

**PREMIER'S  
LOCAL GOVERNMENT  
COUNCIL**

Thursday, 22 July 2021, 1.00 pm – 3.00 pm  
Tamar Room, Tailrace Centre, Riverside 7250

**Meeting Minutes**

<b>PLGC Members</b>		
	Hon Peter Gutwein MP	Premier (Chair)
	Hon Roger Jaensch MP	Minister for Local Government and Planning
	Cr Christina Holmdahl	President, Local Government Association of Tasmania (LGAT) General Management Committee (GMC), Mayor, West Tamar Council
Apology	Cr Anna Reynolds	Lord Mayor, Hobart City Council
	Cr Mick Tucker	Vice President, LGAT GMC Mayor, Break O'Day Council
	Cr Annette Rockliff	Mayor, Devonport City Council
	Cr Peter Freshney	Mayor, Latrobe Council
Apology	Cr Alex Green	Mayor, Southern Midlands Council
	Cr Danny Gibson	Deputy Mayor, Launceston City Council
	Ald Bec Thomas	Mayor (Deputy Mayor), Glenorchy City Council
<b>PLGC Officials</b>		
	Ian Nelson	General Manager, Clarence City Council
	Sandra Ayton	General Manager, Central Coast Council
Apology	Des Jennings	General Manager, Northern Midlands Council
	Dion Lester	Chief Executive Officer, LGAT
	Ben Morris	Policy Director, LGAT
	Craig Limkin	Deputy Secretary/Director of Local Government, Department of Premier and Cabinet (DPAC)
	Michael Mogridge	A/g Director of Policy and Sector Performance (Local Government), Local Government Division (LGD), DPAC
<b>Secretariat</b>		
	Luke Murphy-Gregory	Principal Policy Analyst, LGD, DPAC
	Maia Cook	Policy Analyst, LGD, DPAC
	Giselle Vincent	Policy Officer, LGD, DPAC

<b>Ministerial support</b>		
	Dave Tilley	Adviser to Minister Jaensch
	Dr Anthony Reid	Chief of Staff to Minister Jaensch

## Welcome

The Premier welcomed participants to the first Premier's Local Government Council (PLGC) meeting of 2021, and thanked those who had travelled to Launceston to attend the meeting. The Premier opened the meeting by noting the COVID-19 Delta variant outbreaks in New South Wales and Victoria, and the importance of continued growth in Tasmania's vaccination rate in this context.

Minister Jaensch made an opening statement to mark his first PLGC meeting as the Minister for Local Government and Planning. The Minister noted his recent correspondence to the local government sector, in which he proposed a way forward on a number of priority issues for the sector. This included the release of the *Code of Conduct Discussion Paper* for consultation and the implementation approach to the Statewide Waste Levy.

The Minister has asked that the Review of the Local Government Legislative Framework is paused while the Government seeks to activate the local government recommendations of the Premier's Economic and Social Recovery Advisory Council (PESRAC). The Minister reassured the PLGC that the work already done through the Review since 2018 would be able to be incorporated as part of any reforms that may arise from the PESRAC Review, should it proceed.

No guests were in attendance.

### **Agenda Item 1: PLGC minutes from 16 December 2020**

At the December 2020 meeting, the PLGC agreed that the Auditor-General would be invited to the next meeting (this meeting) to discuss a range of matters. This was the only action recorded at the meeting.

Due to the nature of this meeting, with its strong focus on recent developments in Government policy that affect local government, the PLGC agreed that the Auditor-General will be invited to the next PLGC meeting.

The PLGC resolved to accept the draft minutes as a true and accurate record of that meeting.

### **Agenda Item 2: Premier's Economic and Social Recovery Advisory Council Recommendations**

The Premier opened this item by noting the collaborative nature of PESRAC's local government recommendations, which seek to limit the partisanship that has characterised previous attempts at local government structural reform in the State. This will be achieved through a Parliament-sponsored process whereby all Parliamentary parties commit to and work collaboratively to establish the review.

The Government is seeking to have clarity regarding the participation of all Parliamentary parties before Parliament resumes in the coming weeks.

Mayor Holmdahl affirmed the sector's in-principle support for the review proposal, noting that there are some areas of concern. For example, the sector is concerned that the review is predicated on a pre-conceived outcome.

The Premier reassured the PLGC that there is no pre-conceived outcome. The intention is to take a holistic approach that looks at all aspects of local governance and its effectiveness into the future.

Mayor Tucker suggested that a key concern for the sector is the Terms of Reference for the review, including the make-up of the Expert Panel. Mayor Tucker suggested the development of Terms of Reference be flexible enough to be worked through with stakeholders.

The Premier's and Minister's view is that the process will work best if the Terms of Reference is jointly designed and owned by all stakeholders. The design of the Terms of Reference will therefore occur once all Parties have agreed to participate in the Review process.

The Premier stated that, should the Labor Opposition decide not to participate in the review, the Government may consider proceeding in collaboration with local government to deliver a level of reform.

Minister Jaensch encouraged the local government sector to begin thinking about its contribution to the Terms of Reference, and made it clear that he would welcome input on Expert Panel membership composition. The local government sector will be consulted formally on the Terms of Reference and Expert Panel composition after the 2021-22 Budget Estimates process.

The PLGC discussed the importance of clarity regarding the local government elections scheduled for September 2022. The Minister committed to keeping the sector informed regarding any decisions about the elections, and that any announcement would be made collaboratively with the sector.

The PLGC also discussed the importance of pro-actively managing the broader issues that may arise from the review process, such as attracting and retaining qualified council staff throughout the review process and the implementation of its recommendations.

### **Agenda Item 3: Recent Reform Decisions**

Mayor Holmdahl explained that the local government sector welcomes the release of the Discussion Paper for consultation, and that the overwhelming majority of the sector believes that the issues with the Code of Conduct Framework can be addressed through fixes to the existing process.

The Premier noted that he would like the reform process to consider, along with the other proposed legislative reforms in the Discussion Paper, the merits of enabling councillor legal representation when before a Code of Conduct Panel.

The PLGC noted that the Government is delivering legislative changes on the understanding that the sector itself - led by LGAT - will need to design and implement an appropriately independent dispute resolution framework capable of resolving a broad range of conduct and

behaviour related disputes before they are escalated to the Code of Conduct process. Mr Limkin reported that some councils were already developing this capability, and that the Government is keen to enable other councils to do so.

The Tasmanian Government is establishing the Tasmanian Civil and Administrative Tribunal (TasCAT) to consolidate the functions of the State's various specialised tribunals. Mr Lester noted that there may be merit in TasCAT also taking carriage of the Code of Conduct, particularly in terms of mitigating concerns about the inconsistency of rulings. The Premier agreed that the Government would consider this proposal further in the context of the current review.

#### **Agenda Item 4: Planning Reform – Regional Land Use Strategies**

In response to the recommendations of PESRAC, the Government has committed to review the State's three Regional Land Use Strategies. Minister Jaensch explained that, given the Government's significant planning reform agenda, the timing of the review needs to be carefully considered in order to avoid overwhelming council planning units.

The Government has committed nearly \$4 million over the next two years to support review of the three RLUS. Minister Jaensch explained that part of this funding will be used to support data analysis during early 2022, which will ensure that work is underway prior to the 'formal' commencement and participation of the sector in the review.

The Government is also making assistance available to support councils to implement the State's planning reforms. Minister Jaensch agreed that the Planning Policy Unit would check whether these resources are available to the Break O'Day Council.

The PLGC discussed the challenges councils are facing because of the limited availability of trained and/or experienced planning professionals capable of supporting the delivery of the Government's planning reform agenda. Minister Jaensch explained that the single Planning Scheme will provide greater consistency. Once the system is operating effectively there will be scope for councils to share skilled planners which, in turn, will address the issues arising from a limited supply of planning officers in the State.

The PLGC discussed the prevalence of land speculation in the State's key growth regions. The Premier is open to discussing potential incentives to free up this land for development.

#### **Agenda Item 5: Regional Recovery Committees**

The PLGC noted an update on the Regional Recovery Committees from Mr Limkin.

The PLGC discussed the important role that mental health services and support will have in the State's recovery phase. The Premier explained that mental health will be a strong focus of the Committees.

Early in the COVID-19 pandemic, the Government provided clear direction regarding the role of councils in-terms of pandemic-related support and stimulus. The Premier agreed that there may be merit in the Government providing similar direction during the recovery phase.

#### **Agenda Item 6: Other Business and Meeting Close**

The PLGC discussed recent issues some councils have experienced with the regulation and enforcement of the Building Act 2016. The PLGC specifically discussed council engagement of building surveyors. With the *Building Act 2016* having been in place for five years, the PLGC noted that now may be a sensible timeframe for review to take stock of the operation of the Act.

**Meeting closed 3:00 pm**

## Actions

Agenda Item	Actions From PLGC Meeting on 22 July 2021	Who	When	Complete
2	Keep the sector informed regarding any Government deliberations about the proposed re-scheduling of local government elections.	Minister/s Office, Local Government Division	As appropriate	In Progress
3	Consider the merits of TasCAT taking carriage of the Code of Conduct framework.	Minister/s Office, Local Government Division	ASAP	In Progress
4	Check whether planning reform implementation resources are available to the Break O'Day Council.	Planning Policy Unit	ASAP	COMPLETE
5	Consider whether there is a need for additional communications regarding the role of local government in recovery.	Premier, Minister, respective Offices	ASAP	COMPLETE
6	Refer the matter regarding potential review of the <i>Building Act 2016</i> to the Consumer, Building and Occupational Services for consideration.	Local Government Division	ASAP	COMPLETE