

Governance Framework

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Table of Contents

- 1. BACKGROUND 5
- 2. INTRODUCTION..... 5
- 3. DEFINITIONS 7
- 4. GOVERNANCE IN LOCAL GOVERNMENT 8
 - 4.1 Local Government Act 1993 8
 - 4.2 Definition of Governance 8
 - 4.3 How the Council Practices Good Governance 9
 - 4.4 Strategic Planning Framework 9
- 5. COUNCILLORS AND GOOD GOVERNANCE 11
 - 5.1 Good Governance Guide 11
 - 5.2 Relationships - Statement of Expectations 11
 - 5.3 Code of Conduct 11
 - 5.4 Community Engagement 11
 - 5.5 Council Meetings and Collective Decision Making 12
 - 5.6 Planning Authority 13
 - 5.7 Councillor Workshops 13
- 6. COMMUNICATION AND INFORMATION 13
 - 6.1 Councillor Records 13
 - 6.2 Communication to Councillors 14
 - 6.3 Councillor Interactions with Council Officers 14
 - 6.4 Requests for Information 14
 - 6.5 Confidential Information 15
- 7 MEETING POLICY AND PROCEDURES 15
 - 7.1 Council Meeting Motions 15
 - 7.1.1 Motions 16
 - 7.1.2 Amendments 16
 - 7.1.3 Motions on Notice 16
 - 7.1.4 Reasons for Decisions 16
 - 7.2 Meeting Procedures 17
 - 7.2.1 Questions Without Notice Policy 17
 - 7.2.2 Public Question Time Policy and Procedure 17
 - 7.2.3 Deputations Policy and Procedure 18
 - 7.3 Closed Council Information 19
- 8. OPERATIONAL FRAMEWORK 19
 - 8.1 Delegations 19

8.2	By-Laws	20
8.3	Audit Panel.....	20
8.4	Committees of Council	21
8.5	Representation on Local Government and other External Bodies.....	21
8.6	Councillor Appointments	22
	Appendix A	25

1. BACKGROUND

Local Government in Tasmania is established under the *Local Government Act 1993* and is the third sphere of government in Australia. Local Government has legislative responsibility for many functions and activities that are relevant to a local community.

Each Council is a body corporate.

Because Local Government makes decisions about so many things that affect our everyday lives and is the sphere of government that is closest to the people, it is often described as the “grass roots” form of government. As a result the community has a high expectation of access to a Council along with open and transparent decision making processes.

Both the Department of Premier and Cabinet, Local Government Division and the Local Government Association of Tasmania have published a number of guidance documents and resources for the roles and functions of Councils including the *Good Governance Guide for Local Government in Tasmania*. These documents and resources are relied upon to support Councillors in conjunction with this Framework.

Further, on 8 September 2015 the Minister for Planning and Local Government established a Board of Inquiry pursuant to the *Local Government Act 1993*. The Board of Inquiry undertook a process of investigation and on 15 June 2016 a report to the Minister for Planning and Local Government was released which included 55 Recommendations.

The Minister, pursuant to section 225 considered the Report and chose to make 7 Ministerial Directions dated 15 June 2016.

Matters arising from the Board of Inquiry recommendations and Ministerial Directions have been incorporated into this Framework.

2. INTRODUCTION

This document sets the governance framework for the Council and Councillors in undertaking the roles and functions for the good governance for the Huon Valley municipal area.

In order to consider the issues of good governance in Local Government, it is also necessary to consider the role and functions of Local Government.

Local Government includes a Council consisting of Councillors, the General Manager and Employees. Key roles are set out as follows:

Council (Councillors as a collective)

Develop and monitor the implementation of Strategic Plans and budgets

Determine and monitor the application of policies, plans and programs for

- a. the efficient and effective provision of services and facilities; and
- b. the efficient and effective management of assets; and
- c. the fair and equitable treatment of employees of the Council

Facilitate and encourage the planning and development of the municipal area in the best interests of the community

To appoint and monitor the performance of the General Manager

To determine and review Councils resource allocation and expenditure activities

To monitor the manner in which services are provided by the Council

Councillor

Represent the community

Act in the best interests of the community

Facilitate communication by the council with the community

Participate in the activities of the council

Undertake duties and responsibilities as authorised by the council

In performing any function, a Councillor:

- must not direct or attempt to direct an employee of the Council in relation the discharge of the employee's duties;
- must not perform any function of the Mayor without the approval of the Mayor.

A Councillor is to represent accurately the policies and decisions of the Council in performing the functions of Councillor.

Mayor

Act as a leader of the community of the municipal area

Carry out the civic and ceremonial functions of the mayoral office

Promote good governance by, and within, the council

Act as chairperson of the council and to chair meetings of the council in a manner that supports decision-making processes

Act as the spokesperson of the council

Represent the council on regional organisations and at intergovernmental forums at regional, state and federal levels

lead and participate in the appointment, and the monitoring of the performance, of the general manager

Liaise with the general manager on –

- a. the activities of the council and the performance and exercise of its functions and powers; and
- b. the activities of the general manager and the performance and exercise of his or her functions and powers in supporting the council; and
- c. any function imposed by an order under [section 27A](#) ; and
- d. any other function imposed by this or any other Act

The Deputy Mayor is to act in the position of Mayor and exercise the powers and perform the functions of Mayor if the Mayor is absent from the State or otherwise unavailable, or unable, to perform the functions of Mayor. The Mayor may appoint the Deputy Mayor for that purpose.

The Mayor and Deputy Mayor is to represent accurately the policies and decisions of the council in performing the functions of Mayor or Deputy Mayor.

General Manager

Implement the policies, plans and programs of the council
Implement the decisions of the council
Responsible for the day-to-day operations and affairs of the council
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
Assist the council in the preparation of the strategic plan, annual plan, annual report and assessment of the council's performance against the plans
Coordinate proposals for the development of objectives, policies and programs for the consideration of the council
Liaise with the mayor on the affairs of the council and the performance of its functions
Manage the resources and assets of the council
Perform any other function the council decides
Appoint, manage and direct employees of the Council.

The Minister for Local Government may also make orders in relation to the above roles and functions.

3. DEFINITIONS

Term	Meaning
Act	Means the <i>Local Government Act 1993</i>
General Manager	Means the General Manager appointed by the Council in accordance with section 61 of the Act.
Council	Means the Councillors sitting formally and collectively as a Council under the Act
Councillor	Means a person elected to the Council and includes the Mayor and Deputy Mayor.
Council Meeting	Means the Councillors meeting formally in accordance with the Act and Meeting Procedures Regulations
Directors	Means the senior positions in the Council overseeing a Department and directly responsible to the General Manager
Employee/Officer	Means a person employed by the Council under section 63 of the Act including casual or contract employees and Directors
Mayor	Means a person elected by the community to hold the position as Mayor of the Council under the Act.
Meeting Procedures Regulations	Means the <i>Local Government (Meeting Procedures) Regulations 2015</i> .
Statement of Expectations	Means the Statement of Expectations referred to in Clause 5.2 of this Framework and included as Appendix A

4. GOVERNANCE IN LOCAL GOVERNMENT

4.1 Local Government Act 1993

The Huon Valley Council is responsible for the municipal area under the Act.

Section 20 of the Act sets out the following broad functions of councils:

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

In performing these roles and functions Council is required to consult, involve and be accountable to the community. It must take into account the diverse needs of the local community in its decision making, set and monitor strategic objectives and ensure resources are managed in a responsible manner.

To allow Councils better decision-making, greater accountability and to be more efficient and effective, the Act provides a number of ways of achieving these objectives through strategies, plans, delegations, by-laws and policies.

4.2 Definition of Governance

Governance is the process by which decisions are made and implemented, the process by which organisations go about achieving their goals and producing their outputs and the process by which organisations are directed, controlled and held to account.

It encompasses:

- Maintaining high ethical standards.
- Councillors understanding their role in Local Government.
- Fostering respectful relationships.
- Undertaking effective strategic planning and performance monitoring.
- Implementing robust risk management.
- Practicing fair and transparent decision making.
- Complying with relevant Acts of Parliament.
- Committing to continuous improvement.

The practice of good governance in Local Government can make a significant contribution to improving community life. When Local Governments practice good governance, their communities are more connected and engaged, better services are provided and more efficient use is made of resources. In meeting the highest standards of accountability and transparency, good governance produces better outcomes.

The Mayor, General Manager and Councillors commit to good governance practices as set out in the Statement of Expectations.

4.3 How the Council Practices Good Governance

The Huon Valley Council demonstrates good governance by being:

Accountable	Accountability is a fundamental requirement of good governance. Huon Valley Council has an obligation to report, to explain and to be answerable for the consequences of decisions it has made on behalf of our community it represents and serves.
Transparent	People should be able to follow and understand the decision making process. This means that people can clearly see how and why a decision was made - what information, advice and consultation Council considered, and which legislative requirements (when relevant) Council followed.
Law-abiding	Decisions must be consistent with relevant legislation or common law, and be within the powers of the Huon Valley Council.
Responsiveness	Huon Valley Council will always try to represent and serve the needs of the entire community while balancing competing interests in a timely, appropriate and responsive manner.
Equitable	Our community's wellbeing depends on all of its members feeling that their interests have been considered by Council in the decision making process. All groups, particularly the most vulnerable, should have opportunities to participate in the decision making process, and all groups should be treated equally by Huon Valley Council.
Participatory and Inclusive	Anyone affected by, or interested in, a decision should have the opportunity to participate in the process for making that decision. Participation can happen in several ways - community members may be provided with information, asked for their opinion, given the opportunity to make comments or, in some cases, be part of the actual decision making process.
Effective and efficient	Huon Valley Council will implement decisions and follow processes that make the best use of the available people, resources and time, to ensure the best possible results for their community.
Consensus oriented	Wherever possible, good governance involves taking into account the different views and interests in the Huon Valley to reach a majority position on what is in the best interests of the whole community, and how it can be achieved.

4.4 Strategic Planning Framework

The Council's planning tools are a suite of planning documents which are all intricately interlinked. Each document is informed by the others but has its own focus. This ensures at every level of planning the council is working towards achieving the community's long term vision for the Huon Valley as set out in the Council's Strategic Plan.

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

This is done through a series of plans and reports required under Part 7 of the Act as follows:

- Strategic Plan
- Long Term Financial Plan
- Financial Management Strategies
- Long Term Strategic Asset Management Plans
- Asset Management Policies
- Asset Management Strategies
- Annual Plan
- Annual Report

Within these plans and reports Council is required to review the documents and minimum requirements are prescribed under the Act. The Council will comply with its requirements under the Act.

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

Under LUPAA it is the responsibility of the Council to prepare and implement a Planning Scheme for the municipal area and assess proposed use and development in accordance with the Planning Scheme.

A Planning Scheme is a key strategic document for the Council which guides use and development in the municipal area that must have regard to the Council’s Strategic Plan along with furthering the objectives of the resource management system, consistently applying state policies and making provisions relating to the use, development, protection or conservation of any land in the area.



5. COUNCILLORS AND GOOD GOVERNANCE

5.1 Good Governance Guide

Councillors will perform their roles and functions in a manner consistent with the *Good Governance Guide for Local Government in Tasmania* published by the Department of Premier and Cabinet, Local Government Division from time to time.

A copy of the current Guide can be found at:

http://www.dpac.tas.gov.au/data/assets/pdf_file/0006/380427/Good_Governance_Guide_June_2018.pdf

5.2 Relationships - Statement of Expectations

The key to the success of the Council and the General Manager will be the development of a respectful and professional working relationship.

The Mayor, Councillors and the General Manager have agreed to a Statement of Expectations to:

“...articulate the commitment of the Mayor, General Manager and Councillors to a shared mutual responsibility of adopting appropriate working relationships to maximise the good government of the Huon Valley Community.

In addition, the Mayor, General Manager and Councillors accept that good government relies on ethical and accountable behaviour as well as statutory compliance.”

The Statement of Expectations is included as Appendix A to this Governance Framework and this Framework is to be read in conjunction with the Statement in relation to the matters it addresses. To the extent of any inconsistency within this Framework the provisions of the Statement of Expectations will prevail.

5.3 Code of Conduct

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

The Council has adopted a Code of Conduct for Councillors in accordance with the Act. The Code will be reviewed as required.

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

5.4 Community Engagement

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

Community engagement provides guidance to Council in order to make well informed, acceptable and sustainable decisions; supporting the final decision making power of the Council.

Council recognises that community engagement is a two way interactive process that provides opportunities for the Council and community to clarify information raise issues and discuss ideas and options. Engagement is an important dimension that informs and enhances Council's decision-making process.

A Community Engagement Framework has been adopted by the Council to assist in the decision making process.

5.5 Council Meetings and Collective Decision Making

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

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

The Council can only make decisions by resolution, that is, a motion has to be put to a properly convened meeting and passed by the required majority. The Council acknowledges the importance of collective decision making by the Councillors sitting together at a properly constituted meeting of the Council.

Council meetings are formal meetings required to be held by the Council under section 18 of the Act.

Council meetings will be conducted in accordance with the Meeting Procedures Regulations and will be open to the public however a meeting will be closed when considering a number of matters set out in regulation 15(9) of the regulations.

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

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

5.6 Planning Authority

When considering matters and applications under the *Land Use Planning and Approvals Act 1993* the Council does so as a Planning Authority.

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

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

5.7 Councillor Workshops

Councillor Workshops will be held on a regular basis.

Workshops will provide information to Councillors on relevant issues, to seek guidance from Councillors on strategy and policy matters or for them to receive presentations from internal and external organisations on matters of interest.

Acknowledging the public interest in the activities of the Council, the Council will, at the next practicable and available ordinary meeting, summarise the matters considered and discussed at a workshop including the process forward, if relevant, on the subject matter considered.

6. COMMUNICATION AND INFORMATION

6.1 Councillor Records

All records created, received or sent by a Councillor acting in their official capacity as A Councillor is part of the Council's records and must be kept in accordance with the requirements of the *Local Government Act 1993*, the *Archives Act 1983* and the *Right to Information Act 2009*.

Examples may include:

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

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

As required by the Tasmanian Archive and Heritage Office, *Information Management Advice 49 Recordkeeping for Local Government Councillors*, Councillors must create

and capture full and accurate records of any business undertaken in the course of their official duties for Council.

All records received must be forwarded by Councillors to the General Manager to be recorded in the Council's information management system in accordance with protocols determined by the General Manager. All records will be treated with the appropriate level of confidentiality and privacy in accordance with legislation.

For the purposes of this Framework each Councillor will be provided with a corporate Huon Valley Council email address. All correspondence to or from a Councillor in electronic form is to be through this address and private email addresses are not to be used by a Councillor acting in an official capacity.

6.2 Communication to Councillors

Communication will be provided to Councillors as required by available means such as by briefing notes (which are distributed to all Councillors at the same time) and emails to convey information on relevant issues as they arise.

6.3 Councillor Interactions with Council Officers

Primarily the Act establishes that all communication between individual Councillors and the administration of the Council are through the General Manager as the Council employs the General Manager only.

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

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

All interactions between Councillors, the General Manager and Employees at Council or Committee meetings will be in accordance with the Act, Meeting Procedures Regulations, the Code relating to the Conduct of Councillors and the Statement of Expectations.

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

6.4 Requests for Information

Councillors may request the General Manager to provide any information or documents that may be required for the purpose of performing any of the councillor's functions. A Councillor is not able to access all Council information as a right of office or to access information on behalf of a third party.

Councillors may also request the General Manager to provide documents relating to Council and Committee meeting agendas.

Any Councillor seeking information is to contact the General Manager or otherwise as in accordance with the guidelines established by the General Manager from time to time.

In making a request for information a Councillor should consider:

- Maintaining a relationship of trust between the General Manager and Councillors.
- The purpose and reason for the request and how it relates and is relevant to the roles and functions of the Councillor.
- Not over-burdening the General Manager with requests.
- Formal access to information should be considered as a last resort

Formal access to information is otherwise to be in accordance with sections 28A and 28B of the Act.

Requests for access to documents relating to a meeting of the Council or a Council Committee should be in accordance with section 28D of the Act.

The General Manager will provide the information at the earliest opportunity taking into account employee workloads and current priorities of the Council. Any delays in providing the information will be advised to the Councillor making the request.

Information provided or made available to one Councillor will be made available to all Councillors to ensure the equitable distribution of information between Councillors.

6.5 Confidential Information

If the General Manager considers information or documents are confidential, he or she may require councillors to give an undertaking to maintain that confidentiality.

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

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

7 MEETING POLICY AND PROCEDURES

7.1 Council Meeting Motions

In accordance with Regulation 16 of the Meeting Procedures Regulations a Councillor may move motions, or provide motions on notice for Council meetings.

For the purpose of efficient meeting operation and for assistance to the Chairperson of the Meeting, Motions should be dealt with taking into account the following principles:

7.1.1 Motions

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

7.1.2 Amendments

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

7.1.3 Motions on Notice

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

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

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

Council also acknowledges that it must not make a decision on the motion if it requires advice of a qualified person without considering such advice except as otherwise provided in section 65 of the Act

7.1.4 Reasons for Decisions

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

Where a motion is moved that is made contrary to the recommendation and advice provided in the Agenda it is necessary for the Council to consider the reasons for making a decision in favour of that motion. A Councillor

presenting a motion in these circumstances should consider and include any reasons within the motion.

Further where it is necessary for the General Manager to record the reasons for a decision, see Regulation 25 of the Meeting Procedures Regulations in relation to planning authority decisions, a Councillor who moves a motion contrary to the recommendation must include reasons to support that motion within the motion. In these circumstances the Chairperson will require the Councillor responsible for moving the motion to include the reasons in writing with the motion prior to the motion being considered, unless the reasons are deemed to be uncomplicated and have been clearly recorded by the General Manager.

7.2 Meeting Procedures

Huon Valley Council meetings are governed by the Act and the Meeting Procedures Regulations.

Regulation 37 of the Meeting Procedures Regulations provides Council with the power to determine any procedures relating to a meeting of the Council (that are not otherwise provided within the regulations) it considers appropriate.

The following policy and procedures are determined for that purpose:

7.2.1 Questions Without Notice Policy

Pursuant to regulation 29 of the Meeting Procedures Regulations, questions without notice may be asked by a Councillor of, or through, the Chairperson at any time during a meeting for the purposes of discussion on an Agenda Item.

Time will also be set aside at an ordinary meeting of the Council as an item on the Agenda for that meeting to allow a Councillor to ask general questions without notice both in open and closed Council if necessary.

7.2.2 Public Question Time Policy and Procedure

Pursuant to Regulation 31 of the Meeting Procedures Regulations the Chairperson may address questions on notice submitted by members of the public and invite any member of the public present at an ordinary meeting to ask questions relating to the activities of the Council.

The Chairperson at an ordinary meeting of Council must ensure that, if required, at least 15 minutes of that meeting is made available for questions by members of the public.

Time will be set aside at an ordinary meeting of the Council as an item on the Agenda for public questions time which will be in accordance with the following Policy and Procedure:

- 1) A person seeking to ask a question must first stand and identify himself or herself.
- 2) No person will be entitled to ask more than 2 questions, and will only be entitled to ask a second question after all other persons who wish to ask a question have asked one question each and the 15 minute period referred to in sub-clause (1) has not elapsed.
- 3) The Chairperson may refuse to accept a question in Public Question Time that:
 - does not relate to the activities of the Council
 - does not relate to an item listed on the agenda for the Council meeting
 - relates to an item listed on the agenda for the Council meeting to be dealt as a planning authority under the *Land Use Planning and Approvals Act 1993*
 - relates to any matter which would normally be discussed in the closed section of the Council Meeting pursuant to Regulation 15 of the Meeting Procedures Regulations.
 - in the opinion of the Chairperson contains an insult, makes a personal reflection on a Councillor or an employee of Council or imputes an improper motive on a Councillor or employee of Council.

7.2.3 Deputations Policy and Procedure

Pursuant to Regulation 38 of the Meeting Procedures Regulations the Chairperson may invite a person to address a meeting and to make statements or deliver reports.

Such invitation may be at the initiation of the Council and others by request from members of the public or from other third parties.

Time will be set aside at an ordinary meeting of the Council as an item on the Agenda for the purpose of receiving Deputations to the Council in open Council, and where necessary may also be in Closed Council and requests for a deputation to the Council will be in accordance with the following Policy and Procedure:

- 1) A person who intends or wishes to comprise a deputation to the Council or any Council Committee is to:-
 - make a written request to the Chairperson setting out the likely members of the deputation;
 - the purpose of the request; and
 - the nature of the matter or matters intended to be placed before the Council or Council committee.
- 2) The Chairperson is to decide whether or not the deputation is to be received.
- 3) If the Chairperson decides that the deputation is to be received, the Chairperson is to inform the General Manager to note the item on the appropriate agenda.
- 4) If the Chairperson decides that the deputation is not to be received, any person who intends to comprise the deputation may appeal that decision in

writing to the General Manager who is to list this appeal on the agenda of the next ordinary meeting of Council.

- 5) The Council may by absolute majority uphold the appeal and if an appeal is upheld the deputation is to proceed in accordance with the Regulation 38 of the Local Government (Meeting Procedures) Regulations 2015 and this Policy and Procedure.
- 6) A deputation -
 - is not to exceed 3 persons; and
 - is not to be permitted to continue in attendance on the Council or Committee for a longer period than 15 minutes.
- 7) Unless the Council or Committee decides otherwise, the recommendation, request or other matter placed before the Council or Council committee from a deputation is not to be considered until the deputation has withdrawn.
- 8) The Council or Committee may by resolution invite a person to address the meeting and to make statements or deliver reports.

7.3 Closed Council Information

The Meeting Procedures Regulations requires the General Manager to withhold from the public all associated reports and documents which, in the opinion of the General Manager, relate to any matter to be discussed in Closed Council.

Any discussions, decisions, reports or documents relating to a Closed meeting are to be kept confidential unless the Council or Council Committee, after considering privacy and confidentiality issues, authorises their release to the public.

In accordance with the Act Councillors are to keep confidential any documents provided to them for the purposes of Closed Council.

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

8. OPERATIONAL FRAMEWORK

8.1 Delegations

Council derives functions and powers from the Act and a large number of other Acts and regulations.

While these functions and powers are vested in Council it is not practical or efficient that the Council as a whole acts as a decision maker in respect of all functions and powers.

Provision is therefore made in legislation for the Council to delegate various functions and powers to the General Manager, Committees or other specified Officers.

Therefore Delegations are a part of the Council's decision-making approach. They represent the policy of the Council to entrust certain types of decisions to the General Manager or Committees. All delegations should be in the context of Council policy that provides guidance to the delegated Officer to make decisions.

The rationale behind delegated authority is focused on:

- improving responsiveness to customer needs and customer service;
- streamlining the administrative activities of Council;
- improving the efficiency and productivity of Council;
- ensuring legislative compliance, and;
- allowing Council at a Council meeting to concentrate specifically on policy and strategic matters.

This will be the basis for Council's decisions to grant the delegation of authority.

Delegations will be generally reviewed at least once every year and in response to any changes to, or the introduction of new, legislation for which Council is responsible for administering.

8.2 By-Laws

Under Section 145 of the Act Council may make By-laws in respect of any Act, matter or thing for which the Council has a function or power under any Act.

It is the Council's practice to undertake its role and functions under existing legislation (Acts and Regulations) where this is provided.

Where there is a deficiency of legislation (ie. matters not properly covered) or where there are particular management or governance issues the Council will consider the making of By-laws to deal with these matters.

In preparing a By-law due regard will be given to the provisions within existing relevant legislation and the need to ensure that the By-law does not duplicate or conflict with those statutory provisions rather the focus will be to complement existing legislation.

Due regard will also been given to the reduction of administrative burden. To that end the intent of any By-law will be to keep regulation to a necessary minimum.

8.3 Audit Panel

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

Members of the Audit Panel will be appointed and operate in accordance with the Panel's Charter.

8.4 Committees of Council

The Council will establish and operate committees of Council under the Act, or as otherwise required by any Act in accordance with the Committees Policy as adopted by the Council from time to time.

Councillor members of committees of Council will be appointed in accordance with this Framework, or in the case of a Statutory Committee within the meaning of the Committees Policy, in accordance with the relevant Act and Regulations.

An item will be placed on the ordinary Council meeting Agenda for the minutes or other reports made by a Committee to be received and noted by the Council.

8.5 Representation on Local Government and other External Bodies

The Council is a member of the Local Government Association of Tasmania which is established under Part 16 of the Act to represent the interests of Local Government in the State.

The Council is also a member of 2 joint authorities that have been established pursuant to Division 4 of Part 3 of the Act as follows:

- Southern Tasmanian Councils Authority which is a representative body generally of the 12 Southern Councils.
- Waste Management Strategy Group which is a representative body of 12 of the Southern Councils for the purposes of addressing waste issues in the South of the State.

The Council is also a shareholder owner in the Tasmanian Water and Sewerage Corporation (TasWater) which has been established to deliver statewide water and sewerage services which were formerly delivered by Councils.

The Council also owns the Geeveston Town Hall Company, which is established as a corporation limited by guarantee to oversee the Geeveston Town Hall. The Council has a member on the Company Board by way of an appointed Councillor.

From time to time the Council, by its own volition or by invitation, will take up membership or representation on various bodies external to the Council. Such membership or representation will be reviewed from time to time considering the circumstances of the case and relevance to the Council's strategic plan.

Section 27 of the Act provides that the role of the Mayor includes to represent the Council on regional organisations and at intergovernmental forums at regional, state and federal levels.

The Council will appoint representatives to represent the Council at meetings and relevant functions etc. as follows:

LOCAL GOVERNMENT OR EXTERNAL BODY	COUNCIL REPRESENTATION
Local Government Association of Tasmania	Mayor Proxy Deputy Mayor
Southern Tasmanian Councils Authority	Mayor Proxy Deputy Mayor
TasWater Shareholders and Owners	Mayor Proxy Deputy Mayor
Geeveston Town Hall Company	Councillor appointed by Council
Waste Management Strategy Group	Councillor appointed by Council
Southern Trove Tourism Reference Group	Councillor appointed by Council

Representatives will be appointed for a term until completion of the next Council election.

An item will be placed on the ordinary Council meeting Agenda for the Minutes or other reports made from Local Government body or the representative Councillor to be received and noted by the Council.

8.6 Councillor Appointments

Where it is necessary for the Council to appoint a Councillor as a member or representative under this Framework, in accordance with any Terms of Reference to any Committee of the Council or on any Statutory Committees such as the Audit Panel or Municipal Emergency Management Committee, the appointment will be made by undertaking the following process:

The process is as follows: -

- (a) *Nominations will be called by the Mayor. The nomination period will not be less than 4 days.*
- (b) *Nominations are to be made to the General Manager in writing and must be received by the General Manager by no later than close of the nomination period.*
- (c) *A Councillor may nominate themselves to any position and do not require a seconder or nomination by another Councillor.*
- (d) *If the number of nominations received by the General Manager is equal to, or less than, the number of appointments to be made then those who have nominated will be declared elected.*
- (e) *If the number declared elected under paragraph (d) is less than the number of appointments to be made, nominations will be called at the Council meeting considering the appointments and appointed as if under paragraph (d) if the number of nominations equals the number of*

vacancies or under paragraph (f) if the number of nominations exceed the number of vacancies.

- (f) *If the number of nominations exceeds the number of appointments to be made, a ballot be undertaken to appoint the Councillor(s).*
- (g) *The ballot will be conducted on the following basis:-*
- i. The ballot will be conducted as a secret ballot where Councillors vote on provided ballot papers.*
 - ii. To be valid, a vote must be cast as follows:-*
 - 3 for most favoured candidate*
 - 2 for next favoured candidate*
 - 1 for next favoured candidate**Where there are less than 3 candidates voting will be down to the lowest vote for the least favoured candidate.*
 - iii. The votes cast will be counted and accumulated against each candidate.*
 - iv. The Councillor or in the event of more than appointment is to be made the Councillors, achieving the highest number of accumulated vote totals will be declared elected.*
 - v. In the event of a tied vote such that election of the appointment cannot be determined then:-*
 - 1. the Councillors achieving the most accumulated votes be declared elected;*
 - 2. an election will be held a second time only in respect of the candidates who have tied and to be valid a vote must be cast for all candidates on the ballot paper with the highest vote reflecting the most favoured candidate down to the lowest vote for the least favoured candidate.*
 - 3. The Councillor(s) who achieves the highest number of accumulated vote totals in the second election will be declared elected.*
 - vi. If after the second round of voting a candidate does not achieve the most accumulated votes and the vote is still tied, the election for the number of positions not otherwise determined as elected, will be determined by the drawing of lots between the candidates who have tied with the candidate(s) whose name(s) is/are drawn from the lot being declared nominated to Council for appointment.*
 - vii. The ballot papers be destroyed following the election of the Members.*
- (h) *Where applicable, the Councillor who receives the second highest number of accumulated votes will be determined as identified for nomination to Council for appointment as proxy.*
- (i) *The General Manager is to appoint a Returning Officer to conduct the ballot.*

- (j) *The ballot papers will be destroyed following the election of the Members.*
- (k) *In the event of a casual vacancy during the term of the Councillor appointment, a Councillor will be appointed as close as practicable in accordance with this clause.*

Councillor appointments may be made at any ordinary or special meeting of the Council.

APPENDIX A



HUON VALLEY COUNCIL

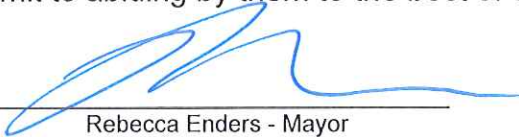
Huon Valley Council

STATEMENT OF EXPECTATIONS

Mayor and General Manager
Mayor and Councillors
General Manager and Councillors
Between Councillors

Good Governance Across Council

We, the undersigned, endorse and agree with the principles and expectations set out in this Statement of Expectations (as far as they relate to each of our respective roles) and commit to abiding by them to the best of our ability:



Rebecca Enders - Mayor



Emilio Reale - General Manager



Sally Doyle - Deputy Mayor



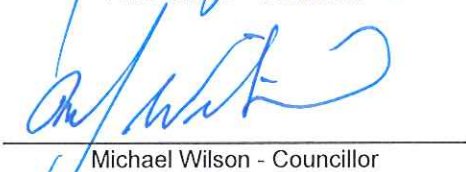
Michael Newell - Councillor



Paul Gibson - Councillor



Christine Campbell - Councillor



Michael Wilson - Councillor



Robert Prince - Councillor



Juarne Bird - Councillor



Mark O'May - Councillor

INTRODUCTION

Preamble

On 15 June 2016, the Minister for Planning and Local Government (Peter Gutwein MP), having considered the recommendations made to him by the Huon Valley Council Board of Inquiry (BOI), and in accordance with section 225(2) of the *Local Government Act 1993* (**Local Government Act**), made seven (7) Ministerial Directions (**the Directions**).

Directions 1(b), (c) and (d) of the Directions required as follows:

Pursuant to section 225(2)(d) of the Act, take steps to facilitate the development of a professional working relationship between the Mayor and the General Manager by:

b) facilitating the development of a Statement of Expectations to govern the relationship between the Mayor and General Manager in the discharge of their functions under the Act to include:

- i. the timing of regular meetings;
- ii. the manner in which the outcomes of those meetings are recorded;
- iii. the scope of information that may be requested by the Mayor;
- iv. the timeframes for requesting information from the General Manager;
- v. the timeframes for providing information to the Mayor;
- vi. the development of authorisation processes for formal press releases issued by either office;
- vii. the roles of both parties in developing Council agendas and conduct at Council meetings; and
- viii. the process for dealing with disagreements on issues that arise that are not explicitly covered in the Statement of Expectations.

c) endorsing the Statement of Expectations;

d) Publishing the Statement of Expectations on the Council website within a period of 90 days.

Prior to completing the Direction the Council was dismissed. For the purposes of establishing a new Council a Statement of Expectations was approved by the Commissioner at the ordinary meeting of Council held 30 August 2017.

Following Council elections in October 2018 a new Council was elected.

The Councillors have committed to development of a Statement of Expectations to meet the spirit and intent of the Direction.

In addition to the above, Council has also included a 'Statement of Expectations of Good Governance across Council to further articulate the roles and responsibilities of individuals and groups covered by this document, and to avoid repetition of mutual obligations.

In preparing this Statement of Expectations, Council has drawn supporting material from the *Good Governance Guide*¹ and the *Good Governance Guide for Local Government in Tasmania*².

¹ www.goodgovernanceguide.org.au ©MAV, VLGA, LGV and LGPro, 2012

² Department of Premier and Cabinet, Local Government Division, May 2016

Council Functions, Vision, Mission and Values

Council's powers and functions are established under the Local Government Act. In particular, section 20 provides that the role of councils is to:

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

Council's vision from the *Huon Valley 2020 Community Plan* further supports this statutory role:

“Working together for a prosperous, vibrant and caring Huon Valley community.

From Sleeping Beauty to the Southern Ocean, prosperous, vibrant communities in the Huon Valley, live, work and learn together; enjoying beautiful rural landscapes, waterways and a healthy natural environment.”

Council's Mission is to:

- Care for our environment
- Build health and wellbeing
- Enhance recreational opportunities
- Improve transport and communication
- Create diverse educational opportunities for all
- Develop prosperity
- Expand community consultation and involvement
- Celebrate our arts, heritage and culture

Council has four (4) key values that underpin its vision and mission and in all Council's dealings we will:

- Be open, fair and honest
- Respect our people, land and future
- Embrace diversity and new ideas
- Pursue community cohesion

In this document, the term 'community' has been broadened from the Local Government Act definition³ to mean:

- residents – landowners and tenants
- ratepayers – owner-occupiers, investors and businesses, and
- people and bodies who conduct activities in the municipal area of the Huon Valley (e.g., work, tourism, leisure or for other reasons).

Purpose

The purpose of this Statement of Expectations is to articulate the commitment of the Mayor, General Manager and Councillors to a shared mutual responsibility of adopting appropriate working relationships to maximise the good government of the Huon Valley Community.

In addition, the Mayor, General Manager and Councillors accept that good government relies on ethical and accountable behaviour as well as statutory compliance.

³ Section 3 of the Local Government Act defines 'community' as 'the community of a municipal area'

1. Mayor and General Manager

Council accepts that the relationship between the Mayor and General Manager is critical to the efficient functioning of Council operations. A dysfunctional relationship between the Mayor and the General Manager can have a significant and long-lasting negative impact on the performance of Council.

As with good governance in general, a good relationship between the Mayor and General Manager relies partly on following the law, guidelines and protocols, and partly on the good judgement and common sense of the individuals concerned.

It is expected that the Mayor and General Manager will build a relationship based on trust, respect and acknowledgement of the need for collaborative engagement. This will ensure that they will have a solid foundation to lead an effective Council focussed on the best interests of the community.

The following specific expectations are agreed, and apply in addition to the 'Statement of Expectations of Good Governance across Council:

Meetings between Mayor and General Manager

Under section 62 of the Local Government Act, the General Manager is required to 'liaise with the Mayor on affairs of Council. Similarly, under section 27 of the Local Government Act, the Mayor is required to 'to liaise with the General Manager on the activities of the Council and the performance and exercise of its functions and powers; and the activities of the General Manager and the performance and exercise of their functions and powers in supporting the Council.

To complement these statutory requirements, it is expected that the Mayor and General Manager will have at least weekly one-on-one meetings to deliberate on the affairs, activities and the performance and exercise of Council's functions and powers. It is expected that the outcomes and decisions of those meetings will be appropriately recorded and acted on.

Provision of Information between the Mayor and General Manager

Taking into account the qualifications under sections 28A – D of the Local Government Act, wherever practicable and in the spirit of openness and transparency, requested information will be provided through the General Manager (or delegate).

Taking of Leave by General Manager

The General Manager will, wherever practicable, ensure that the Mayor is given sufficient notice of this intention to be absent from duty for any reason or that they are otherwise unavailable or unable to perform the functions of the office of General Manager.

Appointment of an Acting General Manager

In the absence of a Council appointment for a person to act in the Office of General Manager during every absence of the General Manager, the Mayor may appoint a

person to act in the office of general manager, as per section 61B of the Local Government Act.

In this instance, the Mayor must liaise with the relevant Council officer to ensure that a duly formed instrument of appointment is drawn.

Agendas and Draft Minutes

The General Manager will prepare an agenda for each council meeting and council committee meeting as required under regulation 8 of the *Local Government (Meeting Procedures) Regulations 2015 (Meeting Regulations)*. In doing so, the General Manager (or delegate) will meet with the Mayor to discuss the draft agenda prior to publication. Similarly, the General Manager (or delegate) will liaise with the Mayor in relation to the draft minutes prior to inclusion with the next Council (or Council committee) meeting agenda for confirmation.

If an audio recording has been made of the closed section of a Council meeting, the General Manager (or delegate) will ensure where practicable that a copy will be downloaded to a secured shared environment (eg. Google Drive) where all Councillors can access the confidential recording (but not copy it). This will be for the purposes of confirming the draft minutes of the closed section of that Council meeting. Following confirmation of the closed minutes, the General Manager (or delegate) will destroy the recording as soon as practicable after confirmation.

Conduct of Council and Council Committee Meetings

With respect to behaviour in the Council Chamber, the Mayor, Councillors and General Manager and Council officers will model good constructive relationships and show personal respect for one another at all times.

Council acknowledges that the combined behaviour of the Mayor, Councillors, General Manager, and Council officers reflects on the Council and on local government as a whole. If Council is seen to be acting fairly and ethically, Council decisions will be better respected and are much more likely to be accepted by the community.

The conduct of individuals affects the ability of Council to function properly. If individuals behave improperly, it can negatively affect the quality of their relationships with each other. This can lead to a lack of trust which will undermine the effectiveness of Council as a whole.

Wherever possible, the General Manager and Directors will attend (or be available to attend) Council meetings and Council Committee meetings to provide qualified advice. Attendance of managers and other staff will be determined on an 'as required' basis, depending on the complexity of, and technical knowledge required to provide advice on agenda reports.

Media Releases and Responses to Media Requests

Section 27 of the Local Government Act provides that the Mayor is the official spokesperson of Council. This function is not co-shared with other Councillors or the General Manager other than at the Mayor's discretion.

The Mayor may authorise the General Manager, other Councillors or Council officers to communicate on behalf of Council on certain technical or factual matters, as the Mayor considers appropriate, and on the understanding that all communications made on behalf of Council must deliver a consistent message. Notwithstanding, and in line with any Council media statements policy, the Mayor (or the appropriate officer as authorised) will be responsible for the final approval of any Council media statements.

Council's Communications Officer (or equivalent) will liaise regularly with the Mayor and General Manager to ensure that Council media releases are properly drafted and communicated.

The Communications Officer will also support the Mayor and General Manager in drafting responses to media requests.

Support for Ceremonial and Representational Roles of the Mayor

The General Manager will ensure that adequate support be made available to assist the Mayor in their ceremonial and representational roles for Council.

Disagreement Procedure

If a disagreement arises between the Mayor and General Manager, it is expected that the following process will be followed:

- the parties must initially try to resolve the dispute internally in good faith
- if the dispute is unable to be resolved, it will be brought to the Council as a group to determine whether any actions can be taken to resolve the dispute or address issues which arise from it (including but not limited to referral to a mediator/conciliator as agreed between the parties), and
- if agreement cannot be reached, it is then open to the parties to seek advice from the Local Government Division on the process to be followed from that point. It is understood that this recourse is a last resort unless there is a serious risk of continuing dysfunction between the parties.

Without prejudice to either party, it is expected that the Mayor and General Manager will continue to work together professionally while the dispute is being resolved.

2. Mayor and Councillors

The relationship between the Mayor and Councillors is very important because good leadership and good relationships contribute to effective participation of Councillors and good governance.

As the leader of the Council and all Councillors, the Mayor's role is particularly important in facilitating good relationships. Under section 27 of the Local Government Act, the Mayor's functions include:

- promoting good governance by, and within, the Council, and
- acting as chairperson of the Council and chairing meetings of Council in a manner that supports decision-making processes.

The following specific expectations are agreed, and apply in addition to the 'Statement of Expectations of Good Governance across Council:

Commitment to Sharing Information

To assist open and transparent communication, and collegial working relationships, the Mayor will share information with all Councillors outside of the formal Council meetings and workshops, as appropriate. Such information may include (but not limited to): invitations by community groups to attend functions, policy statements by political parties, outcomes of meetings of external bodies etc.

Commitment to Good Conduct at Council Meetings

Under the Meeting Regulations (section 10 – Chairperson), the Mayor (or in the Mayor's absence, the Deputy Mayor) is the chairperson of a Council meeting. Accordingly, the Mayor is expected to chair and manage the Council meeting.

However it is the responsibility of each and every individual Councillors to exhibit good conduct in meetings. The Mayor should not have to spend time enforcing good behaviour.

Councillors should listen while others are speaking, avoid interrupting, use respectful and temperate language void of emotion in debates (no matter how contentious the topic may be), and remain focussed on meeting business while avoiding unnecessary distractions.

Commitment to Leading Meetings with Skill and Impartiality

The Mayor will facilitate good decision-making through skillful chairing of Council meetings. The Mayor will have a comprehensive knowledge and understanding of the formal meeting procedures under the Meeting Regulations and other relevant Council meeting policies so as to be confident in chairing meetings and making rulings where necessary.

In particular, the Mayor will recognise that it is important in making Councillors feel that they are part of the Council meeting process by ensuring they have the opportunity to get their viewpoint across.

If the Mayor has a strong position on a specific issue during debate, the Mayor will refrain from expressing a particular view until all the other Councillors have had their chance to state their opinion, and before the matter is put to the vote. If the Mayor wishes to play an active part in the debate, then they should consider vacating the chair for that item, as appropriate.

3. Between Councillors

- 3.1 Relationships between Councillors are to be founded on mutual respect and an acknowledgement that they are all doing complex and important work.

Because of the nature of a Councillor's role, it is understood that they all have individual agendas and issues which they would like to pursue during their term. Despite their differences of opinion, Councillors need to work together as members of the Council to achieve the best outcomes for the municipality. Councillors decision making power comes from collective decisions and not the individual Councillors.

- 3.2 Good governance and the capacity for Councillors to get things done depend on the quality of the relationships between them. Relationship building is a shared responsibility.

As community leaders, Councillors recognise their position as role models. Just like leaders at the state and federal levels of government and other prominent citizens, Councillors conduct sets the standard for other people to follow.

The following specific expectations are agreed, and apply in addition to the 'Statement of Expectations of Good Governance across Council:

Commitment to Treat Officer's Advice with Respect

Apart from the information and advice received in Council briefings, Councillors are also provided with qualified advice at meetings through Council reports or presentations from officers who attend the meeting.

Councillors are not required to follow the advice and may state their disagreement with the recommendation or report contents. However, Councillors must consider the report with due respect and should not make disparaging statements about the report or the author.

Councillors that have concerns or questions about agendas and reports should approach the relevant Director prior to a Council meeting.

Commitment to Engagement in Council Meetings

Councillors are elected for the primary purpose of making decisions on behalf of the entire community.

Accordingly all Councillors will make genuine efforts to actively participate in all aspects of Council meetings, including by:

- reading officer reports and related documentation
- attending formal council meetings and other related meetings, such as Councillors briefings and workshops
- participating in debate and discussion of matters affecting the community
- remaining focussed on meeting business and avoiding unnecessary distractions, and
- voting on all Agenda items, except items in which they have declared an interest.

Although attendance at workshops is not mandatory every effort should be made.

Commitment to Adhering to Council's Customer Service Charter

When dealing with representations from the community, Councillors must respect the appropriate process for dealing with service level issues and customer complaints.

Councillors are expected to initially direct the community member to contact Council's Customer Service Team which will ensure that the issue is forwarded to the appropriate Council department for assessment.

Where a community member is dissatisfied with Council's administration of their issue, Councillors are expected to raise this with the Mayor who will raise the matter with the General Manager.

Commitment not to Influence Council Employees

Councillors must not influence, or attempt to influence, any Council employee or delegate of the Council, in the exercise of the functions of the employee or delegate⁴.

4. General Manager and Councillors

As the leader of the organisation and staff, the General Manager has a critical role in promoting a positive culture of good governance throughout Council administration. In particular, the General Manager is instrumental in ensuring that the roles of Councillors (being the democratically elected oversight body of Council) are viewed as being an integral part of (rather than an impediment to) the efficient discharge of the many functions of Council.

The following specific expectations are agreed, and apply in addition to the 'Statement of Expectations of Good Governance across Council:

Commitment to Supporting Good Decision Making by Councillors

The General Manager will ensure that Councillors are regularly provided with the information they need to fulfil their roles. In doing so, the General Manager will ensure that all Councillors have equal access to information and resources and are provided appropriate support for good decision-making processes.

The General Manager, in consultation with the Mayor, will ensure that there are appropriate Councillors briefing sessions (or workshops) which will provide opportunities for Councillors to be better informed about strategic or key operational matters of Council.

⁴ Refer to Council's Code of Conduct

5. Good Governance Across Council

To practice good governance, Council acknowledges and supports that the Mayor, General Manager and Councillors need to lead by example and promote a culture of good governance within Council.

Accordingly, the Mayor, General Manager and Councillors commit to the following good governance practices:

Standard	Expectations
Maintaining high ethical standards	<p>The Mayor, General Manager and Councillors will (collectively):</p> <ul style="list-style-type: none"> • be familiar with, endorse and comply with relevant legislation, Council’s Councillors Code of Conduct and Council policies • act in the best interests of the community • display integrity and impartiality in their decision making • lead by example • ensure that Council decisions and actions are transparent and accountable • review Council’s Code of Conduct within three (3) months of an ordinary election (as required by the Local Government Act), and • abide by the eight (8) principles of good governance, as established in the <i>Good Governance Guide</i>⁵.
Understanding individual roles and the role of others	<p>The Mayor, General Manager and Councillors, subject to absences of leave/apologies will (collectively):</p> <ul style="list-style-type: none"> • attend all Council meetings and relevant committee meetings, as appropriate, and • come to meetings well prepared and participate effectively in debate and discussions. <p>The Mayor and Councillors will:</p> <ul style="list-style-type: none"> • not be drawn into operational management matters, except to address emerging risks, and • be effective in monitoring and evaluating the performance of the General Manager. <p>Individuals, to an appropriate level, will understand:</p> <ul style="list-style-type: none"> • their own personal role in Council • the role of Council • the role of Mayor • the role of Deputy Mayor • the role of General Manager

⁵ Good Governance is: accountable; transparent; law-abiding; responsive; equitable; participatory and inclusive; effective and efficient; and consensus oriented (*Good Governance Guide for Local Government in Tasmania* (Department of Premier and Cabinet, Local Government Division, May 2016, pp 8-9)

Standard	Expectations
	<ul style="list-style-type: none"> • the role of the Minister responsible for local government • the role of the Local Government Division • the role of Director of Local Government • the role of the Integrity Commission • the role of the Audit Office • the role of Local Government Association of Tasmania, and • the role of Council administration and operations.
Building good relationships	<p>The Mayor, General Manager and Councillors will (collectively):</p> <ul style="list-style-type: none"> • communicate effectively, responsively and respectfully with the community • ensure that the interrelationships are effective in enabling Council to fulfil its duties and responsibilities, and • ensure Council has a protocol in place to guide engagement between the Councillors and Council administration. <p>Individuals will:</p> <ul style="list-style-type: none"> • be respectful towards one another, members of the community and the Council administration • listen and give due consideration to the views of others, and • not engage in bullying and/or harassment.
Effective strategic planning and monitoring performance	<p>The Mayor, General Manager and Councillors will (collectively):</p> <ul style="list-style-type: none"> • actively participate in strategic planning • listen to the views of the community when engaged in strategic planning • understand the importance of integrated strategic and financial asset management plans • ensure Council is effective in setting the overall direction of the municipal area • ensure Council is effective in considering and determining all major policy issues • ensure Council monitors appropriate financial and nonfinancial performance indicators • ensure Council regularly inputs into strategy development and review, and • ensure Council meetings address the key issues facing the community.
Robust risk management	<p>The Mayor, General Manager and Councillors will (collectively):</p> <ul style="list-style-type: none"> • ensure Council has a risk management policy • be familiar with Council's risk management policy

Standard	Expectations
	<ul style="list-style-type: none"> • understand the importance of risk management and the risk management process • ensure Council has a clear understanding of business risk • ensure Council balances risk and opportunity as part of the policy development and decision making processes, and • ensure Council identifies analyses, evaluates, treats, monitors and communicates risks in a way that will maximise the potential to achieve goals and objectives, and minimise the potential for harm or loss.
Fair and transparent decision making	<p>The Mayor, General Manager and Councillors will (collectively):</p> <ul style="list-style-type: none"> • ensure that there are clear expectations around setting the Council meeting agenda, circulating papers, and decision making protocols • ensure that Council gives due consideration to advice provided by the administration • be committed to the principles of natural justice • ensure that Council make decisions that are in the best interests of the community • engage in robust, respectful and proper debate at Council meetings • ensure that Council uses closed meetings appropriately • ensure that wherever possible information is made available in the public arena • engage with the community to help inform decision making, as appropriate, and • follow the five (5) step decision making process (i.e., setting the agenda; gathering information, forming an opinion, making the decision, and implementing the decision). <p>Individuals will:</p> <ul style="list-style-type: none"> • be aware of and manage their personal conflicts of interest (including the requirements to declare interests contained in the Local Government Act).
Legislative compliance	<p>The Mayor, General Manager and Councillors will (collectively):</p> <ul style="list-style-type: none"> • ensure that Council monitors compliance with legislative requirements • ensure that Council has a register of delegations, and

Standard	Expectations
	<ul style="list-style-type: none"> • ensure that where instances of a breach are detected of the Local Government Act (and other relevant Acts and statutory instruments), that these are proactively reported to the Director of Local Government, and • ensure that where such breaches are reported, that an undertaking to address or mitigate future noncompliance is communicated to the Director of Local Government. <p>Individuals will:</p> <ul style="list-style-type: none"> • be aware of their obligations under the Local Government Act and other relevant Acts and statutory instruments.
Continuous improvement	<p>The Mayor, General Manager and Councillor will (collectively):</p> <ul style="list-style-type: none"> • ensure Council consciously manages its performance and pursues continuous improvement • ensure Council has an Councillor training and development policy, and • ensure that Council's Audit Panel plays a key role in ensuring that Council's activities meet requirements. <p>Individuals will:</p> <ul style="list-style-type: none"> • be aware of gaps in their personal knowledge and understanding relevant to their role and seek opportunities to undertake learning, subject to resourcing and budget.
Good Governance and land-use Planning	<p>Individuals will understand:</p> <ul style="list-style-type: none"> • the role of Council as a planning authority • their role as a member of the Huon Valley Planning Authority, and • the importance of the links between strategic planning and land-use planning • the need to act impartially.
Governance practices unique to Mayor	<p>The Mayor will:</p> <ul style="list-style-type: none"> • act as the leader of the community • be a fair, responsible spokesperson for Council • communicate effectively, transparently and fairly with all Councillors • understand the importance of the relationship with the General Manager • work hard to ensure a seamless link between the Councillor body and Council administration • understand the role as principal officer under section 32 of the <i>Integrity Commission Act 2009</i> • ensure all Councillors have opportunity to be heard and speak without interruption at Council meetings.

Standard	Expectations
	<ul style="list-style-type: none">• during Council meetings, ensure that debate stays focussed and actively assists to clarify any misunderstandings• ensure that Council meetings are chaired, and matters are discussed and debated in a structured and effective way• effectively manage any poor behaviour that arises at• Council meetings, including bullying and/or harassment• provide fair summaries of debate and assist Councillors come to a decision• make sure that the Council addresses all of the appropriate strategic issues, and• make sure there is sufficient time to discuss the issues on the Council meeting agenda.