

# Local Government Legislation Review

## Reference Group Charter

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### Introduction

On 26 June 2018, the Minister for Local Government, the Hon Peter Gutwein MP, announced a major review into Tasmania's local government legislation. The Review, which commenced in October 2018, is the most significant of its kind since the enactment of the *Local Government Act 1993* (the Act).

It is now 25 years since the Act was introduced and Tasmania has experienced significant social, economic and technological change in that time. These changes have outpaced the existing legislation, and as a consequence the Act has been repeatedly amended in an effort to keep step with these changes, which is no longer a sustainable approach. The Review will examine the legislative and regulatory framework within which the local government sector operates, with the intended outcome being a contemporary, flexible and best-practice legislative framework that will:

- **Support greater innovation, flexibility and productivity** in the sector, **to improve the overall efficiency and effectiveness of the services** that councils provide to the Tasmanian community;
- **Minimise the red tape and administrative burden** on councils, businesses and the broader community;
- **Enhance accountability and transparency** across the sector; and
- **Increase democratic and community engagement, participation and confidence** in local government.

The Review is governed by an experienced Steering Committee which includes three highly respected members of the local government sector and two senior officers from the Department of Premier and Cabinet

The Steering Committee will be supported by the Reference Group (the Group) that is the subject of this Expression of Interest process. We are seeking expressions of interest from suitably experienced individuals who can bring a diversity of perspectives to the group, including elected members (former and current); community members; local government professionals; and business, research and industry professionals. The Group should also reflect membership from different regions in Tasmania.

The Review will take into consideration the Group's views, feedback and proposals, together with other information, to develop a Directions Paper for public consultation.

The scope of the Review is set out in its [Terms of Reference](#). An understanding of the matters within the scope of the Review will allow the Group to maximise its time and ensure relevant and appropriate advice is provided to the Steering Committee.

## Purpose

The Group will provide the Steering Committee with an insight into the views and ideas held by a diversity of stakeholders with an interest in local government. The Group will identify, discuss and workshop ideas and reform options for the local government legislative framework, particularly in relation to:

- Elections;
- Council revenue and expenditure;
- Councils' role as a regulator and/or statutory authority
- Representation and community engagement;
- Council services;
- Governance;
- Regulatory oversight, performance monitoring and reporting; and
- Council administration.

Recommendations and actions arising from these discussions will be presented to the Steering Committee for consideration.

## Role and Responsibilities

The role of the Group is to provide the Steering Committee with sound and practical advice about how the future legislative framework should look, from the perspective of those who are most affected by it in the sector and community.

The Group will play an advisory role:

- identifying solutions or raising new ideas to address reform topics;
- analysing and considering potential options for reform in relation to areas of interest;
- bringing practical knowledge, skills and experience to the discussion to ensure robust consideration of benefits and challenges of potential reform options; and
- providing general advice to the Steering Committee, as required.

The Group will not have any decision-making authority.

## Membership

The Group is intended to include up to 15 members with a diverse range of views, knowledge, experience and representation, in accordance with the criteria outlined in the Expression of Interest application.

The final number of members will be determined following the Expression of Interest process, and will be dependent on the diversity and experience of those who apply.

## Selection Process

Following the conclusion of the Expression of Interest process the Steering Committee will undertake the selection process and make a recommendation to the Minister for Local Government, who will appoint members to the Group.

## Term of Appointment

The Group will be appointed to advise the Steering Committee for a period of six months, with the potential for a short extension to this term to be considered towards the end of the appointment period, if required.

It is anticipated that, during this period, members will be required to attend approximately five meetings.

## Time commitment

Membership of the Group is voluntary and attendance at meetings will depend on members' areas of interest, expertise and knowledge.

Reasonable travel and meal expenses will be reimbursed in accordance with established Department of Premier and Cabinet guidelines and travel rates, and meetings will be scheduled to take in to account sufficient return travel time for members travelling from other parts of the State. Where meetings are unavoidably scheduled to conclude at a later time, consideration will be given to providing an overnight accommodation allowance to members who have to travel a significant distance to return home.

It is anticipated that meetings will focus on specific topic areas and, as such, the time commitment will vary between members. At a minimum, there will be one 2 hour meeting per key topic area. Meeting arrangements and durations may be altered, depending on agenda requirements.

With the exception of preparing for each meeting, members will not be required to undertake any out-of-session activities.

## **Meeting Protocol**

All meetings will be run by an independent facilitator. As the Group does not have decision-making authority, there will be no Chair and all members will hold equal positions.

All members must act with courtesy towards each other, respect the confidentiality of information obtained and discussed, and be prepared for meetings and give advice that is focussed on delivering the best possible outcomes for communities and the local government sector.

Attendance at all meetings is not compulsory and members are encouraged to attend sessions they believe they can contribute the most value to, or have specific interest in.

Draft meeting dates and agendas will be provided once membership is confirmed. Concise meeting papers will also be provided in advance of each meeting, to assist discussion at the meeting.

## **Conflict of Interest**

Any members with a conflict of interest, or perceived conflict of interest, about a particular item of discussion must declare the interest prior to the discussion commencing. This will be a standing item on each meeting agenda.