

## Local Government Review - Stage 2 -Appendix Public consultation - Response

### LOCAL GOVERNMENT REVIEW - STAGE 2 - APPENDIX PUBLIC CONSULTATION - RESPONSE BY KEITH ANDERSON

Thank you for inviting further public comment on this important issue. The following comments are the personal views of one concerned citizen. They do not represent the views of any group having a special interest in the matter. They are sincere and intended to be helpful.

They reference the Appendix of the Options Paper – Stage 2, distributed circa 22 December 2022.

#### Summary

Generally, I am pleased, verging on impressed that the appendix is so thorough.

However, it does seem to have made some decisions prematurely. I've read the appendix after the report and I find myself thinking often, "Hang on. Are we still discussing this, or is it a decision that has been made?" Fortunately, I approve of most of the ideas presented, so I am just puzzled, not vexed.

Although some of my comments might seem a bit grumpy, I'm mostly satisfied that most members of most councils do their best for their communities. We get grumpy because most councils have too many responsibilities and can't meet unreasonable expectations.

#### Comments

##### Page 6

*Reform outcome 1 ... Option 1.1 ...*

I've persuaded myself that the Charter described would be a good idea, and as presented in the appendix, I feel hopeful that it will be implemented well enough to work well.

##### Page 7

*Option 1.2 ...*

I'm less enthusiastic about the "wellbeing" idea. I think I know what it means, and I think I can agree that theoretically, it should be a good idea, but it seems to be a vague "human" notion where everyone knows what it means, but no one knows what it really means. I notice that "Defining wellbeing is critical", but I doubt that wellbeing can be defined well enough to "provide councils with greater clarity".

Much of the language is wishy washy and inspires little confidence that outcomes will be beneficial.

##### Page 8

*Under the Tasmanian Health Act 1993 ...*

It is a huge surprise to me that there is an Act that requires councils to develop a Public Health Plan. I doubt that any council has the resources to develop a Public Health Plan as other than a token gesture, and I doubt that a token gesture would meet the requirements of the Act. Presumably everyone is just turning a blind eye to this can of worms.

## Local Government Review - Stage 2 -Appendix Public consultation - Response

I certainly don't approve of expanding the obligations of any council to include wellbeing in their Public Health Plan. I notice that Victoria has mandated such a plan. Maybe we should observe how well they are able to cope for five or ten years before rushing to welcome problems too big for any council to solve.

### *Option 1.3 ...*

A Community Impact Assessment might seem like a good idea to some, but I worry that it will become a huge sink into which we pour money, generating little more than committee meetings, reports, paperwork, and talk fests.

Impact Assessments are a good idea when a huge mining company is about to make billions of dollars fracking the neighbourhood, but in that case, the mining company can and should meet the cost of preparing the Assessment.

I'm not the least little bit convinced that CIAs could assist with better decision making. I'm not a recognized expert in this field, but I have had some experience, and that experience tells me that by the time the official Assessment is published, it has been edited so much to address "political" issues that it is more likely to hinder than to assist better decision making.

### **Page 9**

#### *Any CIA mechanism would need to be relatively straightforward ...*

This sort of bureaucracy rapidly develops a life of its own and I doubt that any mechanism could be straightforward. Oh. Curiously, a tick and flick mechanism could be straightforward, but we are back to token paperwork disguising genuine consultation and/or community input.

### **Page 10**

#### *Reform Outcome 2 ... Option 2.1 ...*

I hope this is well supported. The details seem well considered.

### **Page 11**

#### *Option 2.2 ...*

It is always useful to review performance, even if only as a sanity check that we are doing the jobs we should be doing and not embarking on a folly disguised as work.

### **Page 12**

#### *Option 2.3 ...*

This seems to be worthwhile and uncontroversial.

## Local Government Review - Stage 2 -Appendix Public consultation - Response

### *Option 2.4 ...*

Our councils already have so many chores, I doubt that it is reasonable to invent yet more to keep them busy. The language is very vague. I can work out that some people are unhappy about something, but apart from knowing that 75 percent of them are under 45, it isn't easy to work out who, and even less easy to work out what they want.

### **Page 14**

#### *Reform Outcome 3 ... Option 3.1 ...*

The language is very vague. I think it means, "Better opportunities to persuade councils to do what we want them to do, and to refrain from doing what we don't want them to do."

This might be an admirable goal and could be a hint that many people are unsatisfied that our political system is a representative democracy and want to change it into a participative democracy, by stealth if necessary, but maybe only for councils. When the complaint is: "You didn't engage with me", it often means, "Yes. I know you engaged with me, but you engaged with other people too, and now you are about to do what they want."

This is a big change. We need to think carefully before making it, and we certainly should not do it by stealth.

### **Page 15**

#### *Option 3.2 ...*

Certainly, modern technology could provide a more streamlined data collecting and reporting system, and if people wanting information could find the information they want easily, they might not burden busy staff with a barrage of queries individually, and that might save some costs. However, there are several opportunities for disappointment. Suitable systems are expensive and need well written, well tested, reliable software. They require an "open kimono" approach to data collection and reporting. That might be worthwhile, but might upset many councillors who prefer to keep information away from prying eyes.

### **Page 16**

#### *Option 3.3 ...*

These ideas are consistent with modern management theory, but modern management often becomes "management by the numbers", or worse, "management by computer". I'd be much happier if management valued wisdom. I am particularly troubled by the references to "risk management". I know that this is a popular management fashion, but too often, it used as an excuse for bad management, or even no management. I think councils should be audited, but I think audits should value honesty, transparency and consistency, not risk management.

I think that the intent might be worthwhile, but this seems not to be the way to achieve that intent.

## Local Government Review - Stage 2 -Appendix Public consultation - Response

### Page 18

*Reform Outcome 4 ...Option 4.1 ...*

I'm old fashioned. I approve of some old fashioned traditions, like a Public Service. I'd easily approve of the idea that most council staff should be part of the State Public Service, not as employees of a council, with the limited career prospects noted. That is probably beyond the idea of a shared workforce development strategy, but I see the strategy proposed as a step in the right direction.

### Page 19

*Option 4.2 ...*

These seem worthwhile ideas too.

### Page 20

*Option 4.3 ...*

I am less supportive of this idea. Maybe it has been proposed as an alternative to amalgamation. I think amalgamation is much simpler and easier to understand and that the shared regional teams proposal would be just a complicated and inefficient way to suffer the liabilities of amalgamation without enjoying the benefits.

### Page 21

*Reform Outcome 5 ...Option 5.1 ...*

"Streamlined, simplified and standardized" is an excellent idea, but I agree that councillors and their staff often find themselves caught between Scylla and Charybdis. I can be a little more blunt than the authors of this report. Difficulties arise when someone is trying to use the letter of the law to thwart the spirit of the law, to outsmart the council. For most of the squabbles of which I am aware, the council has been striving to be sensible and reasonable, while a dodgy developer is trying to make a fast buck.

### Page 21

*Option 5.1a ...*

I this invites cans of worms to throw off their lids and to party, party, party. The restriction to complex applications requires a definition of "complex". That invites opportunities for squabbles. The word "independent" is also dangerous in this context. Independent panels risk being so independent that they have no idea what is being requested and what is wanted. The decisions they make are "fair" only in the sense that a coin could have been fair.

Council staff should be welcome to seek advice, particularly technical advice, if they feel they need to do that, but should not be compelled to delegate their jobs to third party advisors.

## Local Government Review - Stage 2 -Appendix Public consultation - Response

### Page 22

#### *Option 5.1b ...*

This seems to be a terrible idea, the only value of which is that it provides a bottom of the barrel benchmark with which better ideas can be compared. I am greatly relieved that others seem to share this view. Phew.

### Page 23

#### *Option 5.1c ...*

This seems to be an excellent idea. I'm surprised that there are no precedents. It seems to be just what councils should be doing now, but with streamlined, simplified and standardized definitions of the rules and procedures.

### Page 24

#### *Option 5.2 ...*

This implies a suitable IT system to record, store, and publish the information. Most councils should have the relevant information somewhere, but I suspect that it is scattered over several desktop computers in several file formats, and is gathered and consolidated almost manually, as required for monthly and annual reports.

I think the intent is that any member of the public can access almost any computer and find, with not too much effort, how many performance indicators each council is meeting. This might mean that monthly reports should be available on each council's web site, but I suspect that the real intent is that a lot of documents currently regarded as Confidential and isolated from public web access should instead become public, for public scrutiny.

Maybe the Victorian Government has provided the example for us to follow.

#### *Option 5.3 ...*

I can understand that councils might need some support with some processes, and the title seems benign, but the discussion warns that someone is seeking a recipe for less, not more certainty, and for councils to be less able, not more able, to implement regulations.

*... the Tasmanian Planning Reforms should broaden the availability of 'acceptable solutions' and limit discretion to where it is absolutely necessary ...*

This seems to be an attempt to achieve two mutually inconsistent goals. Translated into less bureaucratic language, discretion will be needed rarely, because the new rule will be "there are no rules". I can believe that there might be fewer disputes, but this will be because the council will have become a spectator, watching the neighbourhood deteriorate, but powerless to prevent that deterioration.

**Local Government Review - Stage 2 -Appendix  
Public consultation - Response**

**Page 25**

*... strong support in our engagement for this option ...*

I can believe that some responses might have been very enthusiastic, and I can believe that the details might not have been understood well, but I can't believe that no one spotted the hidden agenda, and did not complain, "Hang on, hang on. What is going on here?"

**Page 25**

*Option 5.4 ...*

I agree that this is a good idea, and also that it is difficult to implement well. Nevertheless, it is useful to agree to try again.

I had a curious thought while reading this. It is possible that Option 5.3 is trying to merge two different ideas, a bit of Option 5.4 and something entirely different. I haven't worked out how to untangle Option 5.3, but that might not be necessary. Possibly, option 5.4 identifies the relevant useful ideas, and Option 5.3 would just confuse everyone, and should be deleted or reduced to a note of the form: "See Option 5.4".

**Page 27**

*Reform Outcome 6 ... Option 6.1 ...*

This seems to be an alternative to amalgamation. I think amalgamation is the safest way to achieve the goals sought. Further, if the job is big enough to need this much collaboration, then it is too big for any council, with or without collaboration, and should be a job for the State Government.

**Page 28**

*Option 6.2 ...*

Although this looks good on paper and as expressed in the heading, I foresee a cumbersome monster of committees and reports and paperwork, with much being written and little being done. Possibly, it is an attempt to achieve the benefits of greater transparency without making State Government planning more transparent: "We'll tell councils what is going on only if we can use a formal confidential process that'll keep the information away from prying eyes".

*... risk of duplication of effort ...*

This seems to be an example of using another wrong to right a wrong. It would be more efficient to assign the chores to ensure that the issue of duplication of effort arises rarely. For example, I think health and wellbeing are chores too big for any council to do well, and should be chores for the State Government, not councils.

## Local Government Review - Stage 2 -Appendix Public consultation - Response

### Page 29

#### *Option 6.3 ...*

This seems to be another alternative to amalgamation. I think amalgamation is the safe option and we should do that first. We can consider regional collaboration only if it is still needed after amalgamation has been in place for a suitable time. Nevertheless, the idea has some merit, and it might be useful, and “suitable time” might be about five years.

### Page 30

#### *Option 6.4 ...*

I think this could become horribly confusing. The front desk at Service Tasmania works well, but when I want to do council business, I assume that I should visit the council. It would be annoying to do that and be told that I needed to visit Service Tasmania. There is also the risk that I’d need to visit Service Tasmania for some council business but the council itself for more difficult or complex council business. I anticipate losing more on the swings than we gain on the roundabouts.

### Page 31

#### *Reform Outcome 7 ... Option 7.1 ...*

Although many people complain often about the cost of their rates, I agree with the claim that “taxes on land are generally considered one of the fairest and most efficient forms of taxation”. Nevertheless, there are opportunities to tidy and simplify the way rates are calculated.

I am lukewarm about the ideas following, “ ... councils are also able to levy separate rates ...”. I can believe that many rate payers would approve of the proposal that, “ ... ratepayers to whom the separate rate applies should have a role in determining its price ...”, but I’d be amazed if this caused the process to be more efficient. Instead, I’d expect it to lead to squabbles and court cases and dodgy deals.

### Page 32

#### *Option 7.2 ...*

Yes. It is obvious that the rules should be transparent and well known and easy to understand. Mysterious rules that no one understands warn of dodgy deals.

### Page 32

#### *Option 7.3 ...*

This needs to be done well to work well. User charging works well for simple services, like photocopying, but recoups little money. Some State Government charges provide perspective. If I book a camp site at Waterworks Reserve, I pay, and expect to pay, and it is usually astonishingly good value for money. Oh. I just remembered. Waterworks Reserve might be a council facility (HCC). That detail is a red herring. If I visit the picnic spots and cafe at Russell Falls, I am expected to pay a park entry fee. That annoys me greatly. It seems reasonable to pay for the stuff I buy at the cafe, but I don’t expect to pay to stand outside to admire it. Yes. I do use the public toilets. I don’t expect to pay for those, either. They are public toilets.

## Local Government Review - Stage 2 -Appendix Public consultation - Response

### Page 33

*Option 7.4 ...*

This seems to be a big can of worms. It might be possible to increase awareness within councils and council staff, but increasing awareness in the general public is likely to provoke boredom and unkind thoughts about councils and council staff.

### Page 34

*Option 7.5 ...*

This seems to be another can of worms of about the same size. The system certainly needs to be streamlined, simplified and standardized, and given a jolly good spring clean, but spring cleaning is often an irksome chore.

### Page 36

*Reform Outcome 8 ... Option 8.1 ...*

Asset lifetime management is another can of worms. It should be done, but it isn't easy to make the information available to people likely to understand it without offending people unlikely to understand it.

*Option 8.2 ...*

This seems to be just a sensible part of good asset management. The implication that it isn't being done is a big worry.

### Page 37

*Option 8.3 ...*

Another example of good routine management.

### Page 38

*Option 8.4 ...*

And another.

If you have read to here, then thank you for your patience.

Keith Anderson