



HUON VALLEY COUNCIL

HUON VALLEY COUNCIL SUBMISSION

The Future of Local Government Review Final Report October 2023

INTRODUCTION

The Huon Valley Council (the Council) welcomes the opportunity to comment on the Local Government Review and makes the following submission in regard to the Final Report.

In making this submission the Council has not determined any position on the amalgamation proposal with Kingborough Council.

The information provided through the review has been insufficient to demonstrate any sufficient benefit to residents of the Huon Valley resulting from the proposed amalgamation.

The Council will be separately meeting with the Kingborough Council as well as Derwent Valley Council to share information for consideration of both amalgamation and shared services by each Council.

Recommendations are otherwise responded to as follows:

No	RECOMMENDATION	SUBMISSION AND COMMENT
1	<p>Define in Tasmania's new Local Government Act the role of local government consistent with the statement below: 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>Supported with amendment</p> <p>The roles are supported however it will be important to consider this in the context of the new Act.</p> <p>The following alternative role description is recommended. Statement 1 replaces the subjective existing first statement. Statement 2 is expanded to incorporate climate change which has been removed from statement 4 as social, economic and environmental sustainability is broader than, but inclusive of climate change.</p> <ol style="list-style-type: none"> 1. engaging with local communities and including them in decision making; 2. providing infrastructure, services and climate change mitigation and adaption actions 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. <p>Council notes there is a lack of consideration for the broader roles under other Acts such as the <i>Land Use Planning and Approvals Act 1993</i> that ought be recognised.</p>
2	<p>The Tasmanian Government – through subordinate legislation – should implement a Local Government Charter to support the new legislated role for local government.</p> <p>The Charter should be developed in close consultation with the sector and clarify and consolidate in a single document councils' 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>Supported</p> <p>A charter is of value to define core roles and responsibilities of the Council.</p> <p>It is important to note that the detail of any charter will be subject to further discussions with the Government and consideration of roles and responsibilities across all levels of government.</p> <p>The Local Government Charter should be used as an opportunity to define Local and State Government's shared responsibilities for public service outcomes, principles for engagement, and the obligations of each when delivering community services and legislative responsibilities.</p>

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3	<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>Supported</p> <p>A new and current strategic framework relevant to the term of the Council is considered to be a positive approach.</p> <p>Development of community engagement plans has been foreshadowed as part of the review of the Local Government Act and supported through that process.</p> <p>Inclusion of workforce development planning is supported and is consistent with the work currently being undertaken by the Council.</p> <p>Councillor capability and professional development planning is particularly supported noting that there is significant work being undertaken within the Local Government Sector to develop these.</p> <p>The Framework should not impact on the need for long-term strategic and financial planning.</p>
4	<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>Not supported</p> <p>The Council does not comment on options other than relating to Kingborough and Huon Valley Councils.</p> <p>The Council has previously stated its preference to stay as it is without any amalgamation, or in the alternative to create a new Council involving the Huon Valley Council and the rural areas of the Kingborough Council. The Council has not supported an amalgamation with Kingborough Council.</p> <p>The Council has however considered that there has been insufficient information provided as part of the review for the Council to be able to objectively consider the real benefits of any amalgamation proposal.</p> <p>In December the Council has therefore resolved to meet with the Kingborough and Derwent Valley Councils to share this information and consider options whether there is any overriding benefit for amalgamation or that shared services can be explored as follows:</p> <p><i>b) In order to inform an accurate, informed response to the Local</i></p>

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		<p><i>Government Review Final Report October 2023 by the Huon Valley, Kingborough and Derwent Valley Councils, the Council proposes a meeting between all Councillors from each Council for the purposes of:</i></p> <ul style="list-style-type: none"> • <i>Sharing relevant financial and service information in order that both Councils consider the recommendation constructively and can rely on accurate information;</i> • <i>Agreeing to the terms and scope of a cost/benefit evaluation;</i> • <i>Agreeing to how the potential for loss of identity and local representation will be addressed including the differences between dispersed rural and urban populations;</i> • <i>Agreeing how Bruny Island, Southwest Wilderness and Macquarie Island should ideally be administered; and</i> • <i>Agreeing how the Councils consult with the community through this process.</i> <p>Council cannot properly consider this recommendation without this detail being provided.</p> <p>The Final Report also includes another set of key criteria that need addressing for the future of Local Government</p> <p>The engagement stage of the review came up with Tasmanians wanting a strong and effective <u>local</u> voice. The review claims to have undertaken a broad program of research, analysis, and engagement and lists "The critical future role for local government" in recommendation 1.</p> <p>The State Government should be providing an assessment of how a bigger "Southern Shore" Council will improve these critical outcomes in recommendation 1.</p>
5	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>Supported in principle</p> <p>Establishment of a Board is consistent with the approach taken for any amalgamation proposals within Tasmania.</p>

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		<p>The Council however does not support establishment of a Board simply as a result of this recommendation and there must be agreement from all the affected Councils proposed to be amalgamated to participate in a board process.</p>
6	<p>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.</p>	<p>Not Support</p> <p>Details of the working group would be required to determine whether this is a practical proposal. Who would make up this group and what authority would they have separate to Council?</p> <p>Councillors have already been elected to democratically represent their community and there is no guarantee that a working group would be representative.</p> <p>Council supports the Local Government Board undertaking broad community engagement in place of a community working group.</p>
7	<p>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.</p>	<p>Supported in principle</p> <p>Details of the community vote process would be required to determine whether this is a practical proposal. For instance, what if the community vote is divided between two Councils with one area in favour and the other against? How will this be resolved?</p>
8	<p>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.</p>	<p>Not supported</p> <p>Details of the community vote process would be required to determine whether this is a practical proposal. For instance, what if the community vote is divided between two Councils with one area in favour and the other against? How will this be resolved?</p>
9	<p>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.</p>	<p>Not Supported</p> <p>Mandatory shared services are not supported. Council strongly supports the State Government working collaboratively in good faith with the sector using the Future of Local Government Board recommendations as a direction only, not as a mandatory imposition.</p> <p>The new Local Government Act should ideally incentivise the provision of shared services including how costs can be supported by the State</p>

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		<p>Government but should not provide the Minister with the ability to mandate shared services.</p> <p>Council supports the investigation of shared service arrangements that provide economic and social benefits for the community, and increased collaboration between councils to improve service delivery.</p>
10	Give councils the opportunity to design identified shared service arrangements themselves, with a model only being imposed if councils cannot reach consensus.	<p>Supported</p> <p>Any shared service arrangement needs to be to the mutual benefit of involved Councils and must be designed by Councils. A compulsory model is not supported unless it comes with a guarantee of State Government funding and there are clear measures in place for how to deal with disagreements between Councils on their service needs.</p>
11	Before endorsing a particular mandatory shared service arrangement, the Minister for Local Government should seek the advice of the Local Government Board.	<p>Not Supported</p> <p>Provision of mandatory shared services are not supported in the first instance. Council supports the State Government working collaboratively with the sector using the Future of Local Government Board recommendations as a direction only, not as a mandatory imposition.</p> <p>The benefit of referring such a matter to the Local Government Board is also not made clear or supported to be imposing these on local government.</p> <p>Council supports the investigation of shared service arrangements that provide economic and social benefits for the community, and increased collaboration between councils to improve service delivery.</p>
12	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.	<p>Not Supported</p> <p>Provision of mandatory shared services are not supported in the first instance. Council supports the State Government working collaboratively with the sector using the Future of Local Government Board recommendations as a direction only, not as a mandatory imposition.</p> <p>Any model developed by the Tasmanian Government may be a detriment to a Council.</p>

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		If this proposal proceeds, the State Government must make it clear how it will incentivise and provide sufficient funding to support mandatory shared services.
13	<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>Not Supported</p> <p>Provision of mandatory shared services are not supported in the first instance. Council supports the State Government working collaboratively with the sector using the Future of Local Government Board recommendations as a direction only, not as a mandatory imposition.</p> <p>There are no issues with discussion of the identified priority areas for shared service opportunities. Council notes;</p> <ol style="list-style-type: none"> 1. sharing of business systems will only work where the system is fit for purpose and affordable which likely means sharing is most likely to succeed between Councils of similar size/financial capacity; and 2. sharing of key technical staff such as Environmental Health Officers is unlikely to improve service outcomes in the short term and a state-supported workforce development plan would be preferred for all critical Local Government roles including but not simply focused on Environmental Health, Statutory Planners and Plumbing Surveyors.
14	<p>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>	<p>Supported</p> <p>The Council has noted community wellbeing as a community priority for Local Government. This is though, a general expansion of a Council's role and there should be consideration of additional funding from the State Government to properly expand the Council's role into this area.</p> <p>Council has reinforced the requirement for consultation through our recommended alternative role description at item 1.</p>
15	<p>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.</p>	<p>Supported</p> <p>The Review of the <i>Local Government Act</i> already included this reform however it does go against the basic principles of access to democracy.</p> <p>An informed and trained Councillor will of course improve the levels of governance and decision making for a Council. Mandatory completion</p>

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		<p>of training modules as a prerequisite for standing as a Councillor is supportive of informed Councillors.</p> <p>There are though no similar requirements placed on members of State or Federal Parliament and any requirements could limit a person's access to run for a sphere of Government due to disadvantage. This needs to be carefully considered such that training is easily accessible to all candidates and Councillors.</p>
16	<p>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:</p> <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. 	<p>Supported</p> <p>The Local Government Sector (LGAT and the Office of Local Government) are currently progressing the learning and development framework for Councillors and this work is supported to continue.</p> <p>Council also considers that a comprehensive induction programme to then be supported by ongoing professional development is essential for Councillors to perform in the roles and functions and support good decision making.</p> <p>Council also notes that Councillors give considerable time to what is effectively a voluntary role for the benefit of their communities. Similar provisions are also not applied to other spheres of Government as expected of Councils.</p> <p>Ongoing professional development should therefore not be unduly onerous and time-consuming.</p> <p>There must also be routes for councillor support (eg mental health), mediation and advice, that are readily accessible. At present there is nothing to support councillors other than by making them take part in more training.</p>
17	<p>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>	<p>Supported</p> <p>It is noted that the recommendation specifically relates to improved outcomes from the rating system for land uses including hydro-electric dams, wind farms and carbon abatement schemes. This will have little effect on most Councils.</p>

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18	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.	<p>Supported</p> <p>This recommendation has been advocated for by LGAT for an infrastructure charging regime/headworks charges that is beyond those contributed to through open space and greenfield infrastructure development.</p> <p>Tasmanian Planning Policies and the Housing Strategy are recommended to include complementary provisions.</p>
19	Introduce additional minimum information requirements for council rates notices to improve public transparency, accountability, and confidence in council rating and financial management decisions.	<p>Supported</p> <p>There is a lot of information already provided in rates notices as required in the <i>Local Government Act 1993</i> however clear plain English information to ensure that rates notices are understood and comparable across Councils is supported.</p> <p>Council recommends a shared rating service would be the preferred way to standardise rates notices.</p>
20	<p>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:</p> <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. 	<p>Supported</p> <p>This recommendation has arisen from Local Government sector advocacy.</p> <p>One particular concern raised in the report is that an amalgamated Council may be worse off than they were before as separate Councils because they would be of such a mass that their assistance grants allocation may be substantially reduced for the new entity. This is a consideration behind the Board's recommendations to be able to support amalgamation proposals and ensure a new Council is not worse off.</p>
21	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.	<p>Supported</p> <p>This has been a matter consistently advocated for by the Local Government sector and allocations should be made clear and equitable.</p>
22	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.	<p>Supported</p> <p>This has been supported by Council throughout the review process and the review of the Local Government Act included this reform. The</p>

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		setting of fees must though include policy objectives of the Council where some fees may be above cost recovery to reflect the Council's desire to achieve an outcome. Council for instance may wish to disincentivise a particular activity that may be detrimental to the environment imposing a higher cost to ensure that outcome.
23	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.	<p>Supported</p> <p>This has been supported by Council throughout the review process.</p>
24	The Tasmanian Government should work with the sector to develop, resource, and implement a best practice local government performance monitoring system.	<p>Supported</p> <p>Performance reporting was a matter considered as part of the review of the Local Government Act and is generally supported.</p>
25	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.	<p>There is though a need to ensure that the system is not burdensome and costly to Councils, measures are service delivery outcomes focused, standardised and utilising existing data sources.</p>
26	<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>	<p>Supported</p> <p>It is important that if this recommendation proceeds the Office of Local Government must be sufficiently resourced and funded by the State Government. The Local Government sector should not be expected to fund their regulatory oversight functions as suggested on page 88 of the Report.</p> <p>With respect to internal audit programmes these are supported as a valuable role and Council is currently developing an internal audit program.</p> <p>Internal audit programmes are though difficult to resource given the cost and limited expertise available within Tasmania. This is an area that has been identified as an opportunity for Councils to have shared services and undertake similar audits across a number of Councils at any given time in a similar way to the Tasmanian Audit Office performance audits. This would improve access to qualified auditors (by creating a viable market) and reduce costs to the Councils participating in the audits. The</p>

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		concept of a shared service or joint procurement whether with or without LGAT involvement, is supported.
27	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>Supported</p> <p>This has been a long -standing advocacy position by LGAT on behalf of the Local Government sector. Arrangements such as this have been occurring particularly in the environmental and public health spaces.</p> <p>The new Charter for Local Government should capture this co-regulatory approach.</p> <p>Any proposed legislative changes that would impose regulatory or administrative responsibilities on Local Government should also be accompanied with regulatory impact statements detailing the costs to Council of the responsibility and expected funding opportunities to ensure that this is cost neutral. Currently the Government does not consider these matters in any open or transparent manner.</p>
28	The Tasmanian Government should work with the local government sector to pursue opportunities for strengthened partnerships between local government and Service Tasmania.	<p>Supported</p> <p>The example provided regarding Service Tasmania arrangements such as with Devonport is supported for further discussion with Councils noting that there may be significant work and cost involved in achieving the desired outcome and this should not be borne by Local Government.</p>
29	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>Supported</p> <p>This recommendation may however be costly and result in writing-down of significant asset and system investments from Councils having to move systems.</p> <p>There will be substantial training costs involved that will need to be provided for noting that this will have benefit later on and ensure a flexible workforce between Councils.</p> <p>In considering digital business services, the Government must take into account lower socio-economic areas where literacy and access to information technology is lower and make available alternatives.</p>

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30	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>Supported</p> <p>The requirements for strategic financial and asset management planning documentation commenced in 2014/2015 and has not been reviewed since that time. It is appropriate to review those requirements. Depending upon the outcome of shared services particularly regarding asset management, this recommendation may dovetail into implementation of those recommendations.</p>
31	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>Supported</p> <p>Standardised asset life ranges would provide for consistency for all Councils and ensure clear guidance for the Tasmanian Audit Office.</p> <p>It should be noted that useful asset life is impacted by a range of variables such as environment and user volumes. Accordingly, the requirement is for a standardised approach and common methodology to asset management and valuation of which useful asset life is just one component.</p>
32	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.	<p>Supported</p> <p>The review of the Local Government Act included this reform that has been supported by the Council.</p>
33	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.	<p>Supported in principle</p> <p>There needs to be further information as to what will need to be addressed and contained in a community impact statement along with clear criteria to establish to determine what new services and infrastructure would be subject to a community impact assessment.</p>
34	Following the phase 1 voluntary amalgamation program, the Tasmanian Government should commission an independent review into Councillor numbers and allowances.	<p>Supported</p> <p>This has not been reviewed for several years and it is considered to be appropriate timing and should be brought forward.</p>
35	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.	<p>Supported</p> <p>This should be implemented irrespective of progression of the Future of Local Government Review outcomes.</p>
36	The Tasmanian Government should:	<p>Supported</p>

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	<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>It is noted that for this to be successful the Tasmanian Government must ensure that there is clear buy-in from education and training providers to supports the strategies and actions to meet skills shortages.</p>
37	<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>	<p>Supported</p> <p>Council agrees that responding to emergency events and climate change impacts is becoming significantly larger for Local Government and more difficult to fund. This also includes the need to build back better to address long-term infrastructure impacts and the cost that this incurs.</p>