

Minutes
Meeting No. 42
Hobart, 27 August 2013

PARTICIPANTS

State Government

Lara Giddings MP, Chair Premier
Bryan Green MP Minister for Local Government

Local Government Association of Tasmania

Cr Barry Easterher Mayor, West Tamar Council; President, Local Government Association of Tasmania (LGAT)
Cr Darryl Quilliam Mayor, Circular Head Council; Vice President, LGAT
Cr Jan Bonde Mayor, Central Coast Council
Ald Albert van Zetten Mayor, Launceston City Council
Cr Deirdre Flint Mayor, Central Highlands Council
Cr Barry Jarvis Mayor, Dorset Council
Cr Graham Bury Mayor, Kingborough Council

Officials in attendance:

Local Government

Mr Allan Garcia Chief Executive Officer, LGAT
Dr Katrena Stephenson Policy Director, LGAT
Ms Sandra Ayton General Manager, Central Coast Council
Mr Robert Dobrzynski General Manager, Launceston City Council
Mr Peter Brooks General Manager, Glenorchy City Council

State Government

Ms Rebekah Burton Deputy Secretary, Department of Premier and Cabinet
Ms Fiona Wilson Deputy Secretary, Department of Economic Development, Tourism and the Arts
Ms Jessica Radford Adviser, Office of the Premier

Ms Erin Mahoney	Adviser, Office of the Minister for Local Government
Mr Cam Crawford	Adviser, Office of the Premier
Mr Norm McIlpatrick	Secretary, Department of Infrastructure, Energy and Resources
Mr Phillip Hoysted	Director of Local Government, Local Government Division (LGD), DPAC
Mr Greg Brown	Deputy Director, LGD
Ms Bettina Cruise	Assistant Director, LGD
Ms Bridget Dwyer	Policy Analyst, LGD

Apologies

Apologies were received from:

Mr Greg Alomes	Executive Commissioner, Tasmanian Planning Commission
----------------	---

Welcome

The Premier welcomed members to the second PLGC meeting for 2013.

The Premier informed the PLGC that a letter has been sent to Hobart City Council informing them that as they are no longer a member of LGAT they can no longer be a member of the PLGC, in line with the PLGC protocol arrangements.

In order to expedite proceedings to accommodate Parliamentary duties, the Premier asked that standard agenda items be considered prior to matters of topical interest.

Agenda items in these minutes are presented in the order of business on the day.

Agenda item

1) Draft Minutes of the PLGC meeting on 14 May 2013

The PLGC accepted the minutes of the meeting held on 14 May 2013 as a true and accurate record of the meeting.

Governance of local government:

3) Data Management Plan

The PLGC noted the completion and implementation of the Local Government Division Data Management Plan and that MOUs will be developed to formalise the sharing of data with the Australian Bureau of Statistics (ABS), the State Grants Commission (SGC) and the Tasmanian Planning Commission (TPC).

The Deputy Director of Local Government Division (LGD), Mr Greg Brown, advised the PLGC that the Data Management Plan will provide guidance and

clarity for councils in the management and use of data collected from councils by the LGD.

The PLGC noted the development and finalisation of the Plan.

4) Local Government (Miscellaneous) Amendment Bill 2013

The PLGC noted that the draft Bill (version 9) is currently out for stakeholder consultation, with the submission period closing Monday 2 September 2013.

The PLGC noted that the Bill contains a revised dilapidated buildings definition and process developed in response to stakeholder issues raised during the initial consultation period and that the Bill will also incorporate proposed amendments to the Act relating to financial and asset management planning.

The Director of Local Government advised that the consultation process went well and that the Bill strengthens the nuisance provisions.

Mr Robert Dobrzynski queried whether the financial and asset management audit panel is independent, or if it can be comprised of elected members. Mr Dobrzynski also stated it was important the legislation is not too prescriptive.

Mr Greg Brown, LGD, stated that LGD is working closely with LGAT in developing the orders which will include the detail around panel members and that LGD is also committed to working with the Northern and Southern Asset Management Groups. Mr Brown also advised that at this stage it is envisaged councillors could be panel members, but not mayors or general managers and panels would have independent members.

5) Role of local government project

The PLGC approved the report summarising the findings of the Role of Local Government (RoLG) project community survey.

The PLGC noted the RoLG project Roles and Components paper.

Ms Bettina Cruise, LGD, advised councils have provided considerable assistance to the project and are currently completing their self-assessment survey and that the council self-assessment survey report will be provided to the PLGC for noting out-of-session in October 2013. Ms Cruise also advised that the RoLG project final report will be submitted to the PLGC at the December 2013 meeting and that PLGC working groups will be established in early 2014.

Mayor Darryl Quilliam stated that completing the survey was an interesting exercise for the Council and worth undertaking as a group with other aldermen.

The PLGC approved the report.

Planning and environment:

6) Coastal Protection and Planning Framework

The PLGC noted the update in the development of the Coastal Protection and Planning Framework.

The Minister for Local Government advised that Phase One of the project is currently ongoing and that Phase Two has commenced.

The Minister outlined that Phase Two will include the development of an implementation plan and will address further key policy areas such as managing the impact of climate change on the coast. Phase Two will include consideration of the related issue of legal liability and indemnification for councils.

The Minister also provided an update on amendments to the *Land Use Planning and Approvals Act 1993* (LUPAA). The Minister acknowledged the role that local government has played in delivering the planning reforms which will stimulate investment in Tasmania.

The Minister also flagged that the Government is seeking to build on this work with some further refinements of LUPAA with a consultation paper being sent out in August 2013. The Minister stated the refinements are aimed at providing for faster and more efficient development approvals and better access to planning information and monitoring development applications. It is hoped the Bill will be introduced to Parliament in October 2013.

The PLGC noted the update.

Finance and asset sustainability:

7) Financial and Asset Management Planning

The PLGC noted that Cabinet at its meeting on 24 June 2013 approved the drafting of amendments to the *Local Government Act 1993* to introduce changes to local government financial and asset management planning practices and processes.

The PLGC noted the amendments have been included in the Local Government (Miscellaneous) Amendment Bill 2013.

The PLGC noted that the draft amendments were sent to LGAT on Friday 16 August 2013 for consultation with the local government sector and that the consultation period closes on the 13 September 2013.

The PLGC noted the update.

2012-2013 PLGC Work Plan:

8) 2012-13 PLGC Work Plan - updates

The PLGC approved the updates to the PLGC Work Plan.

The Premier advised that an updated PLGC work plan will be finalised once outcomes from the Role of Local Government project have been reported and recommendations developed.

9) PLGC Achievements

The PLGC noted the PLGC Achievements paper.

2) Matters of topical interest

I. State Government's asbestos removal plan

The proposed asbestos removal plan was raised as a matter of topical interest by LGAT. Members raised a number of concerns regarding the plan, including; potential costs to local government associated with the 2030 timeframe, the potential lack of experience to complete the task, protection of heritage buildings and the development of legislation.

The Premier advised that the Government has postponed the development of legislation for removal until some preliminary issues are worked through, including assessment and disposal.

The Premier also advised that the Government has requested funding from the Commonwealth Government to undertake a pilot study to test an asbestos assessment tool to rate or grade the condition on asbestos containing material. The funding request is with the Commonwealth Minister for Workplace Relations and we are yet to hear back about the submission.

The Premier also advised that further consultation with the local government sector would be undertaken if the removal plan proceeds.

II. Economic Diversification Funding Stream

The Economic Diversification Funding Stream was raised as a matter of topical interest by LGAT. Mayor Flint and Mayor Jarvis outlined their concerns around the allocation of funding, particularly that some council applications were unsuccessful and that there was a lack of consultation with local government.

The Premier stated that there was a rigorous process for identifying the Government's priority areas including, consultation through the development of the three Regional Economic Development Plans and the identification of 180 unique actions to deliver Tasmania's regional economic priorities. These actions were reviewed in consideration of the intent of the economic diversification fund. There was also a meeting between Minister David O'Byrne and local government on 21 June 2013 to discuss potential process and priority projects.

The Premier also outlined that intent of the funding was to support sustainable jobs and investment, which underpins the long term diversification and transition of the Tasmanian economy. It was not intended to necessarily focus on those regional areas most impacted on, although many did substantially benefit from the process. The Premier highlighted other funding opportunities available to councils including the Tasmanian Infrastructure Fund.

III. Tasmanian Forestry Agreement

The impact of the Tasmanian Forestry Agreement (TFA) on council rate revenue was raised as a matter of topical interest by LGAT. LGAT expressed concern about the potential impacts of the TFA on local government, including shortfalls in rates to councils.

In response, the Premier stated that the exact impact of the proposed new reserves on the value of land and therefore on rates can only be determined precisely by the Valuer-General, and it is sensible that these revaluations occur after the initial proposed Reserve Order has been accepted by both Houses of Parliament, which could happen soon.

The Premier also outlined that any currently rateable land which has been identified as Future Reserves under the TFA continues to be rateable. Accordingly, Forestry Tasmania will continue to pay rate notices issued by councils for the financial year 2013-14. Any variation in rate notices following revaluation by the Valuer-General may only apply from 2014-15 onwards.

IV. Annual General Meetings

Mr Robert Dobrzynski advised that Launceston City Council is seeking to amend Division 3 of the *Local Government Act 1993* to provide that the convening of an Annual General Meeting be optional, as determined by a resolution of council. It was agreed that LGAT would undertake consultation on the proposed amendment.

V. National Broadband Network

Progress on the National Broadband Network works was raised as a matter of topical interest by LGAT. The Premier stated that some construction work has continued while Telstra has reviewed asbestos management procedures. Telstra advised LGD that there have been some delays in returning to remediation works due to increased safety requirements.

VI. Government's Electricity Reforms

The Government's Electricity Reforms was raised as a matter of topical interest by LGAT. LGAT were interested to know when councils will be informed about which regulator they will be assigned to. The Premier outlined that from 1 January 2014, Aurora Energy will no longer operate in Tasmania as an electricity retailer and will be replaced by at least two competing private sector retailers and that customers will automatically be assigned to one of these retailers based on the local government area in which they live. Customers will be notified well in advance of 1 January 2014 as to who their new retailer will be.

The Minister stated that the electricity reforms have led to a reduction in energy costs for customers.

VII. Private Infrastructure Testing and Inspections

Testing inspections of privately owned power poles was raised as a matter of topical interest by LGAT. LGAT is concerned about the implications and costs associated with the shift of inspection of private poles away from Aurora. The Premier advised that the Government is still considering how this issue should be addressed. Workplace Standards is awaiting advice on the legal implications of the decision to cease inspections of private power poles, in particular, whether

Aurora has any ongoing obligations under its licence arrangements as an electricity service provider.

The Minister also stated that this issue needs to be addressed during the transition to the new energy provision arrangements.

Other business

No other business was raised.

Meeting closed.

AGENDA ITEM	ACTION
2 (iv)	LGAT to undertake consultation with councils on the proposed amendment to the <i>Local Government Act 1993</i> , that the convening of an Annual General Meeting be optional as determined by a resolution of council.
2 (vii)	LGD to seek an update from Workplace Standards Tasmania regarding inspections of private power poles for the next PLGC meeting.
5	LGD to provide the Role of Local Government council self-assessment survey report to the PLGC for consideration out-of-session in October 2013.