The future of local government review

Future of Local Government Review Stage 1 Interim Report Public Submissions Analysis

Tasmanian Government

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THE ROLE OF LOCAL GOVERNMENT IN THE 21ST CENTURY

In Stage 1 of the Review, the Local Government Board (the Board) identified the need to reach a clear community consensus on the future role of local government in Tasmania as the single most important task for the Review. Having a clear role will set the parameters for considering the changes necessary to deliver a system of local government that can successfully and sustainably deliver on that role.

To support that exercise, we developed a high-level role statement, capturing three key areas that we think could underpin the future role for local government in Tasmania. The statement is based on our research and engagement feedback in Stage 1. The role statement can be found here.

Public Submission Findings

The role statement was designed to promote community discussion and in addition to seeking comments on the role statement itself, we asked the community to identify service areas where they value local input and perspectives the most. We received 30 community submissions in response to the questions we posed on the role of local government. 23 of these submissions agreed with the statement, while 7 disagreed.

'Gaps' in the Statement?

Both those who agreed and disagreed with the role statement identified common gaps, or areas they thought the statement should extend to explicitly cover, including:

- consideration of future generations and the environment in councils 'strategic planning.
- accountability to the community
- a prescription that councils work together to achieve regional outcomes.
- a clearer definition of how councils can support the various components of community wellbeing.

Additionally, some submissions questioned the practical application of an overarching role statement for the entire sector, especially where individual councils are required to meet local community needs that may fall outside of the role statement. Submissions queried whether a lack of specific reference in the role statement to important things like GP services, childcare services and family support services could see those services no longer provided by councils in rural and regional areas. These sentiments align with some of the key messages from consultation in Stage 1 which identified councils as being important 'providers of last resort', providing key community services where other levels of government or private markets have failed.

As noted in the Interim Report, the Board understands the importance striking the right balance between ensuring clarity of council's role, and not constraining councils' ability to meet local needs and preferences in a

flexible way. Getting this balance right will be at the centre of our continued exploration and refinement of councils' role in Stage 2 of the Review.

Climate Change is Key

Some submissions also observed that climate change mitigation and adaption needs to be considered as a core part of the role of local government, to inform all actions and developments within local communities. One submission noted that councils have a key role in ensuring their communities are best placed to reduce any actions that may contribute to further greenhouse gas emissions and adapt to known effects of climate change.

Again, this further reinforces what we heard in Stage 1; that climate change has real consequences for local communities, and that those communities increasingly expect their councils to be able to plan and respond to climate change impacts. We will be looking at approaches in local government to planning and delivering on climate change adaption and mitigation across Australia to inform this discussion.

Missing the core issues for communities?

Of those who disagreed with the role statement, some argued that it does not reflect or seek to address the 'real issues' in local government and communities, including good governance. Others suggested that the size, scale, and composition of local government needs to be considered first to allow any consideration of role to be determined by appropriate economies of scale and scope.

It was also observed that, for the role statement to effect positive change in the sector, council performance against its role must be monitored and reported to the community. This sentiment was shared by both supporters and skeptics of the role statement concept. This reflects sentiments raised regularly through community engagement that communities want their councils to be more transparent and accountable in their performance.

Where does 'local' matter most?

We also sought submissions from the public on what services they think benefit most from 'local' design and delivery and why. We want to understand, with respect to these services, how local is 'local enough' to deliver for the community.

Some of the services that the members of the public think benefit most from 'local' design and delivery include:

- Provision of community infrastructure such as community halls, parks and playgrounds, sporting grounds, public toilets and recreation spaces
- Town planning and development
- Provision of public transport, roadside footpaths and local roads maintenance
- Local youth services
- Wellbeing activities that embrace local culture, art and sport
- Local emergency response sites
- Provision of neighbourhood houses, family outreach centres and food assistance programs
- Creating greener communities through environmental initiatives
- Supporting community initiatives such as food gardens, circular economy, and education on food literacy and waste.

Most submissions noted the above services benefit most from local delivery as they can be tailored to meet the specific needs of their

local community. We also heard a desire for local services to be delivered in a way which maximises community input, voice, accessibility, and participation.

These observations reinforce what we heard in Stage 1, that communities are placing significant value on community services which address their unique social and environmental needs. It is also observed that people value consideration of local voices and input into the design and delivery of services such as town planning, maintenance of local roads, wellbeing services and environmental initiatives.

With regards to infrastructure provision, submissions identified local community infrastructure such as sporting fields, parks and playgrounds, town halls and local roads and footpaths as those which benefit most from local design. This reinforces what we are observing as a shift in community expectations of council services from the traditional 'roads, rates and rubbish' to more direct services to people.

Observations were also made about the need for councils to think and cooperate regionally with respect to services and activities such as planning for large scale projects and infrastructure, and economic development. This point was also reflected in some submissions that responded to the inclusion of 'economic wellbeing' in the role statement – these submissions queried whether individual councils could maximise economic wellbeing in their municipality if they were not working collaboratively at the regional level.

This supports what we heard in Stage 1 from community, key stakeholders and the local government sector; that councils need to be supported by and operate within frameworks that support positive regional and State outcomes.

A Charter for Local Government?

The Board also sought people's views on whether a 'charter' for local government could help to provide role clarity for councils, and if so, if it should it be included in the *Local Government Act 1993* (the Act).

The majority of submissions were supportive of the charter concept and its incorporation into the Act. Suggestions for the charter included that it should clearly define the:

- role of local government;
- services provided by local government;
- performance indicators for local government;
- responsibilities of local government; and
- the roles of the elected members of the council.

It was also suggested that the Charter needs to include clear accountability to communities, and mechanisms to allow for regular review.

A small number of submissions did not support the Charter idea. They argued that councils are already required to act in accordance with a complex suite of legislation, standards and strategic plans.

CAPABILITY FOR THE FUTURE: SUCCESSFUL AND SUSTAINABLE COUNCILS

In Stage 1 of the Review we developed a set of five 'capability and outcome aspirations'. In broad terms, these statements describe what we think should be the defining features of a successful and sustainable system of local government for Tasmania in the 21st century.

The capability aspiration statements, and how they will help the Review going forward, can be found here.

Public Submission Findings

A majority of responses agreed with and supported the capability and outcome aspirations. Supportive submissions noted that the statements presented targets for supporting good outcomes for councils and their communities, and were useful for providing guidance for the future role and function of local government in Tasmania.

The submissions which disagreed with the aspirations noted they broadly agreed with the outcomes described but had issues with the concept of framing them as 'aspirations'. For example, one submission noted *'it's not that I don't agree with the aspirations however if it is not achievable then you lose credibility'.* Another submission supported the aspirations generally but noted that they did not, in and of themselves, provide a practical tool for evaluating local government service delivery.

We also invited the public to identify gaps in the aspiration statements. The main gaps identified in submissions include:

- Ensuring appropriate funding for local government to provide services and infrastructure
- A stronger focus on elected member conduct and behavior
- A clearer picture of how councils will progress towards sustainability.

Feedback provided on the individual capability and outcome aspirations focused strongly on *good governance.* Comments focused on the need for training and new, externally enforceable rules of conduct and governance for elected representatives.

These observations, in particular the focus on good governance and elected member and staff conduct supports what we heard strongly in Stage 1, which is that examples of poor behavior figure strongly in the community's overarching view of local government.

Another submission suggested '*good governance should also include having greater means to enable local council to engage in cooperative projects with neighbouring municipalities'.* Greater means and ability to identify regional priorities and opportunities is identified in our priority reform areas, and we agree that good governance is a key enabler of this.

Another submission noted the *Role Clarity and Strategic Coordination* statement is only meaningful if there is a clearly defined list of functions and services councils provide so that councils and communities know what councils are doing, and why. It is noted that the Role Statement we developed, and the possibility of a 'charter' for local government being developed would address this concern by providing clarity around councils' role.

ISSUES, OPPORTUNITIES AND CHALLENGES

For each of its seven Review themes, we developed a 'Future Vision' statement. These statements have been designed using our understanding of the future role of local government and the Capability and Outcome Aspirations discussed above. The Future Visions can be found here.

Public Submission Findings

We invited written submissions on the future visions for each theme, as well as on the opportunities, issues and challenges we identified during Stage 1. A majority of responses from members of the public were focused on two themes – community wellbeing and governance.

Most comments expressed support for the community wellbeing future vision, noting that it is important for councils to be able to improve the physical and mental wellbeing of their local communities, and that wellbeing should be central to councils' role. One submission argued that community wellbeing is not 'core' council business but acknowledged the value in addressing fragmented and overlapping service delivery stated in the vision.

Some questions were raised by submissions regarding how community wellbeing outcomes can be measured and monitored, and how communities can raise wellbeing issues with their councils. These questions reflect two key issues we identified which are being investigated in Stage 2. One is how can councils measure and collect data on wellbeing to address issues and inform initiatives. Another is how can councils effectively and actively engage with and consider the voices and concerns of their community when it comes to wellbeing.

Through Stage 2, we are investigating options for how councils can be better informed to take action on local issues and provide local services which are tailored to meet the needs of their communities. We are also aware of work being undertaken by the State Government to develop a Wellbeing Framework for Tasmania, and how this will help State and local governments work together to support the wellbeing of communities.

A number of submissions addressing the governance future vision similarly observed the need for councils to engage with their community. Two of these submissions suggested that councils do not necessarily listen to or seek feedback from their ratepayers, or dismiss their ratepayers ability to influence local decision making. We are observing in submissions – as we heard in Stage 1 - that communities want to have the opportunity to be heard and influence local decision making.

One submission suggested the following addition to the governance future vision: "councils genuinely and regularly consult and engage with their communities on important local decisions, through a mix of mechanisms that best support the needs and preferences of those communities."
Another submission noted that the future visions are not necessarily equal, observing that achieving the governance future vision is necessary to support the future visions for all other themes.

Better engagement with communities was cited in submissions across other future visions, in particular environment and economic development and local promotion.

Submissions for both these visions noted the need for councils to understand community needs and aspirations in both environmental protection, and to identify opportunities for leveraging the natural values and advantages of municipalities.

Some submissions also identified other opportunities, issues, and challenges under the Review Themes which may contribute towards achieving the Future Visions. Again, these largely focused on governance, including greater external regulation of the sector, strengthening the code of conduct for elected representatives, delivery and publication of regular resident opinion surveys.

One submission also noted that heritage and culture isn't captured in the Future Visions. This submission observed that councils maintain stewardship over the community's cultural knowledge, history and assets. To this end councils reflect the history of their community and should have an ongoing role in preserving and celebrating the history that benefits current and future communities.

PRIORITY REFORM AREAS FOR STAGE 2

Drawing together findings from engagement, research and analysis undertaken in Stage 1, we have identified six Priority Reform Areas for further exploration in Stage 2.

The six Priority Reform Areas are intentionally broad, because we want to remain open to a broad range of potential reform pathways, which will each need to comprise a range of possible funding, structural/administrative, legislative, and governance changes. Priority Reform Areas can be read here.

Public Submission Findings

27 written submissions were received from the public regarding the Priority Reform Areas identified during Stage 1. Of these submissions, 20 identified additional issues which we should also explore in Stage 2, including:

- Enhancing the behaviour of elected representatives and how councils engage with their communities.
- Enhancing the skills and diversity of employees in the local government sector through providing training, best practice resources and greater employee development opportunities.
- Strengthening local government's role as a key employer in the regions by minimising use of contracted labour.
- Examining where existing council projects, processes and service sharing agreements are failing (and addressing the causes).
- Enhancing councils' ability to provide apprenticeships and education and training opportunities to address local workforce gaps.
- Better understanding how one council's decisions can impact surrounding regions.
- Strengthening good governance practices including meeting processes and councillor conduct.
- Reviewing funding models to ensure councils can maintain their assets and infrastructure.
- Reducing the complexity and prescriptiveness of the *Local Government Act 1993.*
- Addressing a perceived council risk-aversion in planning processes.

We notice strong alignment with the issues identified and what we heard through our research and engagement during Stage 1. We also note that all these issues are being considered as part of the development of specific reform options during Stage 2.

A recurrent theme across many of the submissions was the strong role councils can play, particularly in regional areas, with regards to education, training and employment. Councils are uniquely placed to identify the employment and skills needs of their municipalities. This supports the broader trend we are seeing of expectations being placed on councils to respond to local issues and challenges. These submissions have identified that councils could play a key role in supporting employment through providing education and training that is relevant to the workforce needs and profile of LGAs.

We are also cognisant of other work that has been recently undertaken with regard to strengthening the performance and conduct of elected representatives and council staff. Our development and consideration of reform options will be undertaken in alignment with the outcomes of the Tasmanian Government's *Local*

Government Act Review and Code of Conduct Review.

To support our task of exploring and modelling detailed reform options later in Stage 2, we also sought specific ideas from members of the public on changes to local government which could help address the issues identified in Stage 1. We received a range of ideas, including:

- Major structural reform, with a move to fewer, larger councils.
- Increased sharing of key services between councils.
- Councils receiving more core, recurrent funding, instead of being reliant on specific purpose grants (which some councils have limited capacity to apply for and provide matched funding).
- Legislating a council employee Code of Conduct.
- Simplifying and streamlining land use planning.
- Improving community participation in land use planning decisions
- Developing more integrated planning models which consider local, regional and state objectives while still being tailored to local priorities and circumstances.

Of the above reform ideas, structural change was the most common suggestion. Reducing the number of councils was the change most commonly cited by the public, however, ideas on approaches to change varied in a few ways. For example, one submission noted that amalgamation is a promising option for change and may deliver benefits, but must not be considered alone. Similarly, it was observed that there are a range of problems facing the sector, meaning a range of solutions, including changes to the number of councils, must be considered.

A number of submissions suggested a move to fewer, larger councils would address a number of key issues identified, including operational sustainability and workforce capability challenges. It was also identified that mechanisms, such as ward systems, could help to assuage community concerns with representation of regional areas in new, larger LGAs. Service sharing between councils was also noted in submissions as a way of ensuring operational sustainability and addressing skills shortages in LGAs.

One submission also proposed cost savings could be achieved through co-locating State and local government services, including libraries, Service Tasmania shopfronts and council offices. This idea would see State Government still manage and operate libraries and Service Tasmania offices, but would create regional civic ‘service hubs’ to make key services more accessible in regional areas and help councils save money on building costs.

Trade-offs in shared services arrangements between greater efficiency on the one hand and loss of local community and council control on the other were identified in some submissions, which were also identified in Stage 1 engagement as important reform considerations.

Other submissions noted, as commonly expressed through the written submissions on other topics, addressing good governance through reforming employee Code of Conduct would also support positive change by driving improvements in organisational culture, leading to enhanced capability and service delivery.

More information?
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