

LOCAL GOVERNMENT ACT 1993
Section 225(2)

MINISTERIAL DIRECTIONS

To: Huon Valley Council

TAKE NOTICE that having considered the submissions made to me by the Huon Valley Council (the Council) and its councillors in respect of the report of the Board of Inquiry into the Huon Valley Council dated May 2016, in accordance with section 225(2) of the *Local Government Act* (the Act), I direct the Council to:

Direction 1

1. Pursuant to section 225(2)(d) of the Act, take steps to facilitate the development of a professional working relationship between the Mayor and the General Manager by:
 - a) arranging for formal mediation and conflict resolution to be delivered by an independent provider and to commence within 30 days between the Mayor and General Manager;
 - b) facilitating the development of a Statement of Expectations to govern the relationship between the Mayor and General Manager in the discharge of their functions under the Act to include:
 - i. the timing of regular meetings;
 - ii. the manner in which the outcomes of those meetings are recorded;
 - iii. the scope of information that may be requested by the Mayor;
 - iv. the timeframes for requesting information from the General Manager;
 - v. the timeframes for providing information to the Mayor;
 - vi. the development of authorisation processes for formal press releases issued by either office;
 - vii. the roles of both parties in developing Council agendas and conduct at Council meetings; and
 - viii. the process for dealing with disagreements on issues that arise that are not explicitly covered in the Statement of Expectations.
 - c) endorsing the Statement of Expectations;
 - d) publishing the Statement of Expectations on the Council website within a period of 90 days; and

- e) facilitating leadership development for the Mayor and the General Manager, including an assessment of individual competencies and areas for development, to be completed within a period of 60 days.

Direction 2

2. Pursuant to section 225(2)(a) of the Act, rectify the irregular behaviour between councillors by:
 - a) facilitating mediated conflict resolution sessions for all councillors to be delivered by an independent provider and to commence within 60 days and continue for such period and at such intervals as the mediator determines; and
 - b) facilitating training for all councillors on their roles and responsibilities under the Act, with specific reference to the Good Governance Guide for Local Government in Tasmania published by the Department of Premier and Cabinet (the Good Governance Guide) and the Model Code of Conduct for Tasmanian councillors set out in Schedule 1 of the *Local Government (Model Code of Conduct) Order 2016*, to be commenced within 45 days and completed within a period of six months.

Direction 3

3. Pursuant to section 225(2)(a) of the Act, beginning immediately and for a period of 12 months, ensure that all public statements made regarding Council positions and decisions are first approved by the Council or, where this is impractical, jointly endorsed by the Mayor and the General Manager.

Direction 4

4. Pursuant to section 225(2)(b) of the Act, discontinue the portfolio system presently adopted by the Council within a period of 90 days.

Direction 5

5. Pursuant to section 225(2)(d) of the Act, within a period of 90 days, take steps to establish sufficient committees under sections 23 and 24 of the Act to enable the efficient discharge of the Council's powers and functions under the Act.

Direction 6

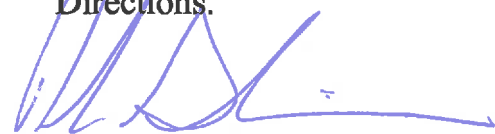
6. Pursuant to section 225(2)(d) of the Act, take the following steps:
 - a) Within a period of six months, and taking into account Direction 3, in consultation with the community, develop a communication and consultation plan for all internal and external communications and consultation processes that is consistent with

the eight characteristics of good governance outlined in the Good Governance Guide.

- b) Within a period of 60 days, review processes to ensure the equitable provision of information to the Mayor and all councillors in a timely manner in order to enable them to fulfil their functions under sections 27 and 28 of the Act.
- c) Within a period of 90 days, establish a General Manager Performance Review Committee, to include the Mayor as an ex officio member.
- d) Within a period of 60 days, develop a process for reviewing and monitoring the application of all human resource policies, plans and programs to ensure that councillors are able to perform their collective functions under section 28(2)(b) of the Act.
- e) Within a period of 60 days, ensure senior management are providing a supportive environment for council staff to come forward with workplace issues and concerns.
- f) Within a period of 60 days, make corporate credit card statements for the past four financial years publicly available.
- g) Within a period of 60 days, update the Audit Panel Charter to enable the referral of matters by parties other than the Council.
- h) Within a period of 60 days, develop a transparent process for the regular review and communication of progress on issues raised with the Council.
- i) Within a period of 90 days, in consultation with the General Manager and the Local Government Division of the Department of Premier and Cabinet, develop a set of key performance indicators to measure the effectiveness of Directions 6(a) to (h) above.

Direction 7

- 7. Pursuant to section 225(2)(d) of the Act, report every two months for the first six months, and then quarterly thereafter for the term of the current council, to the Local Government Division in the Department of Premier and Cabinet on the progress of actions taken to comply with these Directions.



Peter Gutwein MP
Minister for Planning and Local Government

Date: 15 JUN 2016