



HUON VALLEY COUNCIL SUBMISSION

The Future of Local Government Review – Options Paper (Review Stage 2 – December 2022)

| CONSULTATION QUESTION | SUBMISSION AND COMMENT | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| Section 3: The future role for local government | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>Which of the four core roles (see Table 2) of councils needs more emphasis in the future? Why?</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr style="background-color: #4b0082; color: white;"> <th></th> <th>Healthy, safe, and inclusive communities</th> <th>Culturally rich and vibrant communities</th> <th>Dynamic resilient local economies</th> <th>Sustainable built and natural environments</th> <th>Democratic and engaged communities</th> </tr> </thead> <tbody> <tr> <td style="background-color: #4b0082; color: white;">Service provider</td> <td>Waste management</td> <td>Recreation facilities</td> <td></td> <td>Roads, cycle paths, parks</td> <td>Community engagement on council plans</td> </tr> <tr> <td style="background-color: #4b0082; color: white;">Regulator</td> <td colspan="2">Food safety</td> <td></td> <td>Land-use zoning, building and plumbing permits</td> <td></td> </tr> <tr> <td style="background-color: #4b0082; color: white;">Facilitator or partner</td> <td>Recovery from natural disasters, preventative health programs</td> <td>Supporting visiting arts and culture programs</td> <td>Encouraging investment and jobs</td> <td>Climate action (including sustainable energy use and renewables)</td> <td>Acting as an 'anchor' to support collaborative projects and programs</td> </tr> <tr> <td style="background-color: #4b0082; color: white;">Advocate</td> <td colspan="2">Lobbying for better GP services</td> <td>Advocating for local vocational training support</td> <td>Seeking investment in affordable housing</td> <td>Representing local priorities to State and Federal Governments</td> </tr> </tbody> </table> <p><small>Table 2: Examples of council roles in community wellbeing</small></p> | | Healthy, safe, and inclusive communities | Culturally rich and vibrant communities | Dynamic resilient local economies | Sustainable built and natural environments | Democratic and engaged communities | Service provider | Waste management | Recreation facilities | | Roads, cycle paths, parks | Community engagement on council plans | Regulator | Food safety | | | Land-use zoning, building and plumbing permits | | Facilitator or partner | Recovery from natural disasters, preventative health programs | Supporting visiting arts and culture programs | Encouraging investment and jobs | Climate action (including sustainable energy use and renewables) | Acting as an 'anchor' to support collaborative projects and programs | Advocate | Lobbying for better GP services | | Advocating for local vocational training support | Seeking investment in affordable housing | Representing local priorities to State and Federal Governments | <p>The roles of advocate and facilitator or partner is expected to require more emphasis in the future. As noted in the Options Paper, there will be an increase in focus particularly relating to local government's most important and complementary focus in the areas of preventive health and wellbeing promotion and adaptive local governments to tackle climate change proactively at a community level.</p> <p>Emphasis of the advocate, facilitator or partner role is also expected to increase in the future because of public expectation and limited resources.</p> <p>Local government is seen as the most accessible level of government and is often approached by the community to facilitate outcomes with other levels of governments and agencies, even though they are outside of a Council's individual responsibility and expertise.</p> <p>Local government has limited resources and cannot be expected to provide and deliver every service and need for the community. It is becoming increasingly more important that the Council partners with the community itself and with private industry and other levels of Government to deliver outcomes. This also makes it more sustainable in the long term without reliance on local government.</p> |
| | Healthy, safe, and inclusive communities | Culturally rich and vibrant communities | Dynamic resilient local economies | Sustainable built and natural environments | Democratic and engaged communities | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| Facilitator or partner | Recovery from natural disasters, preventative health programs | Supporting visiting arts and culture programs | Encouraging investment and jobs | Climate action (including sustainable energy use and renewables) | Acting as an 'anchor' to support collaborative projects and programs | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Advocate | Lobbying for better GP services | | Advocating for local vocational training support | Seeking investment in affordable housing | Representing local priorities to State and Federal Governments | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>Do you agree that there is general community support for councils continuing to deliver their current range of functions and services? Are there any functions and services councils deliver now that they shouldn't? Why?</p> | <p>The community generally supports the range of functions and services delivered by the Council.</p> <p>If the Council steps into a role or function outside core responsibilities (where it responds to market gaps or as a provider of last resort) there is often a strong expectation by the community that the Council continues to provide that service in perpetuity. Greater education is needed to ensure that the community acknowledge that Council is stepping in to bridge the gap until a longer term solution is implemented that doesn't draw on the resources of Council and includes securing alternative providers in the private sector or have a State or Federal Government response as being responsible for those areas.</p> <p>The provision of medical services is a current example of this and should be supported through State and Commonwealth Government mechanisms not run by Councils and paid for by the ratepayer in a competitive environment.</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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| Assuming they have access to the right resources and capability, are there services or functions you think councils could be more involved in? Why? | <p>Building community capacity and preparedness for effective responses to impacts of Climate Change and other emergencies because Councils have local knowledge and as quoted in the Options Paper: “As the closest level of government to the community, councils are uniquely positioned to help citizens navigate the challenges of climate change and to highlight the impacts of climate emergencies at the local level.”</p> <p>With access to the right resources Council could be more involved in housing and community transport options and systems.</p> <p>It is though noted that Council’s should not be held responsible for what are State and Federal Government responsibilities, and this must be clearly defined.</p> |
| Where do councils currently make the biggest contribution to community wellbeing? What wellbeing functions and services should they provide in the future and how can they be supported to do that? | <p>Councils currently make the largest contribution to community wellbeing through advocating, raising funds, facilitating and service provision, improving access, mobility and other outcomes, planning, urban design, liveability, and environmental health, as well as partnering with others to provide health programs, social and community services including social connection.</p> <p>Councils should be supported (resourced) to facilitate greater access to active transport; more youth focused activities and innovative youth engagement mechanisms and to facilitate Emergency Preparedness and Management on a community level.</p> <p>Council needs support with structural sustainability, capacity, and capability.</p> |
| Section 5: Building local government capability and capacity now and for the future | |
| Do you agree with the Board’s assessment that Tasmania’s current council boundaries do not necessarily reflect how contemporary Tasmanians live, work, and connect? | The current Council boundaries were established 30 years ago in a very different environment of transport networks and technology and should not be seen as being a barrier to modern local government and the services demanded by community, customers and visitors. |
| We have heard that councils need to be “big enough to be effective and small enough to care”. How big is big enough to be effective? How small is small enough to care? What factors determine that? How do we strike the balance between these factors? | A key feature of local government is that it can be said to be “local” and the important principle is ensuring retention of the unique character of the Council area, “local”, connected communities of interest, functional economic areas within any municipal area and accessibility by the community. |
| Thinking about Tasmania now, and how it might change over the next 50 years, what are the most important things to consider if we were to ‘redraw’ our council boundaries? | <p>Road and stormwater networks were not designed or historically maintained for the volume, type or frequency of current traffic or extreme weather events.</p> <p>Any redraw of council boundaries would need to consider funding for road and stormwater upgrades to accommodate the anticipated, projected needs of the next 50 years.</p> <p>We also need to ensure that the revenue raising potential matches the needs of the region and appropriate and equitable representation for all localities.</p> <p>The important principle is otherwise ensuring retention of the unique character of the Council area, “local”, communities of interest and functional economic areas within any municipal area.</p> |

Section 6: Structural reform – three potential pathways

Which of the three broad reform pathways do you think has the best chance of delivering what the community needs from local government? Why?

It is not possible to provide any definitive view on the Pathways as any considered response needs to take into account actual concepts rather than hypothetical structures. The comments are therefore general in nature.

Pathway 1 provides a significant risk. Any significant moves to shared services models brings with it the potential for a disconnect between what a Council can deliver to support its community as there is simply no control or guarantee that any (potentially regional) authority responsible for services will be supportive of an individual Council's projects or directions that relies upon those services. A Council may be seen to have failed to deliver on its role to the community at that point and may have little, if any, relevance which could potentially be lost with service consolidation.

Pathway 2 builds scale and scope but to deliver community needs, it will need effective community engagement strategies and must retain the unique character of the Council area, "local", connected communities of interest and functional economic areas within any municipal area and be accessible to the community. Redrawing of boundaries to deliver greater economies of scale within new, potentially larger Councils may avoid the need for another level of service delivery through service consolidation and shared services models. Such a model will provide different service levels within one Council area which will need to be addressed. Pathway 3 as a hybrid option provides the opportunity to leverage some elements of shared services without creating large bureaucratic organisations as well as opportunities to address some Council boundaries and structures. This pathway would need to include reforms to revenue and funding models to promote equity and sustainability across the system. "The design and effectiveness of Tasmania's system of funding local government (rates, user charges, and grants) should be assessed to ensure that it is consistent with contemporary tax design and public finance principles and will meet the future needs of councils and their communities"

What would be your biggest concerns about changing the current system? How could these be addressed?

The pace of reform is a large concern. Based upon some of the findings within the Options Paper the reform process would benefit from exploring options to undertake pilot reforms which can inform future implementation such as in bold below:
 "Evidence shows that where communities are engaged in the decision-making process, they are more likely to trust and accept council decisions. These decisions are therefore more likely to deliver good public value, as they will better reflect the community's needs and priorities
A Community Impact Assessment (CIA) would help councils to assess the case for providing particular services in response to community need and/or demand that is not otherwise planned for. Preparing the assessment should also help councils in their advocacy to other spheres of government, when they are considering filling a 'service gap' by providing a service another entity or sphere of government normally provides (e.g., primary healthcare)."
 "Integration of workforce planning and training strategies: Implement a shared State and local government **workforce development strategy** • Target key skills shortages, such as planners, in a sector-wide or shared State/local government workforce plan • Establish 'virtual' regional teams of regulatory staff to provide a shared regulatory capability; embracing flexible modes of working, internships, apprenticeships, secondments and cadetships, connecting with TAFE, universities, and secondary schools to help students understand the value proposition and potential career pathways local government can offer. • It requires a collaborative, sector-wide approach. • Training local people in regional communities has been shown to enable people to stay in regions. • Smaller and remote councils need greater assistance in this area. • Local government career pathways need better articulation, framing and a positive narrative."
 "An increasingly common approach to supporting engagement and representation is through implementing comprehensive engagement plans and systems supported by technology and professional engagement staff. **Community engagement planning** is mandated for councils in NSW, WA, Victoria, and South Australia."

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| | <p>Further co-location of State and local government shopfronts and shared online customer service systems have the potential to provide a more seamless and customer-centred service experience, improve operational 'cross-pollination' between local and State Government, and save on commercial rents.</p> <p>In addition to the pace of reform, interstate experience has demonstrated that proposed savings, benefits and economies of scale have not resulted from changing the system. There is also significant impact on any new organisation as new ways of working and systems need to be developed. Workplace culture currently existing will be lost and have to start again.</p> |
| <p>In any structural reform process, how do we manage the very different needs and circumstances of rural and urban communities?</p> | <p>Depending on what is required for a viable Council into the future there is no compelling reasons why urban and rural communities must be put together in one municipal area.</p> <p>Rural areas should not be subject to sub-standard levels of service compared to urban areas.</p> <p>Noting the different needs though it is considered important to look for common areas of interest and involve facilitated negotiation as required.</p> <p>Technology and shared services models may assist with managing different needs. There will also be a need to establish clear services levels that may distinguish between urban and regional/rural services.</p> |

| OPTION | RATIONALE | COUNCIL POSITION (Support/Not Support) | SUBMISSION AND COMMENT |
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| Reform Outcome 1: Councils are clear on their role, focused on the wellbeing of their communities, and prioritising their statutory functions | | | |
| <p>Option 1.1</p> <p>Establish a Tasmanian Local Government Charter which summarises councils' role and obligations, and establishes a practical set of decision-making principles for councils</p> | <p>Councils have an extensive range of complex responsibilities under a suite of interrelated statutory frameworks. This reform would clarify those responsibilities for councillors and communities, providing a framework which underpins the role of councils and councillors.</p> <p>Broadly, a Charter would:</p> <ul style="list-style-type: none"> • set out councils' role and responsibilities in one place; • summarise all of councils' core statutory roles and functions; • better clarify the roles of State and local government in service areas where both have responsibilities; • establish a practical set of decision-making principles, including around setting service priorities, particularly as they relate to essential statutory functions vs 'optional' services or activities; • enshrine good governance principles and clearly explain how these must be applied in practice to the respective roles, functions, obligations, and expected conduct of both elected members and council staff (including how they are linked to relevant compliance powers and under the legislated regulatory framework, including codes of conduct); and • provide a framework that enables these principles to be translated into practical processes and mechanisms for better and more transparent decision-making. | <p>Support</p> | <p>A charter is of value to define core roles and responsibilities of the Council. It is supported on the basis that any charter is reflected in legislation.</p> |
| <p>Option 1.2</p> <p>Embed community wellbeing considerations into key council strategic planning and service delivery processes</p> | <p>We have heard from the local government sector, peak bodies, and communities that there should be greater recognition of the role that councils play in supporting the wellbeing of their communities. However, there is a lack of clarity around what the concept of wellbeing includes. As a result, councils' contribution to community wellbeing is not formally recognised, making it hard for them to access funding to continue or expand their wellbeing work.</p> <p>This option would provide councils greater clarity on how they can support wellbeing, providing guidance on strategic planning and the delivery of locally tailored wellbeing services. It would also help identify services and functional responsibilities for the State Government and private service providers.</p> <p>In May 2022, the Tasmanian Premier, the Hon Jeremy Rockliff MP, announced the development of Tasmania's first Wellbeing Framework, noting that the concept of wellbeing includes economy, health, education, safety, housing, living standards, environment and climate, social inclusion and connection, identity and belonging, good governance and access to services.</p> <p>Clear and transparent linkages to any overarching Tasmanian Government state-wide wellbeing policies and frameworks will be essential to support the sector in remaining accountable to their communities. These connections will also enable councils to work with others to develop locally tailored strategies and actions to address identified community issues.</p> | <p>Support</p> | <p>Performance indicators should also be established to provide guidelines of what wellbeing under each element means</p> |

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| <p>Option 1.3</p> <p>Require councils to undertake Community Impact Assessments for significant new services</p> | <p>A Community Impact Assessment (CIA) would help councils to assess the case for providing particular services in response to community need and/or demand that is not otherwise planned for. Preparing the assessment should also help councils in their advocacy to other spheres of government, when they are considering filling a 'service gap' by providing a service another entity or sphere of government normally provides (e.g., primary healthcare).</p> <p>CIA's 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. This may include a 'notional rates increase' to demonstrate the full costs in simple terms. (Subject to other options being considered below, this option could also apply to acquisition of new infrastructure).</p> | <p>Support in principle</p> | <p>A CIA can provide clarity to the community the extent of the Council's involvement for the present and into the future for the new service although it is questioned as to why this is proposed to be a prescriptive requirement.</p> <p>Given that many new services proposed by Councils are because of failures in State and Federal Government policies, these failures should be clearly identified in any CIA.</p> |
| <p>Priority Reform Outcome 2: Councillors are capable, conduct themselves in a professional manner, and reflect the diversity of their communities</p> | | | |
| <p>Option 2.1</p> <p>Develop an improved councillor training framework which will require participation in candidate pre-election sessions and, if elected, ongoing councillor professional development</p> | <p>Providing brief – but mandatory – pre-election candidate awareness training would support an increased 'baseline' understanding of the roles and responsibilities of councillors.</p> <p>Providing compulsory, ongoing, and accessible professional development training opportunities would support the continual improvement and professionalism of elected representatives, ensuring they can achieve the best outcomes for their communities</p> | <p>Support</p> | <p>This option can be supported but it does go against the basic principles of access to democracy.</p> <p>An informed and trained Councillor will of course improve the levels of governance and decision making for a Council. Mandatory completion of training modules as a prerequisite for standing as a councillor is supportive of informed Councillors.</p> <p>There are though no similar requirements placed members of State or Federal Parliament and any requirements could limit a person's access to run for a sphere of Government due to disadvantage. This needs to be carefully considered such that training is easily accessible to all candidates and Councillors.</p> <p>To the extent that training is required it must be recognised that the Mayor has specific roles and responsibilities.</p> <p>Councillors should be strongly encouraged to undertake professional development and compulsory development needs to be a balanced to ensure that Councillors have the time to participate as a Councillor and a private citizen.</p> |
| <p>Option 2.2</p> <p>Review the number of councillors representing a council area and the remuneration provided</p> | <p>The Board has heard that there may be merit in reducing councillor numbers in some councils to create a more effective governance model. This may also provide scope to explore increases in remuneration which do not materially impact ratepayers. The Board has heard increased remuneration for councillors could support a more diverse cross-section of the community seeking election. It may also help the sector attract and retain talented and experienced councillors.</p> <p>There are provisions in the Tasmanian <i>Local Government Act 1993</i> that enable inquiries into councillor allowances to be undertaken. The last inquiry, held in 2018, recommended that the formula for categorisation of councils and base allowances be reviewed. This review has yet to occur, but presents an opportunity to increase allowances and narrow disparities in allowance rates between councils. The ability to increase councillor allowances is currently confined to these inquiry processes.</p> | <p>Support</p> | <p>Remuneration must be reviewed.</p> <p>The current Councillor allowances do not reflect the obligations and expectations of Councillors who effectively operate as volunteers for the community running significant business activities.</p> <p>Low remuneration means that acting as a Councillor may not be financially viable for some individuals to participate in the democratic process.</p> <p>Low remuneration may limit those who participate in the democratic process.</p> |

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| <p>Option 2.3</p> <p>Review statutory sanctions and dismissal powers</p> | <p>The overall reputation of the sector has been damaged by instances of poor councillor behaviour. This has been compounded by the constrained capacity of the State Government to intervene under existing legislation in certain circumstances.</p> | <p>Support in principle</p> | <p>This was the subject of significant work in 2017 following the boards of inquiry into the Huon Valley Council and Glenorchy City Councils. The option is supported to the extent that those mechanisms should be tested before new powers are introduced.</p> |
| <p>Option 2.4</p> <p>Establish systems and methods to support equitable and comprehensive representation of communities</p> | <p>There are a number of systems and methods that could further support equitable and effective representation of communities in Tasmania. These include undertaking periodic representation reviews, establishing committees to represent specific communities within larger council areas, dividing existing or new LGAs into wards, and setting up engagement hubs throughout local government areas.</p> | <p>Support</p> | <p>A ward system may be of some benefit where there are amalgamated Councils or a large split between rural and urban communities.</p> <p>A ward system may though lead to localised decision making on behalf of Councillors in the interests of their ward rather than decision making for the good governance of the entire municipal area.</p> <p>Provision of smaller representative community forums could be helpful at precinct or township level.</p> <p>It is recognised that the geography of an area is often more important than the demographics as far as community identity and this should be taken into account in terms of consideration of boundary changes.</p> |
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| <p>Priority Reform Outcome 3: The community is engaged in local decisions that affect them</p> | | | |
| <p>Option 3.1</p> <p>Require consistent, contemporary community engagement strategies</p> | <p>Community expectations of engagement are increasing, including the need for far greater community involvement in council decision making. Appropriate and consistent engagement guidelines would facilitate engagement approaches that are uniform across Tasmania and informed by best practice.</p> <p>The Local Government Legislation Review recommended that existing community engagement provisions under the <i>Local Government Act 1993</i> should be removed, as they are overly prescriptive, and require councils to undertake engagement through mechanisms which are generally outdated. We believe replacing the existing provisions with a requirement that each council develop their own community engagement plan would support a consistent approach to engagement, while still allowing individual councils the autonomy and flexibility to tailor how they engage, and what they engage on, with their local communities.</p> | <p>Support</p> | <p>A comprehensive engagement framework is considered necessary to consider the needs and desires of the community and should be front and central to the core business of the Council.</p> <p>Removal of costly and inefficient prescriptive advertising and engagement is also supported.</p> |
| <p>Option 3.2</p> <p>Establish a public-facing performance reporting, monitoring, and management framework</p> | <p>Councils are currently required to report on a range of financial and asset management, service activity, and regulatory compliance matters, but these data are underutilised and fragmented. The data also may not reflect the issues of greatest interest to local residents. There is a dearth of consistent, publicly available information on service cost, quality, and community satisfaction. More streamlined collection and presentation of service level data in particular would reduce both the administrative burden on councils and improve community transparency by providing the community with a clear line of sight to councils' long-term strategic directions and the decisions they make.</p> <p>The Local Government Legislation Review recommended a local government performance reporting framework to support enhanced consolidation and accessibility of existing council reporting. We believe there is scope to build a framework which presents council performance data in a central online platform, modelled on approaches taken in other states.</p> | <p>Support</p> | <p>A consistent reporting framework is supported to ensure Councils can address and improve on base levels of compliance.</p> <p>There is though concern that so much of council work is administrative and not implementation. An easy-to-use framework is essential to ensure that Council resources are not unreasonably diverted to information gathering.</p> |

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| <p>Option 3.3</p> <p>Establish clear performance-based benchmarks and review 'triggers' based on the public-facing performance reporting, monitoring and management framework</p> | <p>This option builds on the performance reporting, monitoring and management framework in Option 3.2. It could be used to establish performance benchmarks, and a set of clear and proportionate intervention options when benchmarks are not being met. Intervention options could range from a council being requested to explain its performance, through to service improvement directions, or efficiency audits by an external regulatory authority.</p> <p>The Local Government Legislation Review proposed the introduction of new powers to install 'financial supervisors' and 'monitors/advisors' as an early intervention measure to address governance and/or financial concerns at the individual council level. Councils would have stronger incentives to risk manage and 'self-regulate', including acting on recommendations of their audit panels.</p> <p>More robust information on council performance could also be used by the Director of Local Government to take a risk-based approach when overseeing council compliance activities under the <i>Local Government Act 1993</i>. It was proposed in the Local Government Legislation Review that audit panels be required to provide their reports to the Director of Local Government, upon the Director's request. This would be a solid first step in ensuring enhanced provision of information on council performance.</p> | <p>Support in principle</p> | <p>This option will have benefits for the Director of Local Government</p> <p>Performance metrics would be useful, however this needs to consider the differences between organisations and see them as comparative rather benchmarking in nature, as we continue to have challenges with "apples for apples" comparisons.</p> |
| <p>Priority Reform Outcome 4: Local councils have a sustainable and skilled workforce</p> | | | |
| <p>Option 4.1</p> <p>Implement a shared State and local government workforce development strategy</p> | <p>In the absence of shared strategies, councils and the State Government can compete with each other and the private sector for staff, driving up costs without addressing skill shortages. They also risk duplicating workforce training, development, and recruitment efforts, when the cost of delivery could be shared.</p> <p>A workforce strategy that recognises the common skills required to work in councils and/or in State Government should minimise unintended competition between the sectors and provide more attractive career pathways for employees within both spheres of government. The workforce strategy should also recognise the skill needs of individual councils based on their local functional and service requirements.</p> | <p>Support</p> | <p>Skills shortages must be addressed no matter what structure local government takes in the future because of the review. It is incumbent upon the state to ensure that educational institutions are identifying and addressing skills gaps, from pre-school through to vocational and other tertiary institutions. Councils also need to be supported in maintaining entry level roles and training staff as part of any strategy. Government needs to incentivise greater investment in developing skill, knowledge and experience along with the complexity of resource needs through the policy development</p> <p>Councils also need the resources to pay the going rate to compete effectively with the private sector. Workforce retention is not mentioned but this is incredibly important.</p> |
| <p>Option 4.2</p> <p>Target key skill shortages, such as planners, in a sector-wide or shared State/local government workforce plan</p> | <p>Given the serious shortages of such skills across the two sectors, a targeted workforce plan could:</p> <ul style="list-style-type: none"> address capacity gaps across the whole State and local government regulatory system; provide more attractive career pathways for professionals; allow for succession planning within both spheres of government; support the training and development of a new category of para-professionals to undertake less complex tasks; minimise the competition between the two tiers of government and the private sector for staff; and reduce duplication of workforce training, development and recruitment efforts. | <p>Support</p> | <p>Skills shortages must be addressed no matter what structure local government takes in the future because of the review. It is incumbent upon the state to ensure that educational institutions are identifying and addressing skills gaps, from pre-school through to vocational and other tertiary institutions. Councils also need to be supported in maintaining entry level roles and training staff as part of any strategy. Government needs to incentivise greater investment in developing skill, knowledge and experience along with the complexity of resource needs through the policy development</p> <p>Councils also need to take responsibility for (and be supported in) maintaining entry level roles and training staff as part of any strategy.</p> <p>Councils also need the resources to pay the going rate to compete effectively with the private sector. Workforce retention is not mentioned but this is incredibly important.</p> |

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| <p>Option 4.3</p> <p>Establish 'virtual' regional teams of regulatory staff to provide a shared regulatory capability</p> | <p>Regulatory staff from councils across a region could form a virtual team that supports some or all councils and leverages combined capability. The team could include planning officers, environmental health officers, and other specialist staff. All regulatory responsibilities would remain with councils, and staff would remain physically located in their councils. A proportion of the team's time would be used for predictable regular services for their 'home' councils, such as pre-lodgement liaison with proponents and assessing and determining routine development applications. When required, team members could be assigned to more complex and intermittent work from across the region.</p> | <p>Support in principle</p> | <p>It is not clear how the option will work from a practical aspect and whether or not there is any capacity across the State to establish these teams in the future. It is though considered appropriate to investigate further as part of the options.</p> |
| <p>Priority Reform Outcome 5: Regulatory frameworks, systems, and processes are streamlined, simplified, and standardised</p> | | | |
| <p>Option 5.1</p> <p>Deconflict the role of councillors and the role of planning authorities</p> | <p>The Board has heard that the role of councillors "to represent the community" often conflicts with the role of planning authorities to objectively apply the provisions of a planning scheme regardless of the views of the community. Councillors found it difficult to participate in important public debates about major developments in their municipality for fear of 'pre-judging' development applications or being accused of bias in the assessment process. The Board accepts that this conflict creates issues in only a very small proportion of development applications. Some stakeholders, however, expressed the view that this small number of cases created significant friction between councillors and between councils and their communities. The Board does not have a clear view on the best way forward to address this issue and presents three options below for further discussion.</p> | | |
| <p>Option 5.1a</p> <p>Refer complex planning development applications to independent assessment panels appointed by the Tasmanian Government</p> | <p>The assessment of complex development applications depends on access to technical expertise, robust data, efficient administrative systems, sound decision-support systems, and strong communications support. Independent panels appointed by the State Government would have access to a diverse range of specialists and establish robust administrative and technical support systems, allowing a consistent standard of decision making state-wide. Clear criteria would be established to define which developments must be referred. This could include:</p> <ul style="list-style-type: none"> • high value developments; • developments in which the council or councillors have a direct interest, including developments on council land; • developments in sensitive locations; • developments of particular industry types; and • developments with particular types of impacts. <p>Freed from the constraints of acting as a planning authority, councils would be able to represent their community and its views in submissions on complex developments as they are being assessed. Councils would continue to assess and determine other development applications and retain overall land-use planning responsibilities.</p> | <p>Support in principle</p> <p>Not Support</p> | <p>This option has some merit, but it relies on the criteria for what development is referred to an independent panel being very clear.</p> <p>The opportunity for Council's to be able to participate in the process by way of ability to make representations in these circumstances is a benefit in Council representing the community and not limited to considering those who have made representations.</p> <p>It is noted that there are some perceptions as to independent assessment panels being seen as pro-development and as such these should be subject to the same procedures and requirements that are currently undertaken for development assessment under the <i>Land Use Planning and Approvals Act 1993</i> to ensure public participation and appeal rights are maintained.</p> <p>Assessment of applications should be retained in Council and Councils should have access to central expertise to support through a complex application.</p> |

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| <p>Option 5.1b</p> <p>Remove councillors' responsibility for determining development applications</p> | <p>This option is similar to option 5.1a but elected representatives would be removed from the process of determining development applications entirely. Applications would routinely be assessed by planning staff in councils and, if required, escalated to independent panels appointed by the State Government.</p> <p>Councillors would still have responsibility for all the strategic elements of the planning system, including strategic land use planning and recommending Local Provision Schedules.</p> <p>Council would also be able to make representations to independent planning panels on discretionary elements of development applications (in addition to officer level advice as currently provided to councils).</p> | <p>Not Support</p> | <p>It is acknowledged that Councillors struggle with the planning authority "hat" over the basic requirement for a Councillor to represent the interests of the community. This does provide challenges for Councillors.</p> <p>It does not though necessarily follow that Councillors should be removed entirely from determining development applications or that there is any problem that is created by Councillors exercising those roles and functions.</p> <p>In any event it is essential that Councillors retain responsibility for strategic elements of the planning system.</p> |
| <p>Option 5.1c</p> <p>Develop guidelines for the consistent delegation of development applications to council staff</p> | <p>While most development applications are determined by council officers under delegation, a small proportion are considered by councillors (or independent panels as proposed in 5.1a) acting as a planning authority. An absence of clear guidance on options to delegate planning processes to council staff can frustrate and lengthen the planning assessment processes.</p> <p>Planning decisions must be based on professional, technical assessments against criteria under the planning scheme. However, councillors are often under community pressure to make decisions that reflect popular opinion based on considerations outside their formal statutory role as a planning authority. This can unduly divert council resources and undermine community confidence in the council and in the planning system.</p> <p>Guidelines would help councils to determine which decisions should be made by councillors, and which should be made by the council's planning staff under delegation. The criteria in such a policy could be based on the nature of the development (e.g., capital value, location, activity proposed), the nature of the proponent (private individual, business, government agency, council, councillor) and/or the number of representations received.</p> <p>This would provide clarity to proponents and the community and reduce the potential for the development application process to be unduly influenced by local political pressures. It may also lead to more efficient decision-making, as proponents, council staff, councillors, and the broader community would be clearer on who will be making key decisions, and on what basis.</p> | <p>Support</p> | <p>There are no issues with the development of guidelines as proposed by the option and these may assist Councillors in undertaking their role as a Planning Authority.</p> |
| <p>Option 5.2</p> <p>Greater transparency and consistency of councils' resourcing and implementation of regulatory functions</p> | <p>Councils' performance of their regulatory functions varies widely, with many falling well below risk-based benchmarks. Where there is underperformance of regulatory functions, there is an increased risk to public health and safety.</p> <p>This option would include measures of regulatory resourcing and implementation in a new public-facing performance reporting, monitoring and management framework (see option 3.2). This would help communities to understand how well their councils are exercising their regulatory responsibilities, and help councils to 'level up' to the standard of other similar councils.</p> | <p>Not Support</p> | <p>There are a lot of proposed options within the Options Paper that involve prescription and the associated compliance cost.</p> <p>A performance reporting, monitoring and management framework can be supported in principle however there is no evidence provided with the option that performance reporting on the matters will in any way "level up" one Council to the standard of other Councils.</p> <p>No matter how Councils are proposed to be structured they will still have limited resources and some Councils may not be in any position to adequately support and resource the roles.</p> |

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| <p>Option 5.3</p> <p>Increase support for the implementation of regulatory processes, including support provided by the State Government</p> | <p>Council regulators have some discretion when applying the State Government’s statutory regulations to their local circumstances, but they must treat all applicants fairly and equitably. Councils have told us they need more support and resources to be able to strike this balance. This option aims to make regulation simpler and more efficient through streamlining the collective understanding and expectations concerning regulatory frameworks, ensuring transparency around agreed guidelines and support tools, training, regulatory support hotlines, and data collection and usage.</p> <p>Current approaches assume that regulatory requirements, such as for building approvals or environmental protection, can be written as objective ‘rules’ and ‘tests’ which are clearly linked to stated policy intentions. For development applications, for example, the Tasmanian Planning Reforms should broaden the availability of ‘acceptable solutions’ and limit discretion to where it is absolutely necessary. Where such rules and tests are not possible, specific policy objectives and decision-making guidelines would need to be understood.</p> <p>A program of improving transparency and consistency could also target particular council and development industry priorities like, for example, ‘no permit’ pathways for low-impact urban infill.</p> | <p>Support</p> | <p>When the State Government initiates regulatory provisions that are expected to be administered by Local Government, they should not come into force until such time as the State has developed the necessary supporting guidelines and networks and provided the necessary training and support to Councils.</p> |
| <p>Option 5.4</p> <p>Strengthen connections between councils’ strategic planning and strategic land-use planning by working with State and Commonwealth Governments</p> | <p>Strategic land-use plans that have the support of all spheres of government would help to align Commonwealth, state, and local priorities in residential development, industrial development, infrastructure investment, and green space protection. The review of the regional land use planning framework underway through the Tasmanian Planning Reforms is a good opportunity to advance this option.</p> <p>Without strategic land-use plans, councils:</p> <ul style="list-style-type: none"> risk making land-use planning, infrastructure, and investment decisions that fail to account for known demographic and other future trends; may fail to make the necessary regional trade-offs for effective and efficient resource allocation; may fail to manage future risks; and risk costly and ineffective public investment and missed opportunities for meeting social, economic, and environmental objectives. | <p>Support</p> | <p>This is a supported option and is considered to be an ideal outcome. The reality of achieving such as outcome in a political cycle is though considered to be low.</p> |

| Priority Reform Outcome 6: Councils collaborate with other councils and State Government to deliver more effective and efficient services to their communities | | | |
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| <p>Option 6.1</p> <p>Require Councils to collaborate with others in their region, and with State Government, on regional strategies for specific agreed issues</p> | <p>Some of councils' responsibilities and interests are shared with others in their region, for example road networks that cross boundaries or common challenges such as flooding. Where neighbouring interests can be aligned, there are opportunities for mutual advantage; where interests are in conflict, there are benefits in resolving them.</p> <p>This option would aim to identify a core list of regional issues that councils should be collaborating on, requiring them to engage and agree on regional strategies for those issues. It could include, among other things, land-use planning, regional economic development, climate change adaptation, and procurement of large civil construction projects. Each council's strategic plan would be aligned with these regional strategies.</p> <p>There are a variety of ad-hoc regional structures in place for collaboration between councils and with other spheres of government. Rather than mandating a particular structure, this option would allow councils to choose the structure most effective for them to consider regional issues.</p> | <p>Not Support</p> <p>Support in principle</p> | <p>Collaboration with other Councils should as a matter of principle be supported but it is not clear why this must be a prescriptive requirement as proposed.</p> <p>Whilst there is some merit in the option as proposed, this option is based on a presumption that there are clear definable regions which is not necessarily the case. Just because Councils share a municipal boundary also does not make them part of a region and they may still retain significantly different service needs where a regional approach may not benefit all Councils said to be in a region.</p> <p>The Huon Valley for instance shares municipal boundaries with four Councils and yet cannot be said to be in the same region as all those Councils.</p> <p>In a Southern Tasmanian region context, being a Southern most Council "at the end of the line" can leave the community isolated from a regional approach.</p> |
| <p>Option 6.2</p> <p>Establish stronger, formalised partnerships between State and local government on long-term, regional, place-based wellbeing, and economic development programs</p> | <p>Earlier this year, the Tasmanian Government announced it will develop 'regional strategic partnerships' between the Tasmanian Government and LGAT, working directly with relevant 'council clusters' in those regions.</p> <p>The stated objective is to set a 20-year framework, vision, and direction for planning and land use to support economic and community development. The Board understands the partnerships will focus on:</p> <ul style="list-style-type: none"> identifying natural advantages at the regional level for supporting the attraction of emerging industries, such as hydrogen and synthetic fuels production; partnering with skills and training providers to align with growth industries and key regional strengths; and place-based planning and delivery of education, housing, and health and community services to support the attraction and retention of regional workforces and build viable, vibrant, and sustainable communities. | <p>Support</p> | <p>This is a supported option and is considered to be an ideal outcome. The reality of achieving such as outcome in a political cycle is though considered to be low.</p> |
| <p>Option 6.3</p> <p>Introduce regional collaboration frameworks for planning and designing grant-dependent regional priorities</p> | <p>Competitive processes for State and Australian Government grant funding often create unhealthy or inefficient competition between councils for funding which – if packaged up and allocated differently - could otherwise benefit a greater number of people in a wider regional community. Additionally, larger councils often have greater capacity to undertake and be successful in these processes. Grant application processes themselves potentially divert funding away from pressing core service needs and priorities.</p> <p>Enhancing collaboration between regional councils could ensure State and Australian Government grant processes receive high quality applications from councils that best serve the needs of regional communities. In addition, it would lead to more efficient efforts by councils in seeking and expending grants by reducing duplication of effort between councils, enabling more equitable access to grant-seeking expertise by all councils.</p> | <p>Support in principle</p> | <p>This option is based on a presumption that there are clear definable regions which is not necessarily the case. Just because Councils share a municipal boundary also does not make them part of a region and they may still retain significantly different service needs where a regional approach may not benefit all Councils said to be in a region.</p> <p>The Huon Valley for instance shares municipal boundaries with four Councils and yet cannot be said to be in the same region as all those Councils.</p> <p>In a Southern Tasmanian region context, being a Southern most Council "at the end of the line" can leave the community isolated from a regional approach.</p> |

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| <p>Option 6.4</p> <p>Support increased integration (including co-location) of 'front desk' services between local and State governments at the community level</p> | <p>It is broadly accepted that Service Tasmania shopfronts represent a 'success story' in providing a well established integrated, customer-centred hub for accessing a broad range of government information and services. Many Service Tasmania shops are now co-located with libraries and other community services and facilities.</p> <p>There are likely to be significant opportunities to leverage these and other arrangements to further develop 'one-stop shop' service hubs.</p> <p>Further co-location of State and local government shopfronts and shared online customer service systems have the potential to provide a more seamless and customer-centred service experience, improve operational 'cross-pollination' between local and State Government, and save on commercial rents.</p> | <p>Support</p> | <p>It makes good sense to provide "one stop shops" where possible for as many Government Services as may be practical to do so. Devonport City Council's arrangement with Service Tasmania is a good example of this.</p> <p>It may not be possible to achieve this as an outcome in all Councils.</p> |
| <p>Priority Reform Outcome 7: The revenue and rating system efficiently and effectively funds council services</p> | | | |
| <p>Option 7.1</p> <p>Explore how councils are utilising sound taxation principles in the distribution of the overall rating requirement across their communities</p> | <p>Council rates are broad-based taxes on property or the value of land. Taxes on land are generally considered one of the fairest and most efficient forms of taxation, as they have very low negative effects on economic growth and activity.</p> <p>There is currently limited transparency associated with the ratings policies that councils make and how it impacts on the distribution of rates burden across communities. For example, some councils preferentially rate commercial operations, while others seek a greater proportion of rates from residential properties.</p> <p>It is proposed that the State work with the sector to explore the current distribution of rates burden across communities in Tasmania, including the relative weight of revenue raised from different categories of land. This work may highlight the need for more innovative rating practices to ensure that rate liabilities are shared equitably across the community. For example, there may be merit in considering alternative rating options such as progressive rating scales within specific categories of land use – noting that the implications of any such options would need to be very carefully considered.</p> <p>Tasmanian councils are also able to levy separate rates under the <i>Local Government Act 1993</i>. These are additional rates which apply to some areas or classes of property, such as for local promotion and economic development. Separate rates may represent a preferable solution to recent, high-profile rating distortions in the policies of some councils, and be simpler and more accountable to the community, including in the hypothecation of funds realised. Ideally, ratepayers to whom the separate rate applies should have a role in determining its price, which is efficient because it helps determine the optimum quantity of the service provided.</p> | <p>Support</p> | <p>No comment</p> |

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| <p>Option 7.2</p> <p>Enhance public transparency of rating policy changes</p> | <p>This option would build on the work under recommendation 7.1 and see better and more user-friendly reporting and transparency of rating policy changes as part of a proposed local government performance monitoring and management framework (see option 3.2). This may include better transparency around the distribution of the rating burden across the community.</p> <p>The Tasmanian Government has agreed to the Local Government Legislation Review recommendation that council audit panels be required to review any proposed rate changes that deviate from a council's long-term financial plan, and/or any changes to a council's long-term financial plan.</p> <p>Audit panels will continue to be independent of their councils and the panels must have a majority of independent members</p> | <p>Not Support</p> <p>Support in principle</p> | <p>Current rating policies are changed from time to time through open Council reports and resolutions and it is unclear why this option is necessary.</p> <p>Having proposed rate charges that deviate from a council's long term financial plan to be reviewed by the Audit Panel is not supported by the Council or its Audit Panel. Any review would not lead to an outcome and would expose the Panel to political criticism.</p> |
| <p>Option 7.3</p> <p>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</p> | <p>Councils presently meet their regulatory obligations, and provide many services, through a mixture of user fees and subsidies from general revenue. User charges should, optimally, reflect the actual cost of a service. This option would:</p> <ul style="list-style-type: none"> • enhance transparency and accountability for revenue raising and service delivery; • assist the community to understand true costs of services and potentially the costs of regulatory processes; and • identify potential areas for councils to pursue productivity improvements (and alleviate prices or improve services), for example through improved technology or provision at larger scale. <p>Where councils choose to subsidise certain activities (which may be justifiable in certain circumstances) these subsidies should be reported transparently in their financial statements, to ensure they are understood by the community.</p> <p>More consistent pricing, in the form of user charges, could also help facilitate the trade in services between councils, such as through shared services arrangements.</p> | <p>Support</p> | <p>No comment</p> |
| <p>Option 7.4</p> <p>Consider options for increasing awareness and understanding of the methodology and impacts of the State Grants Commission's distribution of Federal Financial Assistance Grants</p> | <p>The State Grants Commission allocates Financial Assistance Grants to councils, funded by the Australian Government (\$82m in 2021-22). Approximately 53 per cent of the grants are allocated to councils for the maintenance and renewal of roads, 14 per cent are allocated on a per-capita basis, and the remaining 33 per cent are allocated on the basis of the balance of a council's capacity to raise revenues and their need for expenditure, which is weighted by numerous variable cost adjusters.</p> <p>The allocations for this component, and the per-capita grants, are made in accordance with National Principles, including horizontal fiscal equalisation and 'effort neutrality' (the latter meaning grants should not disincentivise councils from raising revenue through efficient land taxes like rates</p> | <p>Support</p> | <p>No comment</p> <p>Not only should we be increasing the awareness but we are encouraging a far more equitable and indexed approach to supporting local government to provide the essential community services it delivers.</p> |

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| <p>Option 7.5</p> <p>Investigate possible alternative approaches to current rating models, which might better support councils to respond to Tasmania's changing demographic profile</p> | <p>Over the past 10 years, Tasmanian councils have increased rates more slowly than their interstate counterparts, despite having comparatively broad legislative discretion on how they determine rating levels. This could reflect an increased focus on efficiencies and constraining cost increases. It could also reflect constraints that prevent councils from raising the revenue that they need to continue delivering services.</p> <p>Tasmania has a population that is ageing – rapidly in some areas. The Board has heard that the current rating system presents a challenge for some owner occupiers who, while owning a valuable (and appreciating) asset, may be reliant on fixed incomes. It appears many councils feel the pressure to constrain rate increases knowing it will impact these residents.</p> <p>Pensioner concession holders are entitled to a Tasmanian Government-funded reduction on their rates, at a budgeted cost of \$19.2m for 2022-23. However, this is a relatively small proportion of the overall rates impost as it is capped at \$345 per pensioner household for TasWater customers, and \$507 for households without reticulated water.</p> | <p>Support</p> | <p>No comment</p> <p>We acknowledge that the capacity of low income asset rich limits ratepayers is low and we support a broad and wide ranging review of different models for rating to resolve this issue</p> |
| <p>Priority Reform Outcome 8: Councils plan for and provide sustainable public assets and services</p> | | | |
| <p>Option 8.1</p> <p>Standardise asset-life ranges for major asset classes and increase transparency and oversight of changes to asset lives</p> | <p>The way councils put a financial value on their assets determines how much they budget for depreciation and maintenance costs. This in turn can determine how much they budget for asset replacement and influences a range of council financial and asset sustainability metrics.</p> <p>The Board has found councils adopt a broad range of different asset lives for the same classes of assets. Often asset lives are reported as longer than what is recommended in guidance principles or by other jurisdictions. In some cases they are extended without a justification being provided for changes.</p> | <p>Supported in principle</p> | <p>This option is supported in principle however it is not clear as to why this is necessary given that each Council will deal with different assets which are constructed to different standards and design that will affect asset life.</p> <p>In addition, the asset life is currently overseen by the Auditor-General and must be justified now so it is not clear why this is needed as a specific requirement.</p> |
| <p>Option 8.2</p> <p>Introduce requirement for councils to undertake and publish 'full life-cycle' cost estimates of new infrastructure projects</p> | <p>It is important that councils and their communities are informed and make decisions about their investments with a clear picture of the 'whole-of-life' costs of new infrastructure projects, and the 'trade-off' implications this may have, whether in relation to the management and maintenance of existing assets, the provision of other services, or the need to raise additional revenue.</p> | <p>Not Support</p> | <p>It is acknowledged that there are benefits for both informed decision making and an informed community from such a proposal the fact that this is prescribed as a requirement is questioned.</p> <p>Many of the options proposed in the Options Paper increase administration costs with less focus on actual delivery and is not necessarily a beneficial increase in cost to the community.</p> |

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| <p>Option 8.3</p> <p>Introduce requirement for councils to undertake regular service reviews for existing services</p> | <p>Regular service reviews would be an opportunity for councils and their communities to consider if a service currently being provided is still a priority, and should be continued. They would complement and inform other strategic planning processes/decisions councils undertake regularly. Community engagement would be mandated. Regular service reviews could provide councils with the opportunity to have frank and open conversations with their communities about their service preferences and priorities, informed by data about up-front and lifecycle costs, and feedback on satisfaction with/value of services.</p> <p>This process could give councils a stronger and more confident mandate to make asset management and budget decisions (particularly around long-lived infrastructure investments) and should improve general community awareness of the 'true' cost of providing services</p> | <p>Not Support</p> | <p>Services should be reviewed as required or necessary, not by a mandated process that also includes mandated engagement. Such a requirement would be unnecessarily prescriptive, costly and inefficient and engagement outcomes potentially disingenuous.</p> <p>In addition, that vast services provided by the Council are of necessity in responding to legislative requirements and community needs and where is a Council supposed to draw the line between what can and cannot be discontinued?</p> |
| <p>Option 8.4</p> <p>Support councils to standardise core asset management systems, processes, and software</p> | <p>Currently, asset management practices are inconsistent across councils, in terms of systems, processes, data captured, and software used. The Board's analysis found that less than half of councils are currently complying with the relevant requirements of the <i>Local Government Act 1993</i>. Increasing the standardisation and consistency of asset management practices would support robust service level benchmarking and investment prioritisation, as well as potentially increased skills and resource sharing between councils.</p> | <p>Support</p> | <p>Consistency in asset management practices across Councils is supported provided that such an approach is also accepted by the Auditor-General.</p> |