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Future of Local Government Review  
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Dear Sue

#### INTERIM REPORT – REVIEW STAGE 1 – JUNE 2022

The Local Government Board is seeking submissions in response to the Interim Report and below are the responses from the Central Coast Council.

Overall, the Council is happy with the report though note that the engagement process with the community did not elicit as many community responses as expected. Therefore, there is some uncertainty as to whether all relevant issues were captured.

The Council makes the following comments in relation to the consultation questions.

#### *The Role of Local Government in 21st Century*

The Council was happy with the role statement and could not identify any gaps. The role statement accurately reflected what the role of councils are now, 'at a grass roots level,' and accurately conveyed that councils are no longer confined to 'roads, rates and rubbish'. In saying this, we are not suggesting these functions are unimportant, but that the role of councils has expanded beyond them. The substantive role that councils played in ensuring the health and wellbeing of our communities in response to the COVID-19 pandemic is a recent example of this expansion.

Councils are the closest level of government to the people, as stated in many reports, and that means that local government should be best placed to understand the needs of its community. Local government should have more than a co-ordinating role in delivering particular health and wellbeing services and should be able to design the delivery model that best suits its community. Councils are asked to deliver services, often with significant resource limitations and little consultation from other levels of government.

Councils should be able to deliver services that most benefit the community without unnecessary limitations imposed on the delivery model. Councils are changing as a result of the expectations of their communities; and just as communities are all not the same, the services required may not all be the same. In saying this some of the services that could be better delivered at a local level would include:

- community policing;
- community health and wellbeing;
- providing parks and recreation facilities;
- maintaining and improving CBDs;
- placemaking; and
- childcare.

Services which are more generic in nature and do not change from community to community lend themselves to being undertaken at a regional level.

Another concern is the risk of underestimating the difficulties of resource sharing between councils. For example, the proposition of two councils sharing one grader between them may seem reasonable and straightforward, however the challenges of seasonal works, equitable cost sharing, staffing capacity and competing workloads makes even this seemingly simple proposition complicated.

The Council supports having a Charter for local government but there is uncertainty as to whether it should be legislated – this will need to be further explored. By legislating a Charter, council operations could become more prescriptive and less able to adapt and respond to situations outside of the Charter. Principles and practices continually change and Council would not like to see a Charter that is prescriptive. The role of Mayors and Councillors is already identified in the *Local Government Act 1993*.

*Capability for the future: Successful and sustainable councils*

Organisational sustainability means that councils have the capacity to function efficiently, effectively and economically to meet the current and future needs of their communities to an acceptable standard. In this regard the capability and outcome aspirations are more than just aspirations, they are expectations for council services in the future.

The aspiration statements should be used to ensure that councils have access to the skills to enable this to happen. This does not automatically mean amalgamations but looking at ways to help smaller councils to be viable into the future.

### *Opportunities, issues, and challenges*

In some ways the process of change is an end in itself, and adopting an agile approach to service provision within our communities should be a priority for local government.

Technology that is intuitive and user-friendly must inevitably be adopted by councils and integrated across all services. Although it is important to note that human services need human technology, not just for financial, asset management and geographic information systems.

Our goal must be to deliver a more human, more personalised local government sector while at the same time, adopting technological and automated solutions that will improve efficiency.

Our communities increasingly have the expectation of participating in the decision-making that affects their lives.

### *Review theme 1: Infrastructure provision and management*

The long-term planning for community infrastructure provision is imperative for a well-managed community. Infrastructure provision and management identifies where, when and how community facilities should be provided to meet current and future community needs. To do this the Council needs to ensure it has a long-term financial plan which includes a ten-year asset plan.

The Council acknowledges that we need to adopt best practice and have robust asset management practices in place, including consistently applied effective asset life. One of the issues that local government is currently facing is the lack of asset management professionals in the recruitment pool.

The Council agrees that there should be consistency of lives and resulting depreciation within Tasmania, but is unlikely to be consistent with all Australian states due to terrain, climate and other factors.

The report mentions better consolidation and coordination of council civil works contracting and better value for money. Because we do not contract a lot of civil works, this has limited impact for us. It is normally only a problem when the industry is in a busy phase – as is the current case.

We need to be careful that the current difficulty in finding professional and works staff does not result in an over reliance on consultants and contractors.

Rather than the 'one size fits all' scenario which is often used for funding, there should be a review of better modelling of grants funding to allow for better outcomes within our communities. Some examples being Roads to Recovery and the recent Local Roads and Community Infrastructure program funding. This

enables better resource allocation over a longer-term. A review of funding models could help both local government and the consulting/contracting industry associated with successfully completing projects.

It should also be noted that the Tasmanian Department of State Growth 10-year Infrastructure Pipeline attempts to collate the major infrastructure projects throughout Tasmania and potentially align with consultant and contractor anticipated company structures and compositions. For minor projects this type of analysis may assist councils and contractors, but perhaps to a lesser extent as council projects are much smaller and generally are a combination of inhouse and contract, so it is difficult to predict the amount of work to be contracted and placed on a state-wide list.

### *Review theme 2: Finance and administration*

One area that has been of concern within local government is based around cross-subsidisation. We acknowledge that a financial reform of local government was undertaken a number of years ago, but that is now well out of date.

There are many concerns that as state government divest themselves of delivering services in some areas that this then creates an issue for local government to pick up those services because the community still relies on and requires these services. This has meant that in a number of instances local government has taken on more services that were once delivered by state government but not being compensated for this. For instance, councils are taking a more active role in community health and wellbeing, but with no supporting compensation from state government. The issue is not around the delivery of those services by local government but the supporting funding to enable us to provide these on behalf of state government.

The Council does support the delivery of services on a regional basis if it can be proved that it is both effective and efficient to do so. The Council is a member of Dulverton Waste Management and the Cradle Coast Authority.

The workforce shortages within local government, especially in relation to regulatory and engineering services, are a continual issue for councils. Education and training are both paramount areas that need to be addressed. There is an opportunity for universities and other training organisations to ensure that they have education courses that deliver on these areas of skill shortages to enable a stronger and more proactive local government. This would also include looking at Tasmanian-based VET courses. This needs to be supported by the state government as well.

One element that is lacking in some areas of local government is the development of workforce plans which show where the gaps are in our workforce and what new skills are required into the future. This should be used to identify what the staffing issues are into the future and what areas would best suit shared services. Before

determining which key positions should be looked at in relation to pooling of technical council staff, more work needs to be done.

All councils should have a long-term financial plan that is used as the basis for their financial planning and management practices which clearly links to its strategic plan and annual plans. If there is no connectivity between these then we would suggest that there should be concerns about whether they are being used effectively for long-term sustainability.

*Review theme 3: Planning and other regulatory functions*

The Council supports the principle that development applications initiated by a council, should be subjected to independent assessment. Whether or not this requires referral to an independent entity requires further exploration by the sector. Some councils already address this issue by outsourcing the assessment of council-initiated development applications, in order to provide transparency and objectivity.

The report suggests that some councils are unable to access the relevant technical expertise required to properly assess major or complex developments. While this may be so, the cause is not a structural or legislative one, and system-change is not required to overcome this issue. Rather, those councils could address it by obtaining appropriate expertise through improved recruitment and training, procurement or shared service arrangements. It is also important to note that much of the technical expertise and professional opinion required to support major and complex development applications is funded by the applicant.

While we acknowledge the tension that exists between councillor responsibilities under the *Local Government Act* and the *Land Use Planning and Approvals Act*, we believe it is important that councils retain responsibility for assessing and determining development applications. We note however, that opportunities for improvement exist, and we encourage a sector-led approach to exploring the following matters:

- Shared service opportunities.
- Greater consistency across councils in relation to which Planning Permit approvals are delegated to council officers (i.e. in some councils, one representation or a refusal triggers referral to a Council Meeting, whereas in other councils, the matter would be dealt with by staff).
- Greater consistency across councils in relation to development application support, advice and mediation.

- Potential changes to the *Land Use Planning and Approvals Act*, with a view to councils being able to exercise greater discretion on behalf of their community, without so many decisions being overturned by the Tasmanian Civil and Administrative Tribunal.

While councils are often blamed for perceived shortcomings in land-use planning, many of the issues are outside of the control of individual councils, and stem from the requirements of the state-wide Planning Provisions and the Regional Land Use Strategies. Another factor is inconsistent interpretation of the Tasmanian Planning Scheme across the sector. Recent efforts by the State Planning Office to work collaboratively with councils at a regional scale, and the informal moderation and peer-to-peer learning that results from this, are a positive step in the right direction. State government could further support councils in this area, through the provision of regulatory compliance training and other professional development.

*Review theme 4: Economic development and local promotion*

The Council agrees there is a need to clarify roles and responsibilities across all three tiers of government, and to reduce duplication.

While state and federal government are the major funders and direct revenue beneficiaries of, economic development and place marketing (relative to local government), we believe that some economic development and place marketing activities can be more effectively delivered by councils. This could be achieved by greater strategic alignment across federal, state and local government spheres, but will also require state and federal government to provide additional funding to councils.

*Review theme 5 – Environment*

Local governments play a critical role helping their communities to reduce emissions and adapt to climate change. Local governments are often the first to respond to localised climate change impacts and their strong connections to the community and local knowledge mean they are often best placed to recognise the need for adaptation at a local scale.

Local government have shown leadership by setting their own emissions reduction pledges and adaptation plans.

In areas such as foreshore erosion, riverbank erosion and flooding, the community expects council to ensure that where they live is safe.

Local government can do a lot to reduce emissions and to mitigate climate change impacts. The recent floods and fires across Australia have demonstrated that local government will be a key actor in both the mitigation of, and adaptation to, climate change.

Whilst there has been significant discussion at a state-wide level on climate change plans, there has not been the same commitment to funding councils to enable proactive measures around adaptation and mitigation. Typically, funding tends to be reactive, rather than proactive.

Councils have adopted a number of measures aimed at reducing greenhouse gas emissions, including the implementation of Food Organics Garden Organics, review of electricity vs. solar power, as well as other energy efficiency improvements. Councils are able to make these improvements under their own budgets, but larger issues, such as erosion and flooding require the financial support of state or federal government. It should be noted that foreshores and rivers are under the control of state government, but it is local government who understand these areas best – this should be better recognised at the state and federal level, and matched with targeted funding.

*Review theme 6: Governance, accountability, and representation*

While the Council generally concurs with the paper's findings, there are some areas which appear speculative. The Council does not subscribe to the view that to be an elected member you need to be highly educated. The quality of elected members should not be measured by their level of education, but what they can contribute – especially if we are seeking more diverse representation in local government.

Community expectations on involvement in decision-making have grown over recent years. These expectations highlight a current skills gap in the workforce, which is now being addressed through adoption of best practice guidelines and training by IAP2 in contemporary methods of engagement.

Previously the state government received Consolidated Data Collection reports from councils as a general measurement of performance across the state. Both local government and state government saw this as the initial stage in modelling and measurement of councils. In recent years there were discussions within the Premier's Local Government Council on an improved performance management model, with reference to good examples in Victoria, although nothing further has come of this to date.

There has been a lot of work and community concern around the Council's Code of Conduct which is more reactive in nature, rather than being proactive in changing the culture of councils – including that of elected members.

*Review theme 7: Community wellbeing*

The Council agrees there is a need to clarify roles and responsibilities across all three tiers of government, and to reduce duplication. Protecting and promoting community health and wellbeing is increasingly seen by councils as a vital function of local government.

While professional health services are in many cases more effectively and efficiently provided by state and federal government, the following factors must be acknowledged:

- a plethora of arts, culture, sport (and other) groups and events, play a vital role in community health and wellbeing; and
- councils are far better placed to support and add value to the efforts of these groups than other tiers of government and should be funded accordingly.

The factors underpinning wellbeing are largely social, not medical, in nature. Several of the most important levers for improving wellbeing – for example planning, transport, education, leisure and housing – are instruments of local government.

This means that councils and the local partnerships they form have real power to effect change in the wellbeing of our communities. A good example of this is Central Connect which is a community group looking at community wellbeing issues within Central Coast and networking with groups to try to fill these gaps.

Councils need to be supported in this area with funding to allow us to undertake this role better. This includes funding being allocated from state government to allow councils to undertake this role more fully and also grants that are less prescriptive and can be used for what is important in our community.

Allowing councils more flexibility in their use of grant funding addresses many of the issues faced in dealing with diverse communities across the state and within municipal areas.

### *Conclusion*

The Council would like to thank the Board for the opportunity to respond to the Interim Report and look forward to having further discussions with the Board during the process, along with further discussions with newly elected councils after the upcoming local government elections.

Yours sincerely



Sandra Ayton  
GENERAL MANAGER