



**Brighton
Council**

The Future of Local Government Review (Final Report)

Brighton Council Submission



FEBRUARY 2024

Brighton
going places

The Local Government Board | lg.consultation@dpac.tas.gov.au

Brighton Council welcomes the opportunity to provide feedback on the recommendations contained within the Final Report of the future of local government review.

Brighton Council's preferred position as stated in previous submissions is to retain the status-quo and strongly agrees with the Governments stated position of no forced council amalgamations.

Council also note that the long running reform process is resource intensive for all council's involved and would fully support additional funding being provided to LGAT to be able to resource and progress some of the key recommendations within the final report.

Recommendation	Brighton Council Comment
<i>The future role for local government</i>	
<p>Define in Tasmania's new Local Government Act the role of local government consistent with the statement below:</p> <p>The role of local government is to support and improve the wellbeing of Tasmanian communities by:</p> <ol style="list-style-type: none"> 1. Harnessing and building on the unique strengths and capabilities of local communities; 2. Providing infrastructure and services that, to be effective, require local approaches; 3. Representing and advocating for the specific needs and interests of local communities in regional, state-wide and national decision-making; and 4. Promoting the social, economic, and environmental sustainability of local communities, by mitigating and planning for climate change impacts. 	<p><i>Support</i></p> <p><i>The core role of 'regulator' should be included here, eg. Brighton defines the four core roles as: Provider, Regulator, Advocate, Facilitator.</i></p>
<p>The Tasmanian Government – through subordinate legislation – should implement a Local Government Charter to support the new legislated role for local government. The Charter should be developed in close consultation with the sector and clarify and consolidate in a single document council's core functions, principles, and responsibilities, as well as the obligations of the Tasmanian Government when dealing with the sector as a partner in delivering community services and support.</p>	<p><i>Support</i></p> <p><i>This should be used to provide greater clarity on what council's accepted core roles are and through this to somewhat narrow the differences between various councils in their view on this.</i></p> <p><i>This work should also highlight what is actually a state or federal role and what should be a combined role between tiers of government.</i></p> <p><i>Standard MOUs/templates should be developed to allow for the implementation of joint work between</i></p>

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	<p><i>state and local government on key project or initiatives. It is currently extremely ad hoc and individual dependent.</i></p> <p><i>Additional funding for any significant broadening or expansion of local government's role will need to be considered.</i></p>
<p>The Tasmanian Government should work with the sector to develop, resource and implement a renewed Strategic Planning and Reporting Framework that is embedded in a new Local Government Act to support and underpin the role of local government. Under this Framework councils will be required to develop – within the first year of every council election – a four-year strategic plan.</p> <p>The plan would consist of component plans including, at minimum, a</p> <ul style="list-style-type: none"> • Community engagement plan; • Workforce development plan; • Elected member capability and professional development plan; and • Financial and asset sustainability plan. 	<p><i>Support</i></p>
<i>Voluntary amalgamations</i>	
<p>Formal council amalgamation proposals should be developed for the following:</p> <ul style="list-style-type: none"> • West Coast, Waratah-Wynyard and Circular Head Councils (into 2 councils); • Kentish and Latrobe Councils; • Break O'Day, Glamorgan-Spring Bay and Sorell Councils (into 2 councils); • City of Hobart and Glenorchy City Councils; • Kingborough and Huon Valley Councils. <p>The Board acknowledges council interest in and discussions on boundary changes are less advanced in respect of City of Hobart and Glenorchy, and Kingborough and Huon Valley councils, but nonetheless believes that these councils have expressed clear interest in further exploring opportunities. The Board believes there is substantial merit in ensuring that those councils (and their communities) are afforded the opportunity to genuinely explore structural consolidation proposals in greater detail.</p>	<p><i>Council's majority preferred position is to maintain the status quo.</i></p> <p><i>However, if amalgamations were pursued, Brighton broadly agrees with the Board's finding that Brighton would be more of a hub for the sub-region to the north with Southern Midlands rather than part of a larger metro council.</i></p>
<p>A new Local Government Board should be established to undertake detailed assessment of formal council amalgamation proposals and make recommendations to the Tasmanian Government on specific new council structures.</p>	<p><i>Support in principle for councils that voluntarily agree to the process.</i></p> <p><i>Membership of this Board and resourcing within</i></p>

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	<i>OLG to support it will be critical to the success of the next stages.</i>
A Community Working Group (CWG) should be established in each area where formal amalgamation proposals are being prepared. The CWG would identify specific opportunities the Tasmanian Government could support to improve community outcomes.	<i>Support in principle for councils that voluntarily agree to the process. Terms of Reference of the CWG's is critical.</i>
In those areas where amalgamation proposals are being developed, a community vote should be held before any reform proceeds, to consider an integrated package of reform that involves both a formal council amalgamation proposal and a funded package of opportunities to improve community outcomes.	<i>More detail required.</i>
If a successful community-initiated elector poll requests councils to consider amalgamation, the Minister for Local Government should request the Local Government Board to develop a formal amalgamation proposal and put it to a community vote.	<i>Not supported. Invites potential conflict in situations where one council area votes for amalgamation when their neighbour either hasn't voted or does not support it. Potentially leads to a lot of wasted resources and angst unless there is a genuine chance of an outcome.</i>
Shared services	
The new Local Government Act should provide that the Minister for Local Government can require councils to participate in identified shared service or shared staffing arrangements.	<i>Support in principle the further development of shared service arrangements. However, the mandating power is of concern, due to the risk of an ineffective and costly model being mandated. More engagement with councils about when a model could be imposed; support for investigation of shared service arrangements that provide economic and social benefits for the community and increased collaboration between councils to improve service delivery.</i>
Give councils the opportunity to design identified shared service arrangements themselves, with a model only being imposed if councils cannot reach consensus.	<i>Support in principle</i>
Before endorsing a particular mandatory shared service arrangement, the Minister for Local Government should seek the advice of the Local Government Board.	<i>Support in principle</i>

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If councils are unable to reach consensus on a mandatory service sharing agreement, the Minister for Local Government should have the power to require councils to participate in a specific model or models the Tasmanian Government has developed.	<i>Support in principle</i>
<p>The first priorities for developing mandatory shared service arrangements should be:</p> <ul style="list-style-type: none"> • sharing of key technical staff; • sharing of common digital business systems and ICT infrastructure; and • sharing of asset management expertise through a centralised, council-owned authority. 	<p><i>Support in principle</i></p> <p><i>Further significant engagement with councils is required. Moving to common digital business systems is a long term, costly and highly disruptive process.</i></p> <p><i>The initial focus should be on “black and white” regulatory and administrative functions that shouldn’t vary much from council to council.</i></p>
<i>Community engagement</i>	
Include a statutory requirement for councils to consult with local communities to identify wellbeing priorities, objectives, and outcomes in a new Local Government Act. Once identified, councils would be required to integrate the priorities into their strategic planning, service delivery and decision-making processes.	<p><i>Support in principle</i></p> <p><i>Will there be additional funding available if Council’s expand their role in this area?</i></p> <p><i>Council supports these recommendations and the idea of greater and more consistent consultation from councils.</i></p>
All Tasmanian councils should be required under a new Local Government Act to develop and adopt community engagement strategies – underpinned by clear deliberative engagement principles.	<i>Support</i>
A new Local Government Act should require councils, when developing and adopting their Community Engagement Strategies, to clearly set out how they will consult on, assess, and communicate the community impact of all significant new services or infrastructure.	<i>Support</i>
<i>Rating and Revenue</i>	
The Tasmanian Government should further investigate and consider introducing an alternative framework for councils to raise revenue from major commercial operations in their local government areas, where rates based on the improved value of land are not an efficient, effective, or equitable form of taxation.	<p><i>Support</i></p> <p><i>Council is comfortable with further investigations in this space and would be keen to participate. Council strongly support an equitable developer charging regime and think this is essential.</i></p>

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The Tasmanian Government should work with the sector and the development industry to further investigate and consider introducing a marginal cost-based integrated developer charging regime.	<i>Support</i> <i>Council strongly support an equitable developer charging regime and think this is essential.</i>
Introduce additional minimum information requirements for council rates notices to improve public transparency, accountability, and confidence in council rating and financial management decisions.	<i>Support</i>
Within the context of the national framework, the Tasmanian Government should seek advice from the State Grants Commission on how it will ensure the Financial Assistance Grants methodology: <ul style="list-style-type: none"> • is transparent and well understood by councils and the community, • that assistance is being targeted efficiently and effectively, and • is not acting as a disincentive for councils to pursue structural reform opportunities. 	<i>Support</i> <i>This work needs to also understand that growth can be a significant cost to a council in the short and medium term (contrary to the perception that it makes a council instantly better off financially).</i>
The Tasmanian Government should review the total amount of Heavy Vehicle Motor Tax Revenue made available to councils and consider basing this total amount on service usage data.	<i>Support</i>
Introduce a framework for council fees and charges in a new Local Government Act, to support the expanded, equitable and transparent utilisation of fees and charges to fund certain council services.	<i>Support</i>
The Tasmanian Government should review the current rating system under the Local Government Act to make it simpler, more equitable, and more predictable for landowners. The review should only be undertaken following implementation of the Board's other rating and revenue recommendations	<i>Support</i> <i>This work should include modelling different options for each council.</i>
<i>Elected member capability and conduct</i>	
To be eligible to stand for election to council, all candidates should first undertake – within six months prior to nominating – a prescribed, mandatory education session, to ensure all candidates understand the role of councillor and their responsibilities if elected.	<i>Support</i>
The Tasmanian Government and the local government sector should jointly develop and implement a contemporary, best practice learning and ongoing professional development framework for elected members. As part of this framework, under a new Local Government Act:	<i>Support</i>

Recommendation	<i>Brighton Council Comment</i>
<ul style="list-style-type: none"> • All elected members – including both new and returning councillors – should be required to complete a prescribed ‘core’ learning and development program within the first 12 months of being elected; and • Councils should be required to prepare, at the beginning of each new term, an elected member learning and capability development plan to support the broader ongoing professional development needs of their elected members. 	
Following the phase 1 voluntary amalgamation program, the Tasmanian Government should commission an independent review into councillor numbers and allowances.	<i>Support</i>
The Tasmanian Government should expedite reforms already agreed and/ or in train in respect of statutory sanctions available to deal with councillor misconduct or poor performance.	<i>Support</i>
<i>Performance monitoring and continuous improvement</i>	
The Tasmanian Government should work with the sector to develop, resource, and implement a best practice local government performance monitoring system.	<i>Support</i> <i>Council supports greater performance monitoring and bench-marking of council performance and greater consistency across the sector and supports the recommendations.</i>
The Tasmanian Government should develop a clear and consistent set of guidelines for the collection, recording, and publication of datasets that underpin the new performance reporting system to improve overall data consistency and integrity, and prescribe data methodologies and protocols via a Ministerial Order or similar mechanism.	<i>Support</i>
<p>The new Strategic Planning and Reporting Framework should actively inform and drive education, compliance, and regulatory enforcement activities for the sector, and entities with responsibility for compliance monitoring and management – including the Office of Local Government and council audit panels – should be properly empowered and resourced to effectively deliver their roles.</p> <p>As part of this the Tasmanian Government should consider introducing a requirement for councils to have an internal audit function given their responsibilities for managing significant public assets and resources, and whether this requirement needs to be legislated or otherwise mandated. Consideration should also be given to resourcing internal audit via service sharing or pooling arrangements, particularly for smaller councils.</p>	<i>Support in principle</i>

Recommendation	Brighton Council Comment
<i>Managing council assets</i>	
The Tasmanian Government – in consultation with the sector – should review the current legislative requirements on councils for strategic financial and asset management planning documentation to simplify and streamline the requirements and support more consistent and transparent compliance.	<p><i>Support</i></p> <p><i>Council supports these recommendations to simplify and streamline legislative requirements and importantly, to standardise useful asset lives across the sector.</i></p>
The Tasmanian Government – in consultation with the sector – should investigate the viability of, and seek to implement wherever possible, standardised useful asset life ranges for all major asset classes.	<p><i>Support</i></p>
<i>Partnering with the Tasmanian Government</i>	
The Tasmanian Government should collaborate with the local government sector to support a genuine, co-regulatory approach to councils' regulatory responsibilities, with state agencies providing ongoing professional support to council staff and involving councils in all stages of regulatory design and implementation.	<p><i>Support</i></p> <p><i>The new Charter for Local Government could capture this co-regulatory approach.</i></p> <p><i>Council fully supports these recommendations. Greater collaboration (both formal and informal) between local and state government is essential for meeting community aspirations.</i></p> <p><i>Standard MOUs/templates should be developed to allow for the implementation of joint work between state and local government on key project or initiatives. It is currently extremely ad hoc and individual dependent.</i></p>
The Tasmanian Government should work with the local government sector to pursue opportunities for strengthened partnerships between local government and Service Tasmania.	<p><i>Support</i></p>
Councils should migrate over time to common digital business systems and ICT infrastructure that meet their needs for digital business services, with support from the Department of Premier and Cabinet's Digital Strategy and Services (DSS).	<p><i>Support in principle</i></p> <p><i>Long term, costly and highly disruptive. Needs to consider the difference in 'business type' between different scales of council. eg. A business with 600 staff is a very different entity to one with 50.</i></p>
The Tasmanian Government should partner with, and better support, councils to build capacity and capability to plan for and respond to emergency events and climate change impacts.	<p><i>Support</i></p>

Recommendation	<i>Brighton Council Comment</i>
<i>Developing the council workforce</i>	
<p>The Tasmanian Government should:</p> <ul style="list-style-type: none"> • support the Local Government Association of Tasmania (LGAT) to develop and implement – in consultation with councils and their staff – a workforce development toolkit tailored to the sector and aligned with the Tasmanian Government’s workforce development system; • support councils to update their workforce plans at the time of any consolidation; • support LGAT to lead the development and implementation of a state-wide approach to workforce development for key technical staff, beginning with environmental health officers, planners, engineers and building inspectors; • recognise in statute that workforce development is an ongoing responsibility of council general managers and is included as part of the new Strategic Planning and Reporting Framework; and • include simple indicators of each council's workforce profile in the proposed council performance dashboard. 	<p><i>Support</i></p> <p><i>To be successful this work also needs to have buy in from education and training institutions to support the strategies and actions to meet skills shortages.</i></p>