

2 March 2023

Future of Local Government Review
GPO Box 123
HOBART TASMANIA 7001

email: Submissions.LGBoard@dpac.tas.gov.au

Dear Sir/Madam

SUBMISSION – FUTURE OF LOCAL GOVERNMENT REVIEW – OPTIONS PAPER

Thank you for the opportunity to comment on the *Future of Local Government Review Scope 2: Options Paper* released in December 2022. Also thank you for providing a short extension of time in which to provide this submission.

The Planning Institute of Australia, Tasmania Division, (PIA) is the body representing the planning industry in Tasmania. This submission focusses on the review recommendations about local government as a planning authority, delivering statutory and strategic planning functions contributing to liveable, healthy and resilient communities.

PIA has an accreditation program for planners, which ensures our members are trained and educated to meet minimum standards to deliver planning functions. The Registered Planner program is recognised by interstate accreditation programs and other professional associations within Australia and internationally. It is acknowledged that there are significant issues with skills shortages of planners across Australia and Tasmania. PIA supports the view that some form of 'scaling up' is critical to delivering the current and future requirements for statutory and strategic planning functions needed for 21st Century. This submission focusses on local government's role as a planning authority and models for resourcing councils with planning expertise.

PIA supports a local government charter under the Local Government Act, with a clear outline of roles and responsibilities of Elected Members, General Managers/Chief Executive Officers, Directors and staff. There is a need to ensure that councils are organisations equipped with modern management approaches to attract high calibre staff to assist with the range of functions it needs to deliver over the next 10-20 years and planning is a critical one.

It is pleasing to see that climate change challenges feature heavily in the options and that there is an acknowledgement that collaborative governance frameworks between Federal, State and local

government and communities are essential for delivering services in the future. Specific responses are provided to reform options of relevance to planning.

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

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

PIA strongly advocates for planning decisions to be made by qualified people and mandatory training for Councillors on their planning authority functions, noting that there are different models being proposed for delivery of this function (see below).

Strategic planning functions must be retained by local government and therefore training is required in understanding the principles of land use planning and development.

The same requirement should apply to the determination of planning applications, regardless of where that role sits. The discussion on this issue does not appear to represent the range of available options across Australia and as such, no specific outcome can be supported at this time. PIA suggests that further examination is required on this issue.

Option 4.2

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

There is an acknowledged skills shortage of planners in the public and private sectors across Tasmania and other states. Town planners are in the top five areas of skills shortages for local government.

PIA strongly advocates maintaining the requirement that qualified planners give advice to local government on strategic land use and development planning, structure planning and statutory planning applications. Portability between state and local government may improve career paths.

PIA has a national accreditation system for planners based on sound principles of good governance, ethics, and achieving good outcomes for the community. PIA Members are also required to maintain professional development and therefore are placed to provide both experienced and current best practice advice to councils. PIA also has a key role in the accreditation of planning courses in the tertiary education sector across Australia. PIA should have input to any '*training and development of a new category of para-professionals to undertake less complex tasks*'. It is important for the integrity of the planning system that decisions are evidence-based and informed by appropriately qualified advice.

Generally, the culture surrounding planning employment in State and Local Government needs to be improved to attract an appropriately skilled workforce, especially as the same professionals are looking at opportunities in the State Government and the private sector.



Generally, the profile and integrity of statutory and strategic planning in Tasmania needs to be improved to make Tasmania an attractive employment proposition for potential candidates. This requires a strong response from the State through resourcing and delivering the planning reform programs. We must compete on an international scale for candidates and our planning system needs to position Tasmania as a leader in the field and desirable place to work.

Option 4.3

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

This is supported as a means of ensuring that councils of all sizes have access to appropriately qualified staff and advice to inform decisions.

Establishment of this reform must take into consideration the role that consultant planners provide within the framework. It is unlikely that all services will be able to be provided within local government due to the long term skills shortages. It may also increase opportunity for better career planning/pathways and provision of specialist areas such as research, various legal aspects of the roles or enforcement functions.

It is important that the operational issues around this reform are thoroughly considered to minimise the potential for unintended consequences.

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

In the interest of facilitating community involvement in the Resource Management System (RMPS) option 5.1a is preferred, that is *'Refer complex planning development applications to independent assessment panels appointed by the Tasmanian Government'*.

However, more options could have been investigated and the operation of other arrangements across Australia was not detailed. PIA submit that the various models being delivered around Australia require further investigation before a definitive recommendation can be provided on this issue.

Removing development assessment totally from Councils is not supported. It is appropriate to retain the lower risk, less controversial assessments with local government. However, better guidance and consistency in delegations would also assist – Option 5.1c. while it wont be 'one size fits all' for delegations, PIA submits that streamlining delegations and increased certainty in the decision making process would benefit from better guidance.

Option 5.3

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



PIA agrees that the planning system should create more certainty and more options for acceptable solutions for developments in planning schemes. Over the years new style planning schemes have increased consistency and provided exempt or permitted pathways for some development, particularly single dwellings. The use of performance measures has also resulted in less certainty and increased costs for providing supporting reports and information.

As an example of an area that could be improved in a regulatory sense is for social and affordable housing by use of inclusionary zoning or demonstration developments for build to rent and the State government providing better guidelines on contemporary subdivisions and dwelling developments including 'the missing middle'.

Other examples may include:

- the way discretion is used in standards and reduced where there is no function or input for the statutory notification process. The increased reliance on specialist reports in performance criteria is often challenged during the notification process without provision of alternative specialist advice, which creates unnecessary conflict between communities, planners and Councils;
- collective or centralised resources for enforcement matters that cannot be resolved easily at the individual Council level; and
- increased community and industry education on the planning process and reform program by the State.

Your attention is also drawn to PIA's previous submissions on reform of the State Planning Provisions and private certification proposals.

Option 5.4

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

This is essential and an area where there needs to be more leadership from State government. The review of regional planning frameworks and providing specific guidance on structure planning by the State Planning Office is a step in the right direction to create more joined up planning at state and local levels and to create more certainty for assessing planning scheme amendments. This is critical in dealing with future demands and proposals in this time of unprecedented population growth.

While some strategic planning has occurred through City Deals and the Greater City Plans, the proof will be in the implementation which needs to be properly resourced at both State and local levels. Assistance with integration into Federal processes and programs is also required from State. It is also important that councils across each region are engaged, not just the specific parties to City Deals or Plans.

Regional municipalities are facing similar challenges to their urban counterparts with many struggling to maintain compliance with statutory planning requirements, much less commit the resources required for strategic planning projects.



A significant blockage to previous regional strategies was the lack of contemporary data and periodic reviews to evaluate relevance, impact and effect. The State must continue its current facilitation on this issue and increase strategic collaborations into the future.

Government to deliver more effective and efficient services to their communities

Option 6.1

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

PIA supports collaborative approaches to regional planning and strategies. Collaboration by all spheres of government is important for successful implementation of strategic planning. The statutory basis of the City Deals means that this is more likely, however, a number of councils that should be involved in the strategic direction of the region are sitting outside the City Deals.

PIA submits that a better structure is essential within regions to improve outcomes and across regions to improve coordination on issues such as infrastructure provision, biodiversity, response and management of hazards, climate change response and mitigation.

Option 6.2

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

While an announcement was made about developing 'regional strategic partnerships' between the Tasmanian Government and LGAT, working directly with relevant 'council clusters' in those regions; detail of what this means is limited.

It is essential that the State facilitates and resources productive regional partnerships as a priority. Action is also required by State Government to consult and complete reviewing the regional land use strategies as a matter of urgency. Successful governance models are required to ensure that State and Local Government remain at the table to deliver and then maintain the regional strategies.

As part of this there needs to be strong leadership, commitment of ongoing resources and an overall vision of where we want Tasmania to be in the long term.

We thank you for the opportunity to make a submission and note that PIA seems to have dropped off your mailing lists.

Yours sincerely



Michael Purves
President, Planning Institute of Australia, Tasmanian Division