

FUTURE OF LOCAL GOVERNMENT REVIEW



TASMANIAN DEPARTMENT OF PREMIER AND CABINET

[Future of Local Government Review](#)



Australian
Institute of
Architects

Submission issued February 2023

Tasmanian Future of Local Government Review

INFORMATION ABOUT THE INSTITUTE

- The Australian Institute of Architects (Institute) is the peak body for the architectural profession in Australia. It is an independent, national membership organisation with more than 13,000 members across Australia and overseas.
- The Institute's vision is: *Everyone benefits from good architecture.*
- The Institute's purpose is: *To demonstrate the value of architecture and support the profession.*
- At the time of this submission the National President is Shannon Battisson FRAIA and the Acting Chief Executive Officer is Barry Whitmore.

About the cover photo

The Australian Institute of Architects' 2022 Sir Zelman Cowen Award for Public Architecture Bundanon. Kerstin Thompson Architects. Traditional Land Owners: The Wodi Wodi and the Yuin peoples of the Dharawal country. Photographer: Rory Gardiner.

For further information visit: <https://www.architecture.com.au/awards/2022-awards/2022-act-architecture-awards-winners/the-sir-zelman-cowen-award-for-public-architecture-bundanon>

1 INTRODUCTION

About this submission.

This submission is made in response to the Future of Local Government Review. The submission focuses on the specific options put forward in the discussion paper appendix set out for each of the eight outcomes. Responses have been provided for most, but not all options which have been proposed.

Key messages.

Key messages in our responses include:

- The privilege of being an elected representative demands a high degree of ethics and probity. High standards need to be set and representatives should be trained for this.
- Councils play a key role and have local jurisdiction in protecting the local environment, developing the public realm, providing oversight for developments and ensuring the wellbeing of communities. These matters are interrelated and councillors should receive training to understand how planning works.
- The design of the built environment and the public realm can benefit everyone's wellbeing
- Tasmania is a great state and should be a great place to live, learn, work and do business. A culture of performance reporting and accountability is key to improvement and should be done thoughtfully.
- Shared workforces, knowledge and systems between local government authorities, and between local government and State Government can help ensure consistency, assist the development of shared resources and deliver benefits of scale. It can also enable flexibility including the ability to deploy resources to different councils as part of disaster recovery.
- Planning determinations should be made by professionals with the trained and relevant expertise to do so and who are not conflicted. Planning determinations should be made with care and attention to all relevant planning policies and processes.
- Multidisciplinary design review panels (sic independent assessment panels) should be established at the local or regional level to bring the required expertise to development applications that do not neatly fit prescribed settings.
- Councillors have an important governance role in oversight that planning determinations have been made with due regard to good process and adherence to relevant policies.
- Cost-based user charges may be useful in areas such as waste management to encourage recycling and decrease the generation of waste that goes to landfill.
- An investigation should be made into how rates structures for different uses of residential dwellings might address Tasmania's shortage of housing.
- Whole-of-life asset costing should be included as a key element, and should consider operational and embodied carbon and end-of-life non-recyclable or dangerous wastes.
- Asset management needs to be supported by digital building information modelling (BIM) or digital twins to relevant and standardised specifications. The requirements to deliver this as part of consultancy services by architects and engineers should be made clear at the time of request for tender and needs to be factored in as part of the required brief.
- Standardised software for building information models and digital twins should have a high degree of interoperability with the originating software used to develop design elements to be incorporated into the digital model to be used for asset maintenance.

2 DETAILED RESPONSE

Reform Outcome 1. Councils are clear on their role, focused on the wellbeing of their communities, and prioritising their statutory functions

Option 1.1 Establish a Tasmanian Local Government Charter which summarises councils' roles and obligations, and establishes a practical set of decision-making principles for councils

The Institute's response.

The Institute agrees that a charter should be legislated or incorporated into legislation (e.g. as a schedule) similar to examples provided for some other state and territories. In particular, if the Charter is to contain obligations, then a higher requirement for accountability will be established if those obligations are legislated. An analogous situation is that of the duties of directors and officers set out in Sections 180-184 of the Corporations Act 2001.

Option 1.2 Embed community wellbeing considerations into key council strategic planning and service delivery processes

The Institute's response.

The Institute strongly agrees that wellbeing considerations are embedded into key council strategic planning and service delivery processes. The design of the built environment is an important opportunity to achieve outcomes for wellbeing. This includes applications of the United Nations Sustainable Development Goals (SDGs).¹

The International Union of Architects², the global membership body has a specific commission for the United Nations Sustainable Development Goals³ and has produced guidance material with case studies.

Architecture, design and planning contribute in multiple ways to make cities and settlements inclusive, safe, robust, resilient and environmentally sustainable. Among key contributions are design and planning that secure affordable, accessible and healthy housing, as well as infrastructure which through design help reduce pollution from transportation, by enabling walking, biking and commuting by public transport. Furthermore, infrastructure can enhance mobility and accessibility between parts of a city, as well as between city, suburbia and rural areas.

Urban design can contribute to include all citizens and reduce the risk of exclusion and assault. As part of this, consideration of the needs of marginalized and disenfranchised citizens should be included from the early stages of planning, and all levels of stakeholders should be involved in the process. Urban design should also help reduce and counteract the environmental impacts of overuse, traffic, waste, noise and light pollution in urban areas. Individual buildings as well as building complexes and settlements must be developed to increase resilience and robustness in the face of climate change and include vegetation and green areas to help counteract the loss of vegetation and biodiversity caused by urban growth. Examples of this span broadly and can be found in housing renewal projects, in climate adaptation plans, in collective reuse stations, in pocket parks and in bike path expansions (p. 97 An Architecture Guide to the UN 17 Sustainable Development Goals⁴)

¹ See: [The 17 Goals](https://sdgs.un.org/goals) at <https://sdgs.un.org/goals>

² The International Union of Architects is recognised as the only global architecture organisation by most United Nations agencies, including UNESCO, UNCHS, ESOSOC, UNIDO and the World Health Organization as well as the WTO. See: <https://www.uia-architectes.org/en/about/about-the-uia/>

³ See: <https://www.uia-architectes.org/en/commission/sdgs/>

⁴ Link: https://www.uia-architectes.org/wp-content/uploads/2022/03/sdg_commission_un17_guidebook.pdf

The UN Sustainable Development Goals and the UIA SDG Commission’s guidance materials and studies should form the basis for understanding and applying wellbeing considerations into key council strategic planning and service delivery processes. These should sit alongside the World Health Organisation’s definition of health⁵ and the WHO Ottawa Charter for Health Promotion⁶ and the milestones statements from the WHO’s successive global health promotion conferences.⁷ Key matters addressed in the milestones statements, which should form the basis for key considerations by local government, include healthy public policy, supportive environments, and determinants of health.

Option 1.3 Require councils to undertake Community Impact Assessments for significant new services

The Institute’s response.

If proposed significant new services have a built environment component (e.g. a service delivery setting such as a hub or centre) then these whole-of-life cycle costs need to be factored in. Communities’ needs can change over time with evolving demographic change and settlement patterns, as well as disruptive influences such as the Covid19 pandemic. There is the risk of delivering ‘white elephant’ infrastructure – which may quickly become obsolete. This may include a building that might only service its original commission for 5-10 years.

Therefore, design considerations for the built environment component required to deliver the service should consider options such as re-designing existing buildings to be re-purposed for the new services.

Another option is to consider when designing new buildings, or major additions to an existing building, that they are readily adaptable to other purposes after the original commission.

We note that the discussion paper’s comment on this option that,

CIAs would require councils undergo a transparent, thorough, and consultative process with their communities that considers the social and cultural impacts on communities and individuals, as well as clearly and succinctly documenting the whole-of-life costs for the community and how it will be paid for. (p.9 ibid)

As such, whole-of-life cycle costs should also include the embodied carbon component referenced to relevant carbon prices.

We further recommend that appropriate and proportionately scoped Community Impact Assessments should accompany the built environment, buildings, and other built form projects in the public realm even when direct services provision is not the main consideration. Councils provide a vast amount of public amenities, from single structures such as an outdoor sun/weather shelter or public toilet in a park to more complex development of large pavilions, sporting facilities, and other recreational, ecological and entertainment areas, such as skate parks, boardwalks, sound shells and amphitheatres as well as commemorative memorial and reflective gathering including gardens and water features. Community Impact Assessments need to consider the positive benefits as well as potential risks or adverse impacts.

The Community Impact Assessment might be undertaken in two steps – one at the outset, and a further one once the initial concept has been designed. The design process is a key opportunity to maximise positive impacts and design out or mitigate any potential negative impacts.

Priority Reform Outcome 2. Councillors are capable, conduct themselves in a professional manner, and reflect the diversity of their communities

⁵ Set out in the principles which form the preamble to the WHO constitution, “Health is a state of complete physical, mental and social wellbeing and not merely the absence of disease or infirmity”. See: <https://www.who.int/about/governance/constitution>

⁶ See: <https://www.who.int/teams/health-promotion/enhanced-wellbeing/first-global-conference>

⁷ See: <https://www.who.int/publications/i/item/WHO-NMH-CHP-09.01>

Option 2.1 Develop an improved councillor training framework which will require participation in candidate pre-election sessions and, if elected, ongoing councillor professional development

The Institute's response.

Ethics and probity training

An improved councillor training framework would include training in ethics and probity. Ethics and probity are important considerations when the property development and built environment interact with governments in respect of both planning and the procurement of services, design and construction, buildings and other built forms (such as landscaped and constructed outdoor spaces).

Consideration may also be given in such training to not only the standards of councillors' own behaviours but the potential for councillors to assertively apply scrutiny across council through such processes as auditing of planning decisions made by council officers.

Training in planning.

Another important element of a councillor training framework is planning. Councillors will be confronted with controversial planning issues and their training should include planning. Councillors at minimum need understanding sufficient to execute their broad governance role.

This includes a knowledge of legislated settings and processes as well as government planning policies, planning frameworks and overlays as well as the state design assessment process. As noted in respect of options 5.1, 5.1b and 5.1c below, councillors should be able to ask the right question in their governance role that appropriate processes have been adhered to, and frameworks and policies have been applied by those people to whom the responsibility of making determinations have been delegated

Option 2.2 Review the number of councillors representing a council area and the remuneration provided

No specific feedback is provided.

Option 2.3 Review statutory sanctions and dismissal powers

The Institute's response.

The Institute strongly agrees.

Councillors should be held to account in the same way as members of professions, or other remunerated and non-remunerated that owe significant duties of care or obligations to the interests of others including an entity.

Architects Acts in all states and territories provide for architects registration boards to impose sanctions, including de-registration, on architects who are incompetent or practice outside of the regulated professional code of conduct. This is not dissimilar to other state or nationally-regulated professions.

As referenced above, there are general duties and obligations on company directors and officers set out in the Corporations Act 2001. Sanctions include the criminal offences, for example if company director or certain officers fail to act in good faith.

Sanctions and dismissal powers should therefore be regarded as important safeguards against "poor councillor behaviour" and proportionate to the public interest.

Option 2.4 Establish systems and methods to support equitable and comprehensive representation of communities

No specific feedback is provided.

Priority Reform Outcome 3: The community is engaged in local decisions that affect them

Option 3.1 Require consistent, contemporary community engagement strategies

No specific feedback is provided.

Option 3.2 and Option 3.3

- ***Establish a public-facing performance reporting, monitoring, and management framework***
- ***Establish clear performance-based benchmarks and review 'triggers' based on the public-facing performance reporting, monitoring and management framework***

The Institute's response.

The Institute agrees with both Options 3.2 and 3.3.

For the development, design and construction sectors, time is a critical performance measure. In development, design and construction projects time delays contribute to holding costs such as interest and retention of services, and time overruns on contracts. Contracted obligations for delivery can also be created in pre-sales situations.

Therefore, the time taken to process development and building applications, or give effect to inspections is critical to an efficient built environment economy.

Time delays ultimately impact the community when industry passes on the costs of time delays. In the current situation of a critical housing shortage, time delays slow down the delivery of needed housing supply. Tasmania cannot be held out to external investors as a great place to do business – worthy of economic investment and strategic partnerships – if the required workforces cannot be adequately accommodated.

Therefore, reported measures could include measures of time to reach certain stages of the decision-making process, approvals or issuing certificates.

However, it is important that performance measures are carefully developed and monitored to avoid creating a perverse incentives situation. For example, under subsection 57(6)(b) of the Land Use Planning and Approvals Act 1993 specifies a 42-day requirement for granting of discretionary permits in the absence of further time granted for applications within the scope of the Historic Cultural Heritage Act 1995. Subsection 59(2) specifies that failure of a planning authority to determine an application for a permit to which section 57 (or 58 applies) is deemed to constitute a decision to grant a permit. Broadly speaking, this creates a scenario of a default approval if a determination on a discretionary application under Section 57 is not made within 42 days.

Such rules can lead to behaviours or workarounds which do not fulfil the intent of the overall objective that the performance measure is intended to monitor. Simply allowing a bad development to be approved, or rejecting a challenging but otherwise worthy application for the purposes of meeting a given time performance time frame, would not be fulfilling the overall intent of good planning. Therefore, other

measures such as audits of determined applications to ensure that the time benchmark is not leading to poor decision making.

Priority Reform Outcome 4: Local councils have a sustainable and skilled workforce

Option 4.1 Implement a shared State and local government workforce development strategy

The Institute's response.

The Institute agrees with this option. We note the comment in the discussion paper,

“The Independent Review of the Tasmanian State Service noted that there are many similarities between the roles undertaken in local government and the Tasmanian State Service, such as administration, public health, finance, emergency management, engineering, and construction.”

We further agree that construction is acknowledged on this analysis. Our comment is that “construction” is more than the lead contractors’ (builders’) services and includes a range of consultancy services that design the project at the outset – including architectural, structural, fire and façade engineering, and landscape architecture services.

These consultancy services do not cease at the commencement of construction and are involved in project delivery all the way through to practical completion, building handover and post-occupancy evaluation (especially in the defects liability period). More is being demanded of consultants’ services during the construction delivery phase as building owners seek to have a building model or digital twin for the purposes of long-term asset management.

Therefore, cross-skilling between local and State government would also assist the development of greater consistency in the practices and systems for procurement of consultant (including architectural) and construction services. Designing and constructing buildings and even outdoor built forms in the public realm (e.g. pavilions, sound shells, amphitheatres) is complex. Greater consistency in the ways these projects are procured through cross-skilling can help reduce costs to the built environment industry compared to scenarios where each different local government authority and State Government applies different procurement settings.

The Institute offers free use of its resources to all governments with the procurement process. We have a range of guidelines and templates for all levels of government to use including design competition guidelines and guidelines for expressions of interest and request for tender with client-side templates.

We additionally promote across Australia the Office of the Victorian Government Architect’s (OVGA) publication, *Government as Smart Client*.

Option 4.2 Target key skill shortages, such as planners, in a sector-wide or shared State/local government workforce plan.

The Institute's response

The Institute agrees strongly. A shared State/local Government workforce plan to target key skill shortages would complement a workforce development strategy as proposed in Option 4.1. Again, the plan may also help to ensure there is consistency in practice and decision-making across all local government areas and at different levels of jurisdiction. A key benefit of this is that it would also assist to mobilise workforces for disaster recovery and build-back after declared disasters including bushfire, flood and storm/cyclone events. Such a plan could include a specific contingency for plan for disaster recovery and build-back.

Option 4.3 Establish 'virtual' regional teams of regulatory staff to provide a shared regulatory capability

The Institute's response

The Institute agrees strongly for same reason as Options 4.1 and 4.2 to increase the consistency of approach. The virtual teams may be more effective than Options 4.1 or 4.2 in terms of developing greater consistency as regional teams would rely upon the amalgamation of the systems and processes otherwise developed and implemented separately by each local government authority.

Priority Reform Outcome 5: Regulatory frameworks, systems, and processes are streamlined, simplified, and standardised

Option 5.1 Deconflict the role of councillors and the role of planning authorities

The Institute's response

The Institute agrees strongly. The separation of interests is critical. Councillors have a key role to play in planning. Their important role is one of governance to ensure that all relevant provisions of planning policies have been adhered to.

Councillors should also question that important settings, such as Desired Future Character Statements and Local Area Objectives in planning schemes in jurisdiction of their local government authority, remain fit for purpose for the evolving social and demographic changes across a community.

It is important to note that Councillors may also be faced with conflicting interests between internal objectives. For example, a social housing development may be pursued as part of the objectives of a local government authority to respond to homelessness, but the development may then be objected to by other community members for the change to the local built environment, neighbourhood or precinct character. In these situations, Councillors will additionally need to thoroughly appraise the extent to which there has been consultation, a review of evidence and a considered view formed about the relative importance of conflicting objectives as well as the means to reconcile objectives through innovative approaches. A 'win-win' situation should be pursued where possible.

Option 5.1a Refer complex planning development applications to independent assessment panels appointed by the Tasmanian Government

The Institute's response

The Institute agrees strongly with the proposal to refer complex planning development applications to independent assessment panels appointed by the Tasmanian Government. We note the current Development Assessment Panels that may be established under Sections 60V and 60W of the Land Use Planning and Approvals Act 1993 for major projects.

The Institute further recommends that the Tasmanian Government considers the development of Design Review Panels as per the model of the Victorian Design Review Panel run by the Victorian Government Architect. Decisions or determinations to be made by a panel, whether called an Independent Assessment Panel or a Design Review Panel require an interdisciplinary perspective. This means ensuring the right composition for any panel composed to appraise a development application. The composition of a panel could include (and is not limited to):

- planners
- architects
- urban designers
- landscape architects
- First Nations consultants
- engineers

- environment and biodiversity consultants
- heritage consultants
- access consultants
- traffic engineers

The Institute notes that some local government authorities in Victoria are establishing their own design review panels including the central region Victorian City of Ballarat and the City of Melbourne. Another central regional Victorian city, the City of Greater Bendigo, has established a major projects panel.

In Victoria, the Institute has called for a more ubiquitous establishment of design review panels which could be either operated at the individual level by larger local government authorities or collectively by a grouping of local government authorities in a region.

The Institute promotes the use of design review panels to help deal with the complexity of development approvals that don't fit neatly to 'tick the box' planning rules. Examples include infill development, particularly in established urban areas or 'brownfields' redevelopment projects, as well as development adjacent to environmentally sensitive areas.

Importantly, they can provide the means to avoid determinations or decisions being referred to the Tasmanian Civil and Administrative Tribunal's Resources and Planning Stream. We also note the current potential for planners and councils to recommend conflicting determinations. Notwithstanding our response below to Option 5.1b that councillors are removed from the making of determinations, the Institute recommends that design review panels or independent assessments would make binding determinations.

We propose that projects of state significance (e.g. airport, desalination plant, major hospital) would still be assessed by an independent assessment panel of the Tasmanian Planning Commission.

Option 5.1b Remove councillors' responsibility for determining development applications

The Institute's response

The Institute agrees as per our response to Option 5.1 that it is preferable to remove councillors' responsibility for determining development applications while retaining responsibility for all the strategic elements of the planning system and making representations to independent planning panels on discretionary elements of development applications.

As proposed earlier in this submission, in response to Option 2.1, councillors need to have some knowledge of the planning system. However, this does not give them all of the lengthy training of a planner. Planners and other built environment professionals that we propose should be on independent assessment panels or design review panels have the required skills to make determinations.

Under these settings where trained professionals make determinations, councillors might still retain a role to *authorise* determinations as part of their governance role. Such authorisation would be given on the basis that the determinations made by staff or panel undertook all required due process and relevant policies. Some councillors might disagree with the determination, but their authorisation would not be given on the basis of whether they agree or disagree with the determination itself. As such, a refusal to authorise or to withhold a decision to authorise would need to show cause.

Option 5.1c Develop guidelines for the consistent delegation of development applications to council staff

The Institute's response

The Institute agrees to the extent of having delegation rules but instead, the delegation rules should be addressed when decisions are made by council staff versus when they should be referred to local, regional or state or independent assessment panel (or design review panel as we have proposed). These

delegation rules would also include appropriate triggers to refer to the Tasmanian Heritage Council. As per our response to Options 5.1, 5.1a and 5.1 b councillors themselves should not make determinations.

Option 5.2 Greater transparency and consistency of councils' resourcing and implementation of regulatory functions.

The Institute's response

The Institute strongly agrees with this as a matter of good governance without further qualifying comment.

Option 5.3 Increase support for the implementation of regulatory processes, including support provided by the State Government

The Institute's response

The Institute strongly agrees with this, if this will lead to greater efficiency and timeliness. However, this must also be accompanied by regulatory review to bring about process improvement. That is to say, inefficiencies and delays may not be a matter of implementation, but the regulatory settings that establish the regulatory processes.

Option 5.4 Strengthen connections between councils' strategic planning and strategic land-use planning by working with State and Commonwealth Governments

The Institute's response

The Institute strongly agrees with this. Many projects in a given location will be for greater intended benefit than one local government area. Likewise, the adverse impacts of a project may also extend beyond its immediate location.

There is also a need to consider the overall settlement of land in the context of much larger demographic and settlement considerations at the state level. Often, the Commonwealth will have a role to play as these considerations also need to take into account national strategic and sovereign interests and opportunities in relation to major economic growth and industry development, migration and population growth.

Within these overall settings, the Commonwealth and the Tasmanian Government need to collaborate on the associated provision of government funding and planning for roads, energy, water, waste and communications infrastructure, health, education and welfare services. This includes collaborations under the Commonwealth's City Deals program.

Strengthening these connections can help avoid the pitfalls of unplanned growth or poorly planned major projects. Examples include major residential subdivisions without adequate provision for local services and public transport leading to traffic congestions, poorly serviced communities with reduced quality of life, and outcomes on a range of social, economic and wellbeing indicators.

Similarly, major projects such as the proposed AFL stadium should be viewed holistically. A project of a large scale can create impacts for other infrastructure, or alternatively, provide the justification to leverage infrastructure development for other local, social and economic benefits. For example, a major sporting facility may strengthen the case for mass transport and road upgrades.

Priority Reform Outcome 6: Councils collaborate with other councils and State Government to deliver more effective and efficient services to their communities

Option 6.1 and Option 6.2

- **Require Councils to collaborate with others in their region, and with State Government, on regional strategies for specific agreed issues**

- **Establish stronger, formalised partnerships between State and local government on long-term, regional, place-based wellbeing, and economic development programs**

The Institute's response

The Institute agrees with this for the reasons set out in response to Option 5.4. Many issues and interests are simply not limited to one local government area. Moreover, while local perspectives, interests and lived experiences are vital to understand and represent, they are still part of a larger picture with solutions often more effectively delivered, even at the local level, through collaboration. Insofar as local government and communities are concerned, Tasmanians are likely to benefit less through competition and even adversarial relations than through collaboration.

Option 6.3 Introduce regional collaboration frameworks for planning and designing grant-dependent regional priorities

The Institute's response

The Institute agrees with this and as per our response to Option 5.1a, this would present an opportunity in relation to planning (specifically land use planning) to provide a platform to establish independent assessment panels/design review panels at the regional level.

Option 6.4 Support increased integration (including co-location) of 'front desk' services between local and State governments at the community level

No specific feedback is provided.

Priority Reform Outcome 7: The revenue and rating system efficiently and effectively funds council services

Option 7.1 Explore how councils are utilising sound taxation principles in the distribution of the overall rating requirement across their communities

No specific feedback is provided.

Option 7.2 Enhance public transparency of rating policy changes

No specific feedback is provided.

Option 7.3 Examine opportunities for improving councils' use of cost-based user charges to reduce the incidence of ratepayers subsidising services available to all ratepayers, but not used by them all

The Institute's response

The Institute partially agrees. The most immediate example is the introduction in 2022 of the separate waste collection charge. Waste is a good example of cost-based user charges that can be designed and implemented in such a way as to incentivise behaviours that deliver better outcomes for the environment and communities.

In the case of waste, cost-based user charges can create a saving for people who minimise the waste that goes to incineration or landfill and creates a strong disincentive or penalty for contributing to landfill. Education programs are nonetheless needed, especially in the case of household and commercial recycling, to ensure people and businesses properly understand the intent and operation of such a differential rates scheme.

Another example where cost-based charges might also be applied is street parking beyond a certain number of vehicles per household, particularly in more dense urban environments.

However, very careful consideration needs to be given to cost-based charges associated with providing council-funded (full or part-funded) services and supports for a particular community segment such as older adults or young children. Cost-based charges should follow the policies for equity and access within State or Commonwealth settings for programs and services targeting different age groups. This includes means testing. There should always be hardship provisions to ensure that people are not excluded from accessing an essential service on the basis of their inability to pay.

Option 7.4 Consider options for increasing awareness and understanding of the methodology and impacts of the State Grants Commission's distribution of Federal Financial Assistance Grants

No specific feedback is provided.

Option 7.5 Investigate possible alternative approaches to current rating models, which might better support councils to respond to Tasmania's changing demographic profile

The Institute's response

The Institute agrees that alternative approaches to current rating models are investigated.

Rating models might be implemented to promote affordable and social housing including concessional rates for providers of social housing and affordable housing. This may include private property owners who, as landlords, can provide evidence they are charging rent at a pre-defined affordable amount and/or to tenants who are working in identified key worker roles (e.g. teaching, nursing, hospitality) according to the local needs.

Additionally, rates premiums or additional levies might be charged for Class 1a, Class 1 b, and Class 2 dwellings used for short-stay Airbnb accommodation in local government areas with identified housing shortages. The rates premiums or levies should be used to fund the creation or purchase of additional needed accommodation (e.g. short to medium stay in apartments or hotels for seasonal workers).

Priority Reform Outcome 8: Councils plan for and provide sustainable public assets and services

Option 8.1 Standardise asset-life ranges for major asset classes and increase transparency and oversight of changes to asset lives

The Institute's response

The Institute agrees. Standardising should be based upon sound evidence of the longevity and maintenance cycles, repairs and upgrades requirements of buildings.

As an overarching principle, investment in good design will help ensure:

- building responsiveness to the client's need over the long term and those members of the community who use a building
- building responsiveness to the local setting and an enhancement to the public realm
- low operational energy use and associated running costs
- durability and lower maintenance and repair outgoings

The Institute further recommends that digital building information models (BIM) or 'digital twins' of buildings and other built infrastructure (e.g. outdoor entertainment and recreation facilities) over the long term could help to build the data pool required to establish accurate asset life ranges. The building information model or digital twin is a three-dimensional representation of the building or structure and includes information about building services and plant. The "level of development" (LOD) specifies the required level of detail of the representation and any appended information.

Information about a building could also incorporate information about:

- location
- orientation
- design
- building fabric
- usage
- traffic
- adherence to maintenance and asset replacement /upgrade schedules
- alterations and additions
- energy and water usage

Importantly, when local government authorities procure built assets the cost of establishing digital building information models or buildings should be regarded as an explicit investment sought in the building information model or digital twin. The development of the model or digital twin requires work from lead consultants such as architects and engineers to assimilate the information into the building information model – more than that they may be required to construct the building or structure which had traditionally been performed from two-dimensional plans. Appropriate consideration to the BIM requirements needs to be given in the tendering process itself, and not as an afterthought once the consultancy services have been established.

Option 8.2 Introduce requirement for councils to undertake and publish ‘full life-cycle’ cost estimates of new infrastructure projects

The Institute’s response

The Institute agrees noting the comments made in response to Option 8.1.

Additionally, ‘full life-cycle’ costs estimates need to incorporate both operational and embodied carbon and end-of-life decommissioning including non-reclaimable waste.

Consideration of how these ‘full life-cycle’ costs estimates might be funded include:

- Smart Cities and City Deals funding
- development levies
- State Government funding

Option 8.3 Introduce requirement for councils to undertake regular service reviews for existing services

No specific feedback is provided.

Option 8.4 Support councils to standardise core asset management systems, processes, and software

The Institute’s response

The Institute agrees, noting that this would apply also to building information manuals and digital twins which have been considered as part of the response provided above to Option 8.1. In particular, the successful standardisation of building information models/ digital twins would be strengthened by a standardised definition or operationalised terms for ‘levels of development’ at the different ‘LOD’ such as LOD300, LOD400. This is particularly important at LOD300 and greater.

The requirements for the required building information models or digital twins and the associated LOD could also be standardised for building typologies (e.g. health facilities vs offices) and at different scale and complexity. We re-iterate as per our response to Option 8.1 that these requirements should be set out at tender.

A further note is that many different design tools are used in the consulting environment. It is important that councils' standardisation of asset management software and use of building information models or digital twins is agnostic to the software used at the design level by consultants. The software to be used by councils should be able to operate with a broad range of commonly used design software from where designs originate. This interoperability is an important selection factor.