

**PREMIER'S
LOCAL GOVERNMENT
COUNCIL**

Monday 10 December 2018, 2.00 pm – 4.00 pm
Premier's Reception Room, level 11, 15 Murray Street

Meeting Minutes

PLGC Members	
Hon Will Hodgman MP	Premier (Chair)
Hon Peter Gutwein MP	Minister for Local Government
Ald Doug Chipman	President, Local Government Association of Tasmania (LGAT) General Management Committee (GMC), Mayor, Clarence City Council
Cr Anna Reynolds	Lord Mayor, Hobart City Council
Cr Daryl Quilliam	Vice President, LGAT GMC Mayor, Circular Head Council
Cr Jan Bonde	Mayor, Central Coast Council (Cr Bonde will serve as proxy in Steve Martin's position until LGAT GMC elections in 2019)
Cr Christina Holmdahl	Mayor, West Tamar Council
Cr Tony Bisdee	Southern Midlands Council
Cr Mick Tucker	Mayor, Break O'Day Council
Ald Heather Chong	Deputy Mayor, Clarence City Council
PLGC Officials	
Andrew Paul	General Manager, Clarence City Council
Sandra Ayton	General Manager, Central Coast Council
Martin Gill	General Manager, Meander Valley Council
Dr Katrena Stephenson	Chief Executive Officer, LGAT
Dion Lester	Policy Director, LGAT
David Nicholson	Deputy Secretary, Department of Premier and Cabinet (DPAC)
Alex Tay	Director of Local Government, Local Government Division (LGD), DPAC
Secretariat	
Luke Murphy-Gregory	A/g Assistant Director, LGD, DPAC

Dianna Marston	Policy Analyst, LGD, DPAC
Guests	
Minister Jaensch MP	Minister for Planning
Mark Jones	A/g Director T21, Tourism Tasmania
John Fitzgerald	CEO, Tourism Tasmania
Sean Terry	Deputy Chief of Staff to the Premier
Rick Dunn	Senior Adviser to Minister Gutwein
Grace Shaw	Graduate Policy Officer, LGD, DPAC

Welcome

The Premier welcomed participants to the final Premier's Local Government Council (PLGC) meeting for 2018 and acknowledged the continued strong and constructive working relationship between the State Government and local government. The Premier cited as an example of this the collaborative efforts of both parties to promote the importance of local government in the lead-up to the October elections. The elections saw an increase in the number of candidates standing for election, increased voter return rates, and a significant increase in women elected to local government. The Premier specifically commended LGAT and the Australian Local Government Women's Association (ALGWA) for their significant efforts.

The Premier noted the TasWater Freycinet feasibility study announced on 10 December 2018 as a practical example of the collaborative approach of councils, TasWater and the State Government following the signing of the Memorandum of Understanding earlier in 2018.

The PLGC noted apologies (Dr Katrena Stephenson and David Nicholson) and guests attending the meeting. Changes to the PLGC and Officials membership included the newly elected Lord Mayor, Ald Anna Reynolds, who replaces Ron Christie, and David Nicholson who has replaced Ruth McArdle as Chair of the PLGC Officials.

Agenda Item 1: Minutes – PLGC meeting 31 May 2018

The PLGC endorsed the draft minutes of the 31 May 2018 PLGC meeting as a true and accurate record. PLGC noted the four actions arising from the meeting, three of which are addressed through the PLGC agenda items.

Mr Dion Lester addressed the fourth action relating to the Tasmanian Industrial Commission (TIC)'s recommendation for a review of the methodology for calculating base councillor allowances, including the categorisation of councils, and the undertaking of social research to support the identification of effective ways to attract councillors from more diverse backgrounds.

Mr Lester informed the PLGC the TIC's recommendations were discussed at the 7 December 2018 LGAT General Meeting. The General Meeting agreed there were no significant benefits to pursuing the TIC's recommendations due to the associated cost and

complexity and that no further work would be undertaken in relation to elected member allowances at this time.

Agenda Item 2: October 2018 Statewide election review

The PLGC noted the 2018 election results including a record number of candidates and an increase in the number of females running as candidates and elected to council. The PLGC agreed the outcomes of the elections were positive. It was noted the election results reflect the efforts of local government and State Government to work together in the lead up to the election and to promote the election through the previously-agreed principles.

The PLGC also reflected on and discussed a number of issues raised by stakeholders in the lead up to, and during, the election period, including council reform, diversity of councillors, voting rights and eligibility.

Specific issues raised by stakeholders included:

- whether caretaker provisions should apply to councils during election periods;
- whether postal voting, polling places or electronic voting should be used;
- if gift and donation disclosures should apply to all candidates;
- questions about the integrity, oversight and administration of the General Manger's Roll; and
- the layout of ballot papers and the impact on informal voting rates.

The Minister informed the PLGC that he had written to the Tasmanian Electoral Commission (TEC) about the technical issues encountered during the election. He informed the PLGC that with the exception of amalgamations, most of the issues raised during the elections fell within the scope of the terms of reference for the local government legislation review. The review will provide an opportunity to consider a range of reforms in close consultation with the sector and other stakeholders. It was noted that local government election provisions could be contained within the State *Electoral Act 2004* rather than the *Local Government Act 1993* and that the review would further consider this matter.

The President informed the PLGC that the sector appreciated the promotion of the elections by the State Government. The President also advised that LGAT would also write to the TEC about some specific concerns in relation to the electoral process. He affirmed LGAT would engage with the State Government on the review of local government legislation to ensure issues raised during the election were addressed.

The PLGC discussed the impact of technology and social media during elections including whether changes to electoral provisions may be needed to deal with the publication of false or misleading information.

Agenda Item 3: Local Government Act review update

The PLGC noted the progress of the local government legislation review. The Minister had approved the Steering Committee and the Terms of Reference and there was a discussion about the governance structure, roles and purposes of the Steering Committee, Reference Group and technical working groups. The Minister advised the PLGC that the discussion paper

was released on 7 December 2018 along with an expression of interest to participate in the Reference Group.

The PLGC supported the recommendations that the PLGC should form part of the governance structure for the review and that the review should remain a standing item on the PLGC agenda until the review is completed.

Agenda Item 4: Amalgamations, strategic shared services and 21st century councils

The PLGC discussed the current status of voluntary amalgamations and shared services initiatives across Tasmanian councils. The PLGC noted the substantial savings councils gained through the LGAT procurement program and that the Greater Hobart Bill will enable further strategic alliances.

Mr Lester provided the PLGC with an update on LGAT's undertaking to ask its members about potential options to establish the evidence base for the key features of sustainable 21st century Tasmanian councils. Mr Lester informed the PLGC that LGAT facilitated a session at the 7 December 2018 LGAT General Meeting on key issues and challenges facing councils and how these might be addressed. LGAT is currently reviewing the feedback with the intention of presenting some options for further analysis at the next General Meeting.

The PLGC discussed the potential use of elector polls such as the one that will be conducted in Tasman to gauge community support for amalgamation proposals. State Government assistance could be considered on a case-by-case basis noting that funding for such polls can be a challenge, particularly for smaller councils.

Late Agenda Item: Population and migration

The PLGC noted that population and migration would be a central focus of the agenda for the 12 December 2018 Council of Australian Governments (COAG) meeting. The Premier advised the PLGC that the Prime Minister would invite states and territories to provide information by the end of January 2019 on a range of matters.

The information provided will require input from local government about:

- assessed population projections;
- population carrying capacity of Tasmania;
- the impact of the Commonwealth's migration programmes on population growth in Tasmania;
- skills required in each region; and
- plans to manage population change in terms of services, infrastructure, housing, employment and social cohesion.

LGAT noted the importance of infrastructure, skills and housing when considering and implementing population growth strategies. LGAT also noted that permanent employment and acceptance within communities was central to retaining skilled migrants.

The Minister also noted pleasing trends with regard to recent demographic trends including the retention of graduates and young people, and the attraction of a younger cohort of interstate

migrants. The Minister noted Tasmania's recent strong population growth relative to some other states, and emphasised the Tasmanian State Government's focus on promoting growth outside of Hobart to partly offset the impact of rapid population growth on infrastructure and services in Hobart.

Agenda Item 5: Director of Local Government report

The PLGC noted the Director's report including the publication of the first LGDATA performance 'snapshot' in mid-2018 to provide information on both the level of rates across councils and the change in rates since 2009-10.

The Director's report discussed an audit of closed council meetings that was completed in order to assess council compliance with the new *Local Government (Meeting Procedures) Regulations* that came into effect in 2015. The PLGC noted that compliance was generally good and general managers have been provided with the report that also includes areas for improvement.

The Director's report provided an update on activities in other jurisdictions which include legislative reforms, the introduction of mandatory training for elected members, and increasing integrity measures in response to major governance failures.

The PLGC discussed how compliance with mandatory training requirements is monitored in other jurisdictions. The PLGC noted that in Tasmania, councillors are required to commit to ongoing training and professional development. The PLGC noted that it is in the interests of the sector to proactively report on training and professional development to promote transparency and accountability.

Agenda Item 6: Camping facilities and competitive neutrality issues

The PLGC noted the progress of the review of Competitive Neutrality Principles (CNP) and council-owned camping facilities.

The Minister advised the PLGC he had approved the Steering Committee's final report and recommendations. The recommendations include that the Tasmanian Government adopts a new Policy Statement to provide clearer direction about how CNP are applied where public entities (including councils) provide camping facilities. The Committee's report focused on providing greater clarity and certainty to all parties and sought to balance competition policy and broader 'public interest' objectives in a more predictable and transparent way.

When finalised and published, the Policy Statement will assist public entities to navigate and apply each of the steps of the CNP application process with respect to camping facilities that they operate. The Policy Statement will guide the Tasmanian Economic Regulator in considering complaints from commercial caravan park operators about alleged breaches of the CNP by public entities.

The Minister acknowledged that this was a challenging area given the range of interests and perspectives. However, it was also noted that the number of competitive neutrality complaints

is small when the significant number of public and commercial camping facilities that operate in Tasmania is taken into account.

Agenda Item 7: Visitor economy – T2I report

The CEO of Tourism Tasmania, John Fitzgerald, presented to the PLGC on the State Government's strategic approach to targeting emerging tourism markets. T2I's Yield and Dispersal Plan aims to attract high-value visitors who spend more per visit and stay longer.

To achieve this the strategy outlines four priority areas:

- building community capability, and capacity;
- investing in quality visitor infrastructure and experiences;
- growing air and sea access; and
- generating more demand for travel to Tasmania.

The PLGC discussed the importance of genuine engagement with local government as well as the challenges and opportunities for local government in supporting the visitor economy in regional areas.

Mr Fitzgerald informed the PLGC the number of tourists, and the amount of money spent by tourists, continued to rise and has increased at a greater rate over the past five years. Tourism Tasmania will work with regional tourism organisations on the visitor economy and strategies.

The PLGC noted and discussed challenges such as:

- accommodation;
- infrastructure;
- seasonality;
- products and experiences;
- readiness for increased numbers; and
- understanding community expectations.

as well as opportunities which included:

- digital mapping of Tasmania with overlaying data sets;
- visitor forecasts, dispersal patterns;
- destination development; and
- coordination and alignment to meet demand.

Mr Fitzgerald said the increase in cruise ship tourists is a global trend and not just a factor in Tasmania. A review has just been completed to help understand these types of tourists and how to better target the higher value expedition cruise market.

Agenda Item 8: Burial and cremation legislation review update

The PLGC noted the paper on the review of burial and cremation legislation. The Minister informed the PLGC that the Tasmanian Parliament passed the *Burial and Cremation Amendment Bill 2018* on 29 November 2018.

The PLGC noted that stage two of the legislative review would provide an opportunity to address additional concerns, including those flagged by councils.

Agenda Item 9: Legislation update - miscellaneous

The PLGC noted the Legislation update on general and the miscellaneous amendments. This included the amendment to the *Local Government (General) Regulations 2015* that enables deputy mayors to be paid the mayoral allowances if they are acting as mayor for more than four consecutive weeks which came into effect on 14 November 2018.

Other amendments to legislation included the:

- *Local Government (General) Amendment Regulations 2018* that were proclaimed in August 2018; and
- the *Local Government Amendment (Miscellaneous) Act 2018* received Royal Assent on 10 December 2018.

Agenda Item 10: Rating of independent living units owned by charities

The PLGC noted the Supreme Court's decision on 12 November 2018 that supported Southern Cross Care's claim that it should be exempt from paying any general rate on independent living units because it is a charity. It was noted this was likely to have significant implications on council revenue as well as the potential for wider implications on other councils, the State Government and other jurisdictions.

The Minister advised the PLGC that rates issues will be considered in the local government legislation review.

The PLGC was informed that Clarence, Hobart, Kingborough and Meander Valley Councils have sought leave to appeal the decision in the High Court.

Agenda Item 11: Statewide Planning

The Minister for Planning, the Hon Roger Jaensch, informed the PLGC of the progress on the implementation of the Government's statewide planning reforms. Minister Jaensch advised the PLGC that five Local Provision Schedules (LPS)s have been completed, one is in public submission and a number of other councils are close to lodging. The deadline for submission is June 2019.

The PLGC noted the draft *Land Use Planning and Approvals Amendment (Tasmanian Planning Policies and Miscellaneous Amendments) Bill 2018* was debated and passed in Parliament on 29 November 2018 with amendments but is yet to receive Royal Assent

The PLGC discussed the resourcing in TPC and the Planning Policy Unit to assist with the submission and assessment of LPSs. Minister Jaensch informed the PLGC he is discussing options with the Treasurer. He noted comments from the sector about the delay between council submission of its draft LPS to TPC and sign off for advertising.

Minister Jaensch thanked the local government sector for the positive response to completing the LPS process by the middle of 2019. He encouraged councils to keep LPSs simple and not to include unnecessary detail. He affirmed the strategy to assist each council by providing individualised help to ensure LPSs are of good quality and consistent when supplied to TPC. This will enable LPSs to proceed through the last stages in the reform process in 2020.

Agenda Item 12: Review of the PLGC Protocol Agreement

The PLGC noted the most significant change in the Protocol is the incorporation of the principles that were agreed to by the PLGC, in the lead up to the 2018 elections, which acknowledge the complexity and importance of local government.

The PLGC endorsed the amended PLGC Protocol and the President and the Premier formally signed the Protocol Agreement at the conclusion of the meeting

Agenda Item 13: Communique approval

The PLGC discussed the draft communique and agreed that PLGC Officials will prepare a final version for the President and the Premier to approve prior to publication.

Agenda Item 14: Waste management and recycling

The PLGC noted the paper on waste management and recycling.

Agenda Item 15: Snapshot of economic development

The PLGC noted the Snapshot of economic development.

Agenda Item 16: Other business and meeting close

The PLGC discussed the ongoing issues with coastal areas in relation to climate change and following natural disasters. The PLGC noted residents were experiencing distress due to a lack of assistance from an appropriate body. It was noted there was a need to provide education to residents about how to prevent problems such as those caused through the clearing of trees. LGAT informed the PLGC it would like to engage with the Department of Primary Industries, Parks, Water and Environment to discuss how the issues can be addressed. PLGC members agreed to add it to the agenda in 2019.

The PLGC noted the next PLGC meeting and the number of meetings is yet to be decided. The PLGC will confirm if two or three meetings are preferred in 2019.

The Premier commended all PLGC members on their contributions during the year.

Meeting closed 4.10 pm

Actions

Agenda Item	Actions From PLGC Meeting on 10 December 2018	Who	When	Complete
1	Publish PLGC minutes on LGD website.	Secretariat	ASAP	Yes
3	Add the <i>Local Government Act</i> review as a standing agenda item at PLGC meetings until the review is complete.	Secretariat	Next PLGC meeting	Yes
4	Report options for undertaking a body of work to establish an evidence base in relation to the key features and attributes of efficient, effective and sustainable Tasmanian councils in the 21 st century.	LGAT	Next PLGC meeting 2019	Yes
7	Provide Tourism Tasmania's presentation to PLGC.	Secretariat	ASAP	Yes
12	Publish PLGC Protocol on the LGD website and provide a copy to LGAT.	Secretariat	ASAP	Yes
13	Finalise the communique and publish on the LGD website.	PLGCO	ASAP	Yes
16	Add coastal erosion agenda item to the next PLGC meeting.	Secretariat	Next PLGC meeting	Yes
16	Confirm the number of PLGC meetings in 2019.	Secretariat	ASAP	Yes