

CONSULTATION AGREEMENT BETWEEN THE TASMANIAN GOVERNMENT AND THE LOCAL GOVERNMENT SECTOR

PREAMBLE

The Tasmanian Government and the Local Government sector, including council-owned authorities, represented by the Local Government Association of Tasmania (LGAT), share a commitment to effective governance and collaboration to serve Tasmanian communities. This agreement outlines principles for consultation and engagement, fostering a partnership built on mutual respect, good faith, and shared responsibility. It recognises the important role local government has in informing State policy and legislation given its unique role in local implementation and acknowledges the need for improved and consistent engagement processes from the State Government while recognising the diverse priorities and stakeholders involved in State policy and decision-making. It also recognises that on occasions (such as pandemic) there may be a need by the State Government for expedited consultation to implement policy and decisions that are in the best interest of the State.

GUIDING PRINCIPLES FOR ENGAGEMENT

1. Partnership and Good Faith

Both parties commit to working collaboratively, engaging respectfully, and acting in good faith. Both the State and Local Government sector will seek to facilitate meaningful consultation, and undertake to contribute constructively, raise concerns through appropriate channels (e.g., local government raising matters directly with relevant agencies or Ministers), and support collaborative problem-solving. Both parties commit to communicating in good faith about the purpose, scope and - where feasible - the potential range of outcomes of each consultation.

2. Early Engagement

State agencies and the Local Government sector will engage each other early in policy, legislative, or programme development, particularly where proposals are likely to impact council functions or agency responsibilities, to better understand and address potential implications, and to help inform effective, efficient, and appropriate consultation approaches and methods.

3. Reasonable and Practical Timeframes

Consultation processes will provide reasonable timeframes that respect council decision-making cycles and competing priorities for State agencies, while balancing the urgency and complexity of reform proposals. Timeframes will be tailored to the nature of the proposal and the needs of all stakeholders.

4. Tailored and Flexible Engagement

Engagement approaches will reflect the scale and impact of proposals, ranging from notification for minor changes to more involved iterative consultation for significant reforms. Flexibility ensures practicality and responsiveness to broader objectives of the State or Local Government.

5. Coordinated and Consistent Efforts

State agencies and the Local Government sector (through LGAT) will, where feasible, coordinate and seek feedback on proposed consultation approaches and timing across agencies or the sector to ensure consultation is as effective and efficient as possible.

6. Shared Accountability for Effective Engagement

While the State is responsible for initiating consultation on State reforms, the Local Government sector and LGAT share a role in providing timely, constructive feedback, identifying impacts, and supporting sector-wide coordination. Both parties commit to supporting processes to resolve issues through dialogue.

ENGAGEMENT APPROACH

Engagement will be guided by the above principles and tailored to the context of each proposal. Recognising that each circumstance is unique, the broad categories of engagement and approach taken in each circumstance are:

- **Minor Changes** (e.g., technical amendments): Notification to councils and/or LGAT, with opportunities for feedback via submissions or briefings.
- **Moderate Changes** (e.g., policy shifts and legislative changes with operational implications): Direct engagement through discussion papers, webinars, or targeted briefings, with more extended timeframes to allow for council input.
- **Major Reforms** (e.g., structural or legislative changes with significant implications for councils' operations or resourcing arrangements): Multistage collaborative processes, such as workshops, discussion papers and draft legislation, to accommodate sector-wide input into the policy formation and final reform proposals.

The appropriate level of engagement will be determined based on the proposal's scale, impact, urgency, and the range of stakeholders involved, ensuring local government has sufficient time to consider the proposal alongside other priorities. Where sectoral submissions are sought, consultation processes will, as a minimum, respect the historical practice of a 5-week minimum consultation period, with timeframes tailored as appropriate to the circumstances of each proposal and, wherever possible, other State Government initiated reforms Local Government is responding to.

COMMITMENT TO IMPLEMENTATION

The Tasmanian Government, led by the Premier, is committed to fostering improved engagement with the Local Government sector. Implementation will target coordinated, consistent consultation as standard practice across all State agencies. This consultation agreement will be shared with Heads of Agencies to guide their agencies' engagement practices. It will also inform the development of the Local Government Charter as part of the *Local Government Priority Reform Program 2024-2026*, in response to the Future of Local Government Review.

The Department of Premier and Cabinet (primarily through the Office of Local Government) will support the implementation of the agreement through a number of key measures, including:

- Communicating to all State Government agencies (through the Head of State Service) and councils to ensure broad awareness and understanding of the final agreement and its intent.
- Supporting State Government agencies, by providing advice and advocacy, to plan and coordinate effective engagement with the sector.
- Providing practical guidance and examples on what may constitute a minor, moderate or major consultation.
- Organising a formal review process involving the sector and State agencies on the operation and outcomes of the agreement 12 months from its commencement.

REVIEW AND ONGOING COLLABORATION

Both parties commit to ongoing dialogue to refine engagement practices and address challenges collaboratively.

SIGNATORIES

- **Tasmanian Government**
Represented by the Premier of Tasmania

A handwritten signature in black ink, appearing to read 'Justin Liddle', written over the text of the first signatory.

- **Local Government sector**
Represented by the President of the Local Government Association of Tasmania (LGAT)

A handwritten signature in blue ink, appearing to read 'Michelle Lusher', written below the text of the second signatory.