Local Government Association Tasmania

Our Ref: TB | BM

2nd November 2026

TFES Reform Submissions
Strategy and Support
Department of Police, Fire and Emergency Management
Via email: tfes@dpfem.tas.gov.au

Dear TFES Reform Team

Tasmanian Fire and Emergency Service Regulations

Thank you for the opportunity to provide a submission on the Tasmanian Fire and Emergency Service Regulations. This submission has been prepared by the Local Government Association of Tasmania (LGAT) on behalf of Tasmanian local government in collaboration with our members; all 29 councils.

LGAT is incorporated under the *Local Government Act 1993* and is the representative body and advocate for local government in Tasmania. Where a council has made a direct submission to this process, any omission of specific comments made by that council in this submission should not be viewed as a lack of support by us for that specific issue.

Please contact Tim Boyle if you have any questions or would like further information, at tim.boyle@lgat.tas.gov.au or 0437136798.

Yours sincerely,



Dion Lester
Chief Executive Officer

LGAT Submission: Tasmanian Fire and Emergency Service Regulations

Introduction

We support the development of a contemporary and effective emergency management framework that strengthens community safety, resilience and preparedness across Tasmania. As key partners in emergency management, councils have a significant interest in ensuring that governance arrangements remain collaborative, local government responsibilities are appropriately supported and funded, and future regulatory requirements are developed in consultation with affected stakeholders.

Our comments focus on aspects of the Regulations that affect local government operations, resources, and community outcomes.

General comments

We generally support the intent of the Regulations and note that many provisions transfer operational and administrative detail from legislation to subordinate documentation. While this approach can provide flexibility and allow regulatory settings to evolve over time, it also increases the importance of ongoing consultation with affected stakeholders, particularly local government.

Councils play a critical role across Tasmania's emergency management system, including fire management, community resilience, volunteer support, recovery activities, and the collection of fire service contributions. We therefore consider it important that any future regulations, codes, standards, guidelines, procedures, or directions that have implications for councils be developed in consultation with local government and, where necessary, supported by appropriate funding.

The Tasmanian emergency management framework should not focus solely on emergency response. Effective disaster risk reduction, community resilience, and volunteer capability are essential components of a modern emergency management system and should remain key considerations in developing and implementing the Regulations and any associated administrative instruments.

Our specific comments focus on maintaining effective local government participation in fire management governance, ensuring councils are appropriately supported to fulfil their responsibilities, strengthening community resilience and volunteer capability, and promoting transparency in future administrative instruments that may affect councils.

Specific Comments

State Fire Management Council and Fire Management Area Committees

The regulations retain council representation on Fire Management Area Committees (FMAC). Every FMAC must include a representative from each council whose municipal area falls, or partly falls, within the Fire Management Area, or a jointly nominated representative.

FMACs retain responsibility for coordinating fire management activities, community education, fuel management, bushfire risk assessment and preparation of annual fire protection plans.

We support retaining local government representation on FMACs and recommend that regional fire planning be integrated with municipal emergency management and resilience planning. We also recommend that the time council representatives spend on FMAC duties be reimbursed to maintain resourcing for internal council emergency planning.

Commissioner powers through Codes, Guidelines and Directions

The Regulations enable a range of operational requirements to be established through codes of practice, guidelines, directions and approved procedures issued by the Commissioner. Examples include the Fire Protection Equipment Code of Practice (Regulation 17), fire evacuation plan guidelines (Regulation 43), and procedures for volunteer management (Regulation 74).

We acknowledge the need for administrative instruments that can be updated more efficiently than legislation. As noted in our submission on the Tasmanian Fire and Emergency Services Reform Bill, there is a broader concern that important operational requirements are increasingly being set administratively rather than legislatively. Where these instruments affect councils' responsibilities, resources, assets, service delivery or compliance obligations, they may create significant practical and financial impacts without the level of scrutiny associated with regulatory amendment.

It is essential that local government be formally consulted on the development and amendment of any code of practice, guideline, direction or approved procedure that may affect councils. The draft Regulations should be amended to codify this requirement. This would help ensure that local government perspectives are considered early, implementation challenges are identified, and any resulting obligations are practical, proportionate and appropriately resourced.

Council Collection Fee

The proposed regulations retain the current arrangement under which councils receive a collection fee equal to 4 per cent of the property contribution revenue they collect on behalf of the State Government. We note that councils undertake a significant administrative role in collecting, reconciling and managing these contributions. We question whether councils are the most appropriate collection authority and whether this fee adequately covers the true cost of delivery. As outlined in our submission on the Tasmanian Fire and Emergency Services Reform Bill, local government continues to have concerns about transferring broader administrative and financial responsibilities to councils without appropriate cost recovery.

In the absence of a broader review of the Fire Service Levy, then we recommend reviewing the collection fee arrangement to ensure councils are adequately compensated for the costs of collecting property contributions on behalf of the State.

Volunteer governance

Regulation 74 provides the Commissioner with broad authority to determine matters relating to volunteer eligibility, registration, suspension, deregistration, promotion processes, training requirements, procedures and codes of conduct.

We recognise the need for consistent statewide arrangements to support the effective management of emergency service volunteers given they are the foundation of Tasmania's emergency management capability, particularly in regional and rural communities. Councils have a strong interest in ensuring that governance arrangements support the ongoing recruitment, retention and wellbeing of volunteers, and that they foster strong community ownership and participation in emergency management.

We recommend ongoing engagement with volunteers, local government and affected communities when developing or reviewing volunteer governance arrangements, as significant aspects of volunteer governance may be determined through administrative procedures. Reforms should aim to strengthen volunteer participation and community resilience while maintaining clear, fair and transparent governance processes.

SES Infrastructure, Assets and Standards

We note that the Regulations provide limited visibility regarding the future development of standards, requirements and expectations relating to SES facilities, infrastructure, equipment and other assets that may be owned, managed or supported by councils.

Councils provide and maintain facilities and other infrastructure for what is essentially a State Government service. The Regulations do not clearly set out how future standards, specifications or operational requirements affecting council-owned or council-supported SES assets will be developed, consulted on or implemented.

It is important that any future standards, guidelines or requirements relating to SES facilities, equipment, assets or service delivery be developed in consultation with local government. Where such requirements create additional costs, compliance obligations or operational responsibilities for councils, adequate implementation timeframes and funding arrangements must also be considered.

Summary of recommendations

- Retain meaningful local government participation in fire management governance.
- Review the council collection fee and broader cost recovery arrangements.
- Require consultation with local government before introducing codes, guidelines, directions or procedures that may affect them.
- Ensure volunteer governance reforms support volunteer recruitment, retention and community capability.
- Consult local government on standards and requirements affecting SES facilities, infrastructure and assets.
- Ensure any new obligations imposed on councils are consulted on and appropriately funded.