

Module 7 – Local Government Oversight

Narration script — one entry per slide

Slide 1 — Local Government Oversight

Welcome to Module 7 – Local Government Oversight. Every module so far has looked at governance from the inside — the roles within a council, good governance, conduct and integrity, sound decision-making. This module looks at governance from the outside: the bodies that sit above individual councils and hold them accountable when things go wrong, or simply to make sure the system as a whole keeps working. None of these bodies run councils day to day — that's still Council's job. But they exist because local government, like any part of government, needs external checks as well as internal ones.

Slide 2 — Before You Begin

This module is for anyone considering election to Council, current councillors, and community members who want to understand the wider system councils operate within. It covers the Minister for Local Government, the Director of Local Government, the Local Government Board, the Integrity Commission, the Ombudsman, and the Tasmanian Audit Office — with brief mention of TASCAT and the Code of Conduct Panel, where they connect. You don't need to memorise every power — the aim is to understand who does what, and where to go if something needs raising. You can pause at any time.

Slide 3 — Why Oversight Exists

Councils exist because Parliament creates them, and they exercise only the powers Parliament gives them — a principle from early in this series. That same logic explains oversight: if councils derive their authority from the state, it follows that the state retains a role in checking that authority is being used properly. Internal governance — good conduct, sound decision-making, honest advice — covers most of what keeps a council functioning well. Oversight exists for what internal governance can't fully guarantee on its own: an independent check when something's gone wrong, a place to raise a concern a council itself can't resolve, and confidence for the community that councils don't simply mark their own homework. None of the bodies in this module manage councils. They exist to make sure councils are accountable.

Slide 4 — The Minister for Local Government

The Minister for Local Government holds significant powers over the sector as a whole, most of which are used rarely and as a last resort rather than routinely. The Minister administers the Local Government Act, sets some of the regulations councils operate under, and can establish a Board of Inquiry to investigate a council, a single authority, or a joint authority. Where an inquiry finds serious problems, the Minister can direct a council or councillor to take specific action, and in the most serious cases can recommend that the Governor suspend, or ultimately dismiss, a councillor or an entire council. These are genuinely significant powers, which is exactly why they come with a formal process attached — a council isn't simply directed or dismissed on the Minister's opinion alone.

Slide 5 — Boards of Inquiry

A Board of Inquiry is how the Minister formally investigates a council, a single authority, or a joint authority when a matter is serious enough to warrant it. The Minister appoints its members, notifies the council of why it's being investigated, and the Board itself has real powers — it can summon witnesses, require documents, and take evidence under oath. It isn't bound by the strict rules of evidence used in court, but it must still observe natural justice, giving anyone affected a genuine opportunity to respond. If an inquiry into a council is under way, the Minister can suspend some or all councillors for its duration. At the end, the Board reports its findings and recommendations to the Minister, not directly to the public or the council.

Slide 6 — When an Inquiry Concludes

Once the Minister has considered a Board of Inquiry's report, several outcomes are available, in roughly increasing order of severity. The Minister can direct a council or councillor to rectify the problem, stop a particular action, or explain their reasons, with a set timeframe to respond. If that direction isn't followed, or the matter is serious enough on its own, the Minister can recommend that the Governor dismiss a councillor or the entire council. For a single authority or joint authority, the equivalent step is winding it up altogether. These powers exist precisely because they're serious — dismissal isn't a first response to a disagreement or an unpopular decision, it's reserved for situations where a council's own governance has genuinely broken down.

Slide 7 — The Local Government Board

Separate from an ad hoc Board of Inquiry, the Local Government Board is a standing body — made up of nominees from the Local Government Association of Tasmania and Local Government Professionals, an independent chair, and the Director of Local Government. Its role is ongoing rather than reactive: it carries out reviews of councils and advises the Minister on other matters referred to it. One specific example worth knowing: under the Constitution Act 1934, the boundaries of Tasmania's municipal areas can't be altered without a recommendation from the Local Government Board — so any proposal to amalgamate councils runs through this Board, not the Minister acting alone. Where a Board of Inquiry only exists because something's gone wrong, the Local Government Board is part of the sector's regular architecture — a mechanism for periodic review and advice, not just crisis response.

Slide 8 — The Director of Local Government

The Director of Local Government is a State Service officer appointed by the Governor, and administers the Local Government Act day to day, subject to the Minister's direction. One of the Director's key functions is receiving and investigating complaints — a person can make a written, formally verified complaint to the Director that a council, councillor or general manager has failed to comply with the Act, or that a councillor, general manager or employee may have committed an offence under it. The Director decides how to handle each complaint, can investigate on their own initiative even without a complaint being made, and can refer findings on to the Integrity Commission, the Auditor-General, or a law enforcement agency, depending on what the investigation uncovers. On top of this, recent reforms — passed by Parliament and coming into force — extend the Director's role further, including referring significant, knowing breaches of the Code of Conduct directly to the Tasmanian Civil and Administrative Tribunal. The Director is also responsible for publishing consolidated

performance data across the sector. Where the Minister's powers are the significant, occasional interventions, the Director's role is closer to the ongoing administrative backbone of the whole system.

Slide 9 — The Integrity Commission

The Integrity Commission is Tasmania's independent body for improving standards of conduct across public authorities, including local government, established under the Integrity Commission Act. Its role isn't only there for when something's gone wrong: it educates public officers about integrity, and provides confidential advice on the practical implementation of ethical standards, before problems arise. It also receives, assesses and investigates complaints about misconduct, and can initiate an investigation on its own initiative where appropriate. Misconduct, under the Act, is defined broadly — covering breaches of a code of conduct, dishonest or improper use of powers, and misuse of information or resources. Alongside the Minister and the Director, it's one of the bodies a genuine integrity concern can ultimately end up in front of.

Slide 10 — The Ombudsman

The Tasmanian Ombudsman's role, under the Ombudsman Act 1978, is to enquire into and investigate complaints about the administrative actions of Tasmanian Government departments, councils, and a range of other public authorities. This is a genuinely useful avenue for a resident, or a councillor, who feels a council's process was unfair or improperly handled, but where the issue isn't really about a councillor's individual conduct or misconduct — that's the Integrity Commission's territory. The Ombudsman focuses on administrative fairness: was the process followed reasonable, and was the person affected treated properly along the way.

Slide 11 — The Tasmanian Audit Office

The Tasmanian Audit Office assists the Auditor-General to provide an independent view of councils' financial and operational performance, under powers set out in the Audit Act 2008. Every year, the Auditor-General conducts an independent review of each council's financial report, and that review is presented to Parliament. Beyond the annual financial audit, the Auditor-General also carries out specific performance audits into particular local government functions from time to time — a deeper look at how well a specific area of council activity is actually working, not just whether the numbers add up.

Slide 12 — TASCAT and the Code of Conduct Panel

Two more bodies are worth knowing, even briefly. The Code of Conduct Panel is where most Code of Conduct complaints are actually heard and determined in the first instance — covered in more detail in the Conduct and Integrity module. The Tasmanian Civil and Administrative Tribunal, or TASCAT, sits above that: it hears appeals against Code of Conduct Panel decisions, and under the Director's expanding powers, it's also where serious, knowingly committed breaches get referred directly for determination. TASCAT's local government work is actually broader than conduct matters alone — its jurisdiction extends to planning, building and environmental appeals, but also things like the closure of local highways or changes to the municipal map, among other matters. For the purposes of conduct and integrity specifically, though, the practical pathway to remember is simple: Code of Conduct Panel first, TASCAT as the appeal point, or the direct referral point for the most serious matters.

Slide 13 — Five Things to Remember

Before we finish, five things worth carrying forward. First: oversight exists because councils derive their authority from the state, and the state retains a role in checking that authority is used properly — it's the natural extension of a principle from early in this series. Second: the Minister's most serious powers — suspension, dismissal, winding up an authority — are genuinely significant, but reserved for serious breakdowns, not routine disagreements, and come with a formal Board of Inquiry process attached. Third: the Director of Local Government is the ongoing administrative backbone of the system, with an expanding role including referring serious misconduct to TASCAT. Fourth: the Integrity Commission, the Ombudsman, and the Audit Office each cover different territory — conduct and integrity, administrative fairness, and financial and performance scrutiny, respectively. And fifth: knowing which body actually fits a concern is often the most useful thing to take away, not memorising every power in detail.

Slide 14 — Looking Ahead

That brings this part of the series to a close. The modules so far have covered the shared foundations every Tasmanian councillor needs — how local government works, governance and roles, good governance, conduct and integrity, decision-making, and now oversight. From here, the series turns to the Huon Valley specifically: the community and area you'd be representing, and the practical detail of how Council actually runs, sitting on top of everything covered so far. Thank you for watching.