

DRAFT SECOND READING SPEECH

HON NIC STREET MP

Local Government (Miscellaneous Amendments) Bill 2023

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Mr Speaker, I move that the Bill be now read the second time.

Our councils together spend hundreds of millions of dollars every year renewing and improving community assets, and provide services upon which we all depend. Every Tasmanian has a stake in local government.

The Tasmanian Government is committed to a robust and capable local government sector, and to this end we are pursuing the most ambitious reform program seen in a generation. The Bill before us today is a modest component of that agenda, but nonetheless delivers change that will have long term benefit to local government and the communities it serves.

The Bill before us embeds Government's response to a number of important policy recommendations made within reports issued by the Integrity Commission and Auditor-General.

The first of these is to reinstate a merit principle regarding the employment and promotion of local government employees. A requirement that local government employees be appointed or promoted according to merit did stand in the Act until 2005, at which time it was removed. This omission appears somewhat of a historical curiosity, appearing incidental to changes to the relevant section of the Act to delineate the respective roles of councillors and the general manager towards employees. It is sensible to take this step now to reintroduce a merit principle into the Act, in direct response to a recommendation contained in a report issued by the Integrity Commission.

The merit framework introduced in the Bill closely reflects the merit framework under the *State Service Act 2000*. I note that Tasmania and Queensland are the only jurisdictions without such a legislated requirement for local government.

Importantly, the amendments proposed are intended to balance the need to provide clear policy direction to councils with the preservation of their operational autonomy in employment matters. It is not the intention of Government that this amendment imposes prescription in

process upon councils, or indeed to open the door to the review of individual employment decisions of councils under the Act.

I do not anticipate this will represent substantial change for most councils, which I expect use recruitment practices reflective of a merit principle even if that principle is not embedded explicitly in policy. However, legislating the principle clearly should drive renewed focus among councils to ensure that their employment practices are merit-based, equitable, and ensure reasonable opportunity for members of the community to gain employment in our local government sector.

The Bill makes more prescriptive change to the recruitment of councils of general managers, noting the importance of this role and its uniqueness as the interface between councillors and council administration. Councils will now be expressly required to seek applications from the community for vacancies in the role of general manager and be required to appoint general managers according to merit.

I, again, do not expect that this will lead to substantive change for most councils, however, I do note that multiple councils have made direct appointments to the role of general manager in recent years. I stress I am not making any comment on the qualifications or suitability of anyone so appointed, however, I consider it is important that community confidence in councils' senior leadership is maximised through open and merit-based recruitment practices.

The requirement to advertise vacancies in the position of general manager is to be complemented by process requirements that I intend to make in a Ministerial Order under section 61A of the Act. These requirements will relate to both recruitment and performance assessment, and will be accompanied by guidance to be issued by the Office of Local Government.

Finally, the Bill ensures that councils can use electronic business practices, including the attestation and execution of documents. It provides for councils to undertake community consultation and similar in the event of future disruptions to in-person interactions in the manner of the COVID-19 pandemic. I am pleased that the Bill makes provisions for those less able to access documents electronically to receive paper copies by post, free of charge, in emergency circumstances.

I commend the Bill to the House.