

**TITLE: Local Government Legislation Framework Review - City of Launceston
Submission on the Reform Directions Paper**

Proposed reform	City of Launceston position
<i>Representative and Democratic Councils - Elections</i>	
5. Reform eligibility for the General Manager's Roll	Supported
6. Reform the voting franchise to reflect 'one person, one vote' principle in any one municipality	Supported
7. Simplify the election process for the positions of mayor and deputy mayor	City of Launceston supports the popular election of the Mayor as explained at 7C on page 15 of the Reform Directions Paper, recognising that the legislation will need to cater for a situation where the successful candidate does not wish to accept the office of Mayor. Additionally, City of Launceston's view is that this process should apply to the election of Deputy Mayor. City of Launceston does not support the 'around the table' election of Deputy Mayor as this under-values the role of Deputy Mayor
8. Make alternative voting methods available	Supported
9. Simplify the voting process to reduce informal voting rates	Supported
10. Introduce caretaker provisions to reduce major policy and contractual decisions that may bind an incoming council, and avoid the inappropriate use of ratepayer resources during an election	Supported in principle, with a particular interest in understanding the detail behind this eg. how it is proposed to manage urgent matters, and notices of motion
11. Move administration of the General Manager's Roll from councils to the Tasmanian Electoral Commission	Supported
12. Introduce a pre-nomination training package	Supported
13. Introduce a candidate nomination fee	Not supported
14. Require the disclosure of gifts and donations by all local government candidates received during the electoral period	Supported
15. Align eligibility requirements to nominate as a candidate with State eligibility requirements	Supported - City of Launceston suggests that there should be additional requirements such as a <i>Working With Vulnerable Children</i> accreditation
16. Remove the title of 'Alderman'	Supported, and in keeping with a previous decision of this Council
<i>Councils connected to their communities - community engagement</i>	
17. All councils will develop and adopt a community engagement strategy	City of Launceston is very supportive of, and active in, community engagement.

	However, this reform is not supported because the prescription described in the detail on page 21 of the Reform Directions Paper - it is not clear how the reform would benefit Councils and communities that are already working together
18. Removing prescriptive consultation requirements	Supported
19. Remove requirements for public meetings and elector polls	Not supported - it is unclear how prescription around alternatives to existing processes could be reasonably included in a strategic document (ie. the Community Engagement Strategy)
<i>Responsible and effective Councils - ethics and standards</i>	
20. Legislate the eight good governance principles	Cautiously supported - there is a need to understand how this would be managed and monitored in practice, how compliance is demonstrated, and how it operates with other reform initiatives eg. item 21 below
21. Set high-level financial management principles that encourage efficiency and value for money in council service delivery	As above
22. Establish core capability requirements for elected members	Supported - however, the City of Launceston questions the workability of this proposal
23. Require councils to publicly report the core capability training that each elected member has completed annually	Supported
24. Establish principles for all council staff that set minimum standards of behaviour	City of Launceston completely supports the setting of minimum standards of behaviour, but it is not clear how this reform would enhance what is currently achieved via employee codes of conduct, and it creates an opportunity for the creation of vexatious and frivolous complaints to be directed to Council officers
25. Prescribe minimum standards for general manager recruitment, contracts, performance management and termination	Supported
26. Include principles on complaints management in legislation	Cautiously supported - we are keen to understand the cost implications for independent reviews, and how the roles of existing agencies eg. Department of Premier and Cabinet, Integrity Commission, and the Ombudsman, may be clarified by the reform

<i>Responsible and effective Councils - transparency and flexibility in budget management</i>	
27. Ensure council rating policies consider taxation principles and align with their budget and planning documents	Not supported - further information is required to understand how taxation principles can be applied in the municipal context
28. Introduce more flexibility for councils to easily transition from one rating approach to another, to manage rating impacts on ratepayers	Supported
29. Establish an independent rates oversight mechanism	Not supported - this is cost burden to Councils, the value of which is questioned given the non-binding nature of the outcomes
30. Set principles or guidelines for setting fees and charges	Cautiously supported - but it must be recognised that it is not realistic for fees and charges to be reflective of the cost of the service being delivered. Councils require the ability to subsidise some fees and charges with income from particular revenue streams
31. Provide for a more autonomous and less prescriptive budget process	Cautiously supported - City of Launceston is keen to understand how this process works with current audit requirements
32. Clarify significant business activities	Supported, with interest in understanding how this operates in practice eg. with the exercise of enterprise powers as currently defined in the legislation
<i>Responsible and effective Councils - Council decision-making</i>	
33. Require electronic recording of council meetings to be publicly available	Supported
34. Simplify what is a conflict of interest	Supported
35. Enhance the integrity of council decisions made when exercising statutory powers	Supported, and interested to understand other examples (ie. outside development applications) where this may be applicable
<i>Responsible and effective Councils - oversights and interventions</i>	
36. Strengthen the information gathering powers of the Director of Local Government	Supported - however, an alternate approach to this issue may be to consider facilitating sectoral consistency for audit panels so that guidance and advice can be developed, in preference to the Director of Local Government having a policing function
37. Create a power for the Director to Local Government to require an undertaking from a council as a measure to address compliance issues	Cautiously supported - the reform does not propose the review of any undertakings to determine whether they have been effective in resolving non-compliance issues
38. Establish a Monitor/Advisor role	Not supported - it is not clear that the Monitor/Advisor and Financial Controller (item 39 below) would have sufficient influence to impact a Council's situation

39. Establish the power to appoint a Financial Controller	See above
40. Continue to conduct formal investigations by the Director of Local Government	Supported
41. Provide for the Minister to dismiss a council or individual councillor	Supported
42. Create offences for mismanagement and to address poor governance (maladministration)	Cautiously supported - detail is required to understand how this reform operates with other proposed reforms such as the good governance principles, and with the power that sits in other legislation
43. Simplify the complaints' framework	Supported
<i>Responsible and effective Councils - Council performance reporting</i>	
44. Introduce a local government performance monitoring framework	Supported
45. Require councils to publish a compliance statement in the Annual Report	Cautiously supported - with a need to understand what associated legislation is to be considered
46. Remove prescription around Annual Report	Supported - however, it is considered that there needs to be a base level of content that is required
<i>Adaptable Councils - collaboration</i>	
47. Introduce provisions that support efficient and high-quality council operations and collaborative shared service opportunities	Supported
48. Introduce the option to create Regional Councils	Not supported - City of Launceston is of the view that better outcomes could be achieved by amalgamation
<i>Adaptable Councils - model by-laws</i>	
49. Create model by-laws for common issues, with streamlined administrative processes	Supported
<i>Strategic reviews - Local Government Board</i>	
50. Strategic reviews of councils	Supported
51. Voluntary amalgamation	It is the City of Launceston's view that the State Government needs to take a lead in delivering an amalgamation process which is not contingent upon voluntary support