not intended to humiliate, offend, intimidate or distress, do so and would be reasonably likely to do so. Sometimes people do not realise that their behaviour can be harmful to others because that is how they would like to be treated. Direct Bullying



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may occur unintentionally where the intentions can even be good but the impact is harmful and the behaviour is not reasonable in the circumstances.

How can Bullying be carried out?

- h) Bullying can be directed at a single person or a group of people and be carried out by one or more persons. Organisationally, Bullying can be:
 - (i) **downwards** from Managers/Supervisors to their team members – for example, an immediate Manager/Supervisor may have a management style that is unreasonably domineering, they may stand over Employees when they speak to them or speak to Employees rudely or in a demanding or unreasonably loud manner that is disrespectful;
 - (ii) **sideways** between Workers– for example, a Worker unreasonably seeking to enhance their position or sense of power in the Workplace may make a co-worker perform the duties that are less likely to be recognised, blame others for mistakes or fail to pass on instructions from a Manager/Supervisor so the co-worker makes mistakes; or
 - (iii) **upwards** from team members to immediate Managers/Supervisors - for example, Workers may Bully their immediate Manager/Supervisor to try and unreasonably drive them from the Workplace or prevent them from effectively doing their job by spreading misinformation or malicious rumours about them or criticising them or complaining about them without justification.

What is the difference between Bullying and Harassment?

- i) Discrimination, Harassment and Adverse Action:
 - (i) do not have to be repeated and can be one off behaviour; and
 - (ii) must be linked to a protected characteristic (e.g. personal attributes, workplace rights or industrial activity).
- j) Bullying requires repeated unreasonable behaviour (i.e. cannot be one off behaviour) but there does not need to be any link to protected attributes or protected actions (i.e. it is no defence to treat everyone equally unreasonably).
- k) It is possible for a person to be Bullied, Harassed and Discriminated against at the same time.

What is not considered to be Bullying?

- l) Many things that happen at the Workplace are generally not considered to be Bullying, although some experiences can be uncomfortable.
- m) A single incident of unreasonable behaviour is not Bullying, although it may have the potential to escalate into Bullying. A single incident of unreasonable behaviour can create a risk to health and safety and can be considered to be Inappropriate Workplace Behaviour as distinct from Bullying.
- n) Differences of opinion, performance management, conflicts and personality clashes do happen in any workplace but do not, without more, amount to Bullying.
- o) Reasonable management action, which is carried out in a reasonable manner, is not Bullying.

Workplace Conflict is not Bullying

- p) Workplace conflict by itself does not amount to Bullying.
- q) Not all conflict is negative, nor does it always pose a risk to health and safety. When conflict is at a low level and task based, it can generate debate and lead to new ideas and innovative solutions. For example, collaborating on a project requires a robust exchange of ideas to be effective.



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- r) Conflict may be negative and undesirable but still not amount to Bullying or even Inappropriate Workplace Behaviour. For example, Workers may have a 'personality clash' and not like each other but still behave in a professional and respectful way to each other.

Reasonable management action carried out in a reasonable manner is not Bullying.

- s) Reasonable management action (i.e. 'what') carried out in a reasonable manner (i.e. 'how') is not Bullying. Managers/Supervisors have a right to direct the way work is carried out and to monitor and give feedback on performance.
- t) Examples of reasonable management action relating to performance management include:
 - (i) setting reasonable performance goals, standards and deadlines in consultation with Workers and after considering their respective skills and experience.
 - (ii) allocating reasonable work to a Worker in a transparent way.
 - (iii) deciding not to select a Worker for promotion, following a fair and documented process.
 - (iv) informing a Worker about unsatisfactory or unacceptable work performance in a constructive way and in accordance with policies and procedures.
 - (v) informing a Worker about unacceptable conduct or behaviour in accordance with policies and procedures.
- u) Examples of reasonable management action relating to operational matters include:
 - (i) fairly rostering and allocating working hours;
 - (ii) transferring a Worker for genuine operational reasons;
 - (iii) implementing organisational changes or restructuring;
 - (iv) decisions regarding accessing leave entitlements based on genuine operational requirements.
 - (v) providing access to training or employment benefits based on genuine operational requirements and merit.

6. Victimisation

What is Victimisation?

- a) Victimisation occurs when a person subjects, or threatens to subject, another Worker or an associate of that other Worker or Other Person at the Workplace to any detriment because they:
 - (i) made or intend to make a complaint;
 - (ii) gave, or intend to give, evidence or information in connection with any proceedings;
 - (iii) allege or intend to allege that any person has committed an act which would amount to a contravention of Applicable Laws;
 - (iv) refused or intend to refuse to do anything that would amount to a contravention of Applicable Laws;
or
 - (v) have reasonably reported a breach of this Policy or utilised the Issue Resolution Policy.
- b) Victimisation under Applicable Law is unlawful.

What are examples of Victimisation?

- c) Examples of Victimisation include:
 - (i) refusing to employ another person;
 - (ii) terminating or threatening to terminate employment;
 - (iii) prejudicing or threatening to prejudice a person in their employment (refusing to provide a favourable reference);
 - (iv) intimidating or coercing (excluding from Workplace discussions);



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- (v) imposing any pecuniary penalty or other penalty (withholding wages); or
- (vi) taking disciplinary action (e.g. giving an Employee a written warning).

7. Vilification

What is Vilification?

- a) Vilification is conduct that incites physical harm, hatred, serious contempt or severe ridicule towards a Worker or group of Workers (or Other Persons at the Workplace) on the basis of race, sexuality, disability or religion. It can take many forms, including hate-speech, graffiti, websites, and distribution of propaganda or other forms of offensive literature.
- b) Vilification is conduct which occurs in a public place. The Workplace is a public place and discussions or jokes in the Workplace that relate to race, sexuality, disability or religion could amount to Vilification.
- c) Vilification is unlawful.

What are examples of Vilification?

- d) Examples of Vilification include:
 - (i) Speaking about a person's race, disability, sexual orientation, religious belief in a way that could make other people hate or ridicule them.
 - (ii) Publishing claims that a racial, disabled, sexually orientated or religious group is involved in serious crimes without any proof.
 - (iii) Encouraging violence against people who have a particular race, disability, sexual orientation, religious belief, or damaging their property.
 - (iv) Encouraging people to hate a person or group with a particular race, disability, sexual orientation, religious belief, using flyers, stickers, posters, a speech or publication, or using websites or email.

8. Workplace Violence

What is Workplace Violence?

- a) Work related violence occurs when a Worker or Other Person at the Workplace abuses, threatens or assaults another Worker or Other Person at the Workplace, in circumstances relating to their work or the Workplace. Unlike Bullying, an action does not need to be repeated.
- b) Threats to harm someone, violence and damage to property are breaches of Applicable Laws that should be referred to the Police, and any other appropriate authority.

What are examples of Workplace Violence?

- c) Examples of Workplace Violence include:
 - (i) Threatening to kill or hurt a person or their family.
 - (ii) Assault.
 - (iii) Throwing implements at another person.

9. Inappropriate Workplace Behaviour

What is Inappropriate Workplace Behaviour?

- a) Inappropriate Workplace Behaviour is any behaviour by Workers or Other Persons at the Workplace that Council reasonably considers is not appropriate Workplace Behaviour or is unacceptable in the Workplace. It is behaviour inconsistent with Council's policies and procedures, expectations and way of doing things, which means it will vary from case to case.



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- b) Unreasonable Behaviour (as is required with Bullying) will also amount to Inappropriate Workplace Behaviour. However, behaviour does not have to be unreasonable in the circumstances to be considered Inappropriate Workplace Behaviour. For example, 'over sharing' of personal information by a Manager/Supervisor with a direct report may be welcomed by the Employee in the circumstances but still be considered inappropriate behaviour by Council for not meeting the communicated expectations of a professional Manager/Supervisor.
- c) Inappropriate Workplace Behaviour may also fit into any of the categories of unlawful behaviour under this Policy. Even if it does not, it still amounts to Infringing Workplace Behaviour. Therefore, if you are unsure as to what the standards are, ask your Manager/Supervisor or the People & Culture Business Partner or other appropriate person in the circumstances.

What are examples of Inappropriate Workplace Behaviour?

- d) Examples of Inappropriate Workplace Behaviour include:
 - (i) Treating people rudely, disrespectfully or without dignity are examples of what is considered Inappropriate Workplace Behaviour.
 - (ii) At the 'high' or serious end of the scale, it is behaviour that may also constitute serious misconduct at common law.
 - (iii) At the 'low' or less serious end of the scale, it may be behaviour that is inappropriate but not unreasonable (e.g. Manager/Supervisor privately makes crude jokes with a direct report in the Workplace which are based on protected attributes. This may not be unlawful in the circumstances in that the Employee welcomes the behaviour and no-one overheard or was likely to but is still considered inappropriate behaviour because it amounts to poor judgment and is below what is expected of a Manager/Supervisor.



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YOUTH

Originated Date: Adopted 7 May 2001 – Min No. 170/01 (as Policy 24)

Amended Date/s: Amended 23 April 2007 – Min No. 113/07
Reviewed 17 February 2014 – Min No. 42/14
Reviewed 10 April 2017 – Min. No. 123/17
Reviewed 19 August 2019 – Min. No. 235/19
Reviewed 3 July 2021
Amended 18 September 2023 – Min. No. 23/0330

Applicable Legislation: *Age Discrimination Act 2004 (Cth)*
Anti-Discrimination Act 1998 (TAS)
Australian Human Rights Commission Act 1986 (Cth)
Disability Discrimination Act 1992 (Cth)
Racial Discrimination Act 1975 (Cth)
Sex Discrimination Act 1984 (Cth)
Work Health & Safety Act 2012 (TAS)
Workers Rehabilitation & Compensation Act 1988 (TAS)

Objective Council is committed to developing, supporting and promoting initiatives which positively contribute to the safety and well-being of young people, their families and the communities within the Northern Midlands municipality.

Administration: Governance

Review Cycle/Date: 4 year review. Next review 2027.

1. SCOPE

All Northern Midlands residents aged 12-25 years (recognising there are varying needs within this age group).

This policy also applies to employees of Northern Midlands Council who have a role to play in the development, support and promotion of youth initiatives within the municipal area.

2. OUTCOMES

As defined in the Northern Midlands Council Strategic Plan 2017-2027, Council is committed to creating Caring, Healthy, Safe Communities – Awareness, education and service:

- Equal access to health, safety and community services;
- Being an advocate for equitable health, education and employment;
- Support networks for youth at risk;
- Support networks assisting victims of domestic violence;
- Foster arts and culture participation at local level;
- Ensuring all abilities sport and exercise facilities available;
- Cater for community members with disabilities.

3. ROLES OF COUNCIL

To ensure Council are working towards achieving the stated mission, they have the following roles:

- Acknowledge and promote the valuable contribution that young people make in our communities;
- Ensure that young people have access to services and activities to promote their health and well-being



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- Ensure that the views and needs of young people are considered in Council activities;
- Advocate on behalf of, and with, young people;
- Provide support for youth by engaging providers such as PCYC and YMCA to facilitate recreation programs within schools across the municipality.

To support and encourage the future education and employment of youth by:

- Providing further Education Bursaries to students within the Northern Midlands who are progressing to education or training beyond Grade 10.
- Working in collaboration with schools to develop and support initiatives that promote education and employment opportunities for young people.

4. STRATEGIES

Councils Youth Strategy objectives are as follows:

- To ensure that young people's views and needs are considered in Council activities.
- To support young people to have opportunities to participate in activities that support their health and wellbeing.
- To improve access to services and programs for young people.
- To support education and employment opportunities for young people.
- To improve the capacity of communities to support young people.

For further detail pertaining to Councils Youth Strategy, please see Council's Youth Strategy Plan.

Council also regularly review their services and participation to ensure they are meeting the objectives outlined in the Youth Strategy.



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NORTHERN MIDLANDS COUNCIL YOUTH STRATEGY

The 2015 the ABS Census identified that there were approximately 2225 people aged 10-24 residing in the Northern Midlands municipality comprising 17% of the total population.

In 2018 Council undertook a youth survey targeting students in schools across the municipality with 170 participants aged 10-17.

Young people surveyed identified the following as the primary issues for youth in the region:

Bullying, drugs and alcohol, mental health, violence, unemployment, homelessness, smoking, lack of things to do, lack of support, body image, personal safety.

Participants also expressed ideas about how Council may support young people in the future identifying the need for more services, programs and activities in areas of recreation, sport, improvement of access to youth support such as counselling, group programs, camps and other events.

Subsequent liaison with the schools and service providers in the Northern Midlands region has confirmed that these are issues that young people face and there is a considerable lack of service provision in the region to target these key areas.

Council has identified the following objectives to support to young people across the municipality:

Objective 1: Included Youth

To ensure that young people's views and needs are considered in Council activities

Strategies:

- Employ a Youth Officer to engage with and advocate for the needs of young people with a particular focus on ages 10-18
- Recognise and promote the valuable contribution that young people make in our communities
- Liaise with schools, community and youth support services to identify key priorities and needs for young people
- Maintain a network between Council, young people and the youth sector
- Enable young people to have their say on issues affecting them in their communities through informal consultation, engagement through schools and conducting youth related surveys
- Development and support of local youth advisory committees and their ideas/voices.
- Maintaining a youth related information section on the Council website

Objective 2: Resilient Youth

To support young people to have opportunities to participate in activities that support their mental and physical health and well-being.

Strategies:

- Support and facilitate youth specific events and programs, specifically Police and Community Youth Club, Northern Midlands Mental Health and Youth Week Event, Skate Park League competitions, youth camps, Free2b Girls, Breakfast programs, to name just a few.
- Support for existing 'youth spaces' such as the skate parks in Evandale, Perth and Longford and the development of more appropriate spaces and activities for young people



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- Liaise with schools to identify student well-being issues and support schools to implement strategies and programs to target these areas

Objective 3: Connected Youth

Connecting young people to services, programs and support

Strategies:

- Liaise with service providers and schools to identify and address service gaps for young people
- Provide support to existing services to ensure these meet the needs of young people
- Engage with city-based service providers to scope their capacity to provide outreach to young people in the municipality,
- Representation on the Northern Youth Coordinating Committee
- Representation on the Northern Midlands Interagency Group

Objective 4: Supported Youth

Support education and employment opportunities for young people

Strategies:

- Liaise with schools, higher education institutions and employment service providers to support their provision of services to young people
- Provide funding and support to schools for youth focused initiatives and programs
- Provision of further education bursaries to students within the Northern Midlands who are progressing to education or training beyond Grade 10
- Support young people's participation in arts, music and cultural activities
- SPARK: schools SRC's or Student Leaders can apply to receive funding for their youth initiative projects.

Objective 5: Involved Youth

Improve the capacity of communities to support young people

Strategies:

- Work in collaboration with Police, community youth justice, service providers and the wider community to identify and support the needs of young people who are at risk.
- Support and promote programs for parents, teachers, children and youth workers.
- Provision of youth-specific information on the Council website
- Liaise with community groups and services such as service clubs, sporting clubs, charities and support agencies to encourage and maintain their capacity to support young people
- Explore opportunities for youth mentoring initiatives