

Our Ref:
Your Ref:

1 February 2024

Department of Premier and Cabinet
Local Government Reform
GPO Box 123
HOBART TAS 7001

Attention: Minister Nic Street

Via email **only**: lg.consultation@dpac.tas.gov.au

Dear Minister,

RE: The Future of Local Government Review – Final Report – Submission

Thank you for your correspondence of November 2023 enclosing the Local Government Board's ("The Board") Final Report for the Northern Midlands Council's ("the Council") consideration. This submission is provided on behalf of the Council.

As previously contained in Council's submission to the Board's Interim Report, the Council opposes forced amalgamation/boundary adjustments, with the Council's position being that there be no changes to the Council's existing boundaries. Council's position is clearly reflective of community sentiment, as demonstrated by the independent community survey commissioned by Council.

Council was pleased to hear of the State Government's commitment to not forcing amalgamation, which is reiterated and reflected in the Board's Final Report.

The Council has considered the Final Report and each of the 37 Recommendations contained therein. Please find **attached** to this letter a document outlining each recommendation with Council's associated commentary.

Council takes this opportunity to thank you for the invitation for further submissions to be made and looks forward to receipt of your final advice in response to the Final Report and consultation process in response to the same.

Yours sincerely,



Mary Knowles OAM
MAYOR

Northern Midlands Council's Response to the Board's Final Report Recommendations

Full List of the Board's Recommendations

	Recommendation	NMC Response
1	<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>Agreed – Council notes that point 4 is narrow in scope, being climate change, and is suggested to broaden the scope.</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>Agreed.</p>
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>Agreed.</p>

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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>	Council's encourages any councils who wish to voluntary amalgamate to receive support from the State Government in that process.
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.	As for recommendation #4.
6	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.	As for recommendation #4.
7	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.	As for recommendation #4.

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8	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.	Agreed.
9	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.	The comments on previous shared service arrangements failing are noted and agreed by Council. Before Council could agree to this, it would need to be demonstrated there is a financial and community benefit to this.
10	Give councils the opportunity to design identified shared service arrangements themselves, with a model only being imposed if councils cannot reach consensus.	Agreed.
11	Before endorsing a particular mandatory shared service arrangement, the Minister for Local Government should seek the advice of the Local Government Board.	Agreed.
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.	Before Council could agree to this, it would need to be demonstrated there is a financial and community benefit to this.
13	The first priorities for developing mandatory shared service arrangements should be: <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. 	Agreed.

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14	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.	Agreed.
15	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.	Agreed.
16	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: <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. 	Agreed.
17	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.	Agreed.
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.	Agreed – Council refers to its letter to the Minister for Planning of 8 December 2023.

Northern Midlands Council's Response to the Board's Final Report Recommendations

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19	Introduce additional minimum information requirements for council rates notices to improve public transparency, accountability, and confidence in council rating and financial management decisions.	Agreed.
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. 	Agreed.
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.	Council proposes the revenue made available to Councils is based on the length of roads and indexed annually.
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.	Agreed.
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.	Agreed.
24	The Tasmanian Government should work with the sector to develop, resource, and implement a best practice local government performance monitoring system.	Agreed.

Northern Midlands Council's Response to the Board's Final Report Recommendations

	Recommendation	NMC Response
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.	Council requests further clarification of this recommendation prior to making further comment.
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>	Agreed.
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.	Agreed.
28	The Tasmanian Government should work with the local government sector to pursue opportunities for strengthened partnerships between local government and Service Tasmania.	Agreed.
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).	Agreed.

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	Recommendation	NMC Response
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.	Agreed.
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.	Agreed.
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	Agreed.
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.	Agreed.
34	Following the phase 1 voluntary amalgamation program, the Tasmanian Government should commission an independent review into councillor numbers and allowances.	As for recommendation #4.
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.	Agreed.

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36	<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. 	Agreed.
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>Agreed – Council is supportive of additional State Government resourcing in this area. Council has existing partnerships with SES and Bureau of Meteorology, along with neighbouring Councils, to collaborate on emergency management and would be reluctant to lose autonomy in dealing with flood events, which are common to the municipality.</p> <p>Council notes that the recommendation doesn't reflect point 2 "Engagement and advocacy" well and lacks support for Councils in the advocacy space, especially in relation to</p>

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		planning reform to promote climate change mitigation.