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29 February 2024

Hon. Nic Street MP
Minister for Local Government
Local Government Reform
GPO Box 123
Hobart TAS 7001

By email: lg.consultation@dpac.tas.gov.au

RE: Future of Local Government Review Board Submission

Dear Minister Street,

West Tamar Council appreciates the opportunity to respond to the Future of Local Government Review Board Final Report (the **Report**).

Council confirms that its position has not changed and it does not support forced amalgamations. Council will be making no comment on recommendations 4, 5, 6, 7 as any volunteer amalgamation recommendations should be a matter for the specific councils involved.

Council **supports** the following recommendations contained in the final Report:

- Recommendation 1
- Recommendation 14
- Recommendation 17
- Recommendation 18
- Recommendation 19
- Recommendation 20
- Recommendation 21
- Recommendation 27
- Recommendation 28
- Recommendation 30
- Recommendation 31
- Recommendation 32
- Recommendation 33
- Recommendation 34
- Recommendation 37

The following recommendations are ***supported in principle***, with concerns of Council noted.

- Recommendation 2

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 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.*

It is Council's view that codifying a charter can stymie innovation if the wording is too specific and restrictive. Further, Council believes that consultation of any proposed wording in the Local Government Act is critical and councils should be given sufficient time to review any proposed Charter in the context of the LGA and also review any associated changes to the regulations.

- Recommendation 3

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.

The plan would consist of component plans including, at minimum, a:

- *community engagement plan;*
- *workforce development plan;*
- *elected member capability and professional development plan; and*
- *financial and asset sustainability plan.*

It is critical that a clear implementation and resourcing plan is in place before the above is enacted. The above should be implemented in a staged approach and councils supplied with specialised support (particularly HR support) and appropriate resourcing from the State Government to ensure a consistent appropriate framework is developed and implemented.

- Recommendation 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.

This is a goal that Council agrees with but believes that there is significant work that would need to be completed before it would be willing to support this recommendation.

- Recommendation 24

The Tasmanian Government should work with the sector to develop, resource, and implement a best practice local government performance monitoring system.

Council believes that more consultation required to better understand what would be involved in a performance monitoring system. Any performance monitoring system developed needs to ensure it does not result in a higher administrative burden on Councils. Complexities of both Councils reporting systems and IT resources need to be carefully considered when any development of a performance monitoring system is developed. Council would also want to ensure that any performance measurements are relevant to the community Council serves.

- Recommendation 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.

See comments in relation to recommendation 24.

- Recommendation 26

- *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.*
- *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.*

Council believes that further work is required before it can fully support this recommendation. Further Council would not support any recommendation that requires Council to effectively fund the compliance responsibilities of the Director of Local Government.

- Recommendation 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).

Council does support the concept but notes that the above is a complex undertaking. More work is required to understand how migration might work and over what period. Further significant resourcing will be required from the Tasmanian Government.

- Recommendation 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.

Whilst Council supports the expediting of reforms it would like further information on sanctions it would like to apply to poor performing councillors especially in relation how natural justice will be provided to Councillors accused of misconduct or poor performance.

The following recommendations **are not supported** by Council for the following reasons.

- Recommendation 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

Shared services should not be required but encouraged. Noting that Council already has shared services arrangements in place. It is Council's position that mandating shared services is not required and will not fix workforce shortages.

- Recommendation 10

Give councils the opportunity to design identified shared service arrangements themselves, with a model only being imposed if councils cannot reach consensus.

See Recommendation 9 comments

- Recommendation 11

Before endorsing a particular mandatory shared service arrangement, the Minister for Local Government should seek the advice of the Local Government Board.

See Recommendation 9 comments

- Recommendation 12

If councils are unable to reach a consensus on a mandatory service sharing agreement, the Minister for Local Government should have the power to require

council to participate in a specific model or models the Tasmanian Government has developed.

See Recommendation 9 comments

- Recommendation 13

The first priorities for developing mandatory shared service arrangements should be:

- *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.*

See Recommendation 9 comments

- Recommendation 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.

Council believes that this is not a practical approach as there may be community members who do not decide to become a candidate for an election until an election is called and as such the above would exclude many community members from nominating. If this was to go ahead such mandatory sessions need to be inclusive and run during the nomination period so as to include as many community members who may choose to nominate close to the election itself.

- Recommendation 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:

- *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.*

It is Councils view that this work is currently being done by LGAT.

- Recommendation 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.

Councils need to be able to set fees and charges that are appropriate for its ratepayers and on that basis this recommendation is not supported.

- Recommendation 36

The Tasmanian Government should:

- *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.*

Council believes that more detail is required on the definition and framework for any workforce plan. LGAT does not currently have the specialist skills required to lead the development of any such plan. The Tasmanian Government needs to ensure that there are enough HR specialists available to Councils with the skills required to implement this recommendation.

Council appreciates this opportunity to provide its feedback on the Report and we are happy to meet with you to provide any detailed feedback.

Yours sincerely,



Kristen Desmond
Chief Executive Officer
West Tamar Council