



Submission to the Local Government Review Board

February 2023

The Future of Local Government Review: Options Paper

The challenges facing local government in Tasmania are outlined in sufficient detail in the Options Paper to make one thing clear: doing nothing is not an option.

The RACT, through its relationship with state and local government, recognises that those elected to Tasmania's 29 councils and those who work in the sector, are overwhelmingly dedicated to the task of ensuring the health and wellbeing of those they serve.

However, as the Options Paper outlines in compelling detail, the constraints are such that the sector overall is increasingly not fit for purpose in meeting its fundamental obligations.

What needs to be delivered, regardless of what option might guide future reform, are the following:

- Consistent and uniform management of assets.
- Consistent and uniform standards of service delivery.
- Building of skills and capacity – and retaining them -- to deliver that consistent and uniform asset management and service delivery.

The foundation for that reform should be:

- A Local Government Charter, as outlined in the appendix to the Options Paper.
- A consolidation of services and fewer councils (the hybrid model as outlined in the Options Paper).

Our position

Today's RACT is no longer just a motoring organisation. It is focused on the health and wellbeing of not just its 211,000 members, but of all Tasmanians.

Its advocacy now extends to workplace health and safety, land-use planning, the environment, public transport, and all forms of mobility.

In that work it engages with federal, state and local government as the voice for its members.

To be that voice, it has significantly expanded the opportunities for members to engage in the public square through our media channels.

More than 4000 members are regularly engaged through our surveys, the results of which are a powerful addition to our evidence-based advocacy.

Across all our advocacy work, the common theme is health and wellbeing – just as it is in the Options Paper, just as it is in the reform outcomes outlined in the Appendix to the Options Paper.

Health and wellbeing is the umbrella under which all our advocacy sits.

For example, being safe on our roads – a key pillar of RACT advocacy – is a health and wellbeing issue.

Efficient transport on safe roads is a health and wellbeing issue – not just as a road safety question but in terms of access to services and to economic wellbeing.

Land use planning is a health and wellbeing issue in terms of protection of Tasmanians from weather events such as flood and bushfires.

Public transport is a health and wellbeing issue in delivering access to essential services, to jobs, to community organisations, to recreation, to personal networks.

Low and zero-emission fuels, a key advocacy issue for the RACT, is a health and wellbeing issue in terms of lowering transport emissions and improving air quality.

The key to delivering on health and wellbeing is a consistent and uniform management and delivery of assets and services.

This is where the RACT believes local government in Tasmania is no longer fit for purpose.

Managing local roads

Some Tasmanian councils are more constrained than others in terms of skills and resources in managing their part of the local road network.

Therefore you have variable road quality in terms of safety and maintenance, reflected in variable standards on roads that cross local-government areas.

The setting of speed limits appropriate to road conditions – which will be the focus of RACT's road safety advocacy in 2023 – is an example of the inconsistent approach.

This was highlighted a decade ago by a Legislative Council Select Committee into Road Safety and again by the Select Committee inquiry in 2022.

Inconsistency in speed setting between councils was brought into sharp focus when the City of Hobart successfully applied to the Transport Commissioner to reduce some central business district speed limits from 50 kmh to 40 kmh.

In contrast, the City of Launceston has yet to do the same.

Kingborough Council decided in 2012, after a trial, to reduce the speed limit on its rural roads from 100 kmh to 90 kmh. Tasman Council participated in the same trial but decided not to change its speed limits.

A consistent and uniform approach should have led to all of Tasmania's urban areas being subject to a speed limit review and an independent evaluation given to the Transport Commissioner (who has the independent statutory obligation to set speed limits) for decision.

Currently speed limits in Tasmania are the responsibility of the Transport Commissioner, and one of numerous responsibilities that fall to the commissioner as a deputy secretary within the Department of State Growth.

The document Speed Zoning Guidelines, issued by the Department of State Growth, sets out the principles of speed setting.

www.transport.tas.gov.au/_data/assets/pdf_file/0005/277133/Tasmanian_Speed_Zoning_Guidelines_-_October_2020.pdf

There is no guidance in that document for individuals, organisations and local government on the process to be followed in seeking a review of speed limits.

If a person is seeking a speed limit review for a state road, they need to contact the department; if they need a review of a council road, they need to contact the relevant council.

Therein lies the weakness. Local government is the major road manager with 14,000 kms of road under its control compared with 3,700 kms of state-controlled road.

The state has the capacity to audit its roads, as part of the process in determining appropriate speeds, through the Infrastructure Risk Rating tool available to it through Austroads.

To quote Austroads:

“This is a simple road assessment methodology designed to assess road safety risk at a network level, primarily as an input to the speed limit setting process.

“Inappropriate or excessive speed is a major road safety issue.

“Effective speed management is fundamental and critical to reducing speed-related road trauma.

“Speed limit setting is at the core of speed management. Speed limits need to be set at a safe and appropriate level, considering the function, design and safety of the road.”

A report by consultant Bruce Corben to the Tasmanian Road Safety Advisory Council in December 2019 said:

The major mismatch between speed limits and the general quality of infrastructure on Tasmania’s urban and rural roads must be resolved.

While there are, of course, exceptions, this basic gap in the ‘physics of safe movement’ is not unique to Tasmania. Notwithstanding, the gap must be addressed on the trajectory to ‘Zero by 2050’.

To do this, Tasmania should consider establishing a small specialist team to address, at least in the first instance, rural speeds, in recognition that only a small fraction of the length of Tasmania’s rural roads with 100 km/h default speed limits can be treated in the next three decades with Safe System aligned infrastructure.

The RACT’s view is that local government, as currently structured, does not have that capacity or the access to the skills and the tools needed to conduct that same audit.

Council-controlled regional road entities and a local government charter that sets out roles and responsibilities would be the foundation in building those skills and capacity to improve road safety and to help reduce death and serious injury.

As the 2011 Upper House inquiry report into road safety noted:

Careful attention must be given to the setting of speed limits, as there are glaring inconsistencies in this respect in some locations in Tasmania. It is a disconcerting fact that the condition of the majority of the roads in the Tasmanian highway network is considered unsuitable for a speed limit as high as 110km/h.

The 2022 Legislative Council Select Committee into Road safety in Tasmania made the following recommendation:

State road authorities collaborate to implement a consistent approach to managing speed limits on State and local roads

The committee made its recommendation based on the following findings, all of which fall under the responsibility of both the state and local government as road managers.

- There is an inconsistent approach to managing speed limits on State and local roads and how they are set.
- Some Tasmanian roads that cross multiple local government boundaries have inconsistent speed limits.
- Road infrastructure is considered when setting speed limits in other Australian jurisdictions.
- There is lack of expertise available to some Tasmanian councils to appropriately assess speed limits on non-State managed roads.
- There is a need for all Tasmanian road users to be aware of the maximum speed limits on unmarked roads through better and consistent signage.
- There are divergent views as to how optimum safe speeds on Tasmanian roads should be calculated and applied.

The current split in responsibilities between state and local government is a major impediment to a consistent speed-setting regime in Tasmania.

The RACT view expressed to the Legislative Council Select Committee into Road Safety in Tasmania (2022) was that the state should have sole responsibility for the risk-rating of the entire road network – state and local – and the subsequent setting of speed limits.

In light of the Local Government Review, the RACT is prepared to support council-controlled regional road entities or entity to evaluate speed limits and to draw on the skills and capacity of the State Government to assist that task.

The statutory duty for speed setting should remain with the Transport Commissioner but that responsibility requires more resources to be fully effective.

The inquiry into the National Road Safety Strategy in 2018 said:

An audit of the road system is not required to realise that many speed limits currently across the Australian road network are not conducive to eliminating harm.

Many local streets—which are often used by pedestrians and cyclists—have speed limits of 50km an hour, a limit well in excess of the biomechanical tolerances of pedestrians and cyclists of around 30km an hour.

Similarly, a regional back road with no shoulders, narrow profile, and no line markings, and a high-volume, multi-lane highway with protective barriers share the same 100km an hour limit.

The RACT's view is that road management must delivery consistency and uniformity in terms of road safety standards. This is impossible with the skills and resources constraints our 29 councils have to deal with.

As the Legislative Council Select Committee into Road safety in Tasmania(2022) found:

There is continuing difficulty for local government to attract and retain road safety specialists.

Building skills and resources can be achieved only by having either one local roads entity or a series of regional road entities so the network as a whole can be managed under an agreed set of standards, priorities, and funding.

The heart of the challenge is that the local road network serves regions; it is not defined by council boundaries. It should be managed with that in mind.

The RACT supports Priority Reform Outcome 6 outlined in the appendix to the Options Paper: Councils collaborate with other councils and the State Government to deliver more effective and efficient services to their communities.

Nothing encapsulated the RACT position on road management and road safety better than the following engagement feedback (Page 27 of the Options Paper Appendix).

For issues that clearly transcend council boundaries, better region-level and multi-tiered government collaboration is desirable.

Road management and road safety transcend those boundaries. Yet as local roads are currently managed, there is no regional strategy to manage the network.

Instead each council managed its own region - and competes with other councils for a share of state and federal road funding. Funding is concentrated on fixing parts of roads without proper consideration of the full corridor, which, in many cases, crosses council boundaries.

To efficiently manage the local road network, there needs to be a sustainable and skilled workforce. As the Options Paper points out, “capability and capacity are highly uneven from council to council.”

Regional road entities, or one local road entity, are more likely to deliver Priority Reform Outcome 4: “Local councils have a sustainable and skilled workforce.”

As the Options Paper says, and the RACT agrees: “Having 29 organisational boundaries can be detrimental to, for example, the ability of councils to attract and retain key skills, to uniformly manage assets well, and to deliver important regulatory functions.”

The natural consequences of adopting a regional or state-wide entity to manage roads now controlled by Tasmania’s 29 councils – or indeed other services that could be owned using the same model -- would be the wider reform of the local government sector.

Of the three options outlined in the Options paper, the RACT is supportive of the hybrid model that would require mandated sharing of services and boundary consolidation.

The RACT strongly supports the board’s view, enunciated in Section 5 of the Options Paper, that “the solution to addressing the issues of scale is unlikely to be found with minor modifications to the current form of local government”.

Our view is that in road management requires greater scale to secure a more skilled workforce, to access federal and state funding, to manage a network that services regions rather than areas delineated by council boundaries, and to deliver safety and efficiency uniformly.

What our members told us

To help inform this submission, the RACT conducted a survey of its members in January 2023 on the management of Tasmanian roads and the setting of speed limits.

In summary, it found that:

The majority of members, 633 respondents, believe that the State Government should control both state and local roads. This response accounts for approximately 61.5% of all responses.

178 respondents, or 17.5% of participants, said that individual councils should manage the local road network, as is currently the case.

The remaining two choices, "By one state entity owned by councils" and "By regional entities owned by councils", were chosen by 140 and 73 respondents respectively, accounting for 13.7% and 7.1% of all participants.

This result highlights that a significant portion of our panel feels that the State Government should have a central role in managing Tasmania's local road network. Or at least, that one single entity should be in charge of the management process.

When asked about speed setting on Tasmanian roads, the most popular response, chosen by 419 respondents, was for a statewide, council-controlled road management entity to take responsibility for all speed limit evaluation and setting on local roads, accounting for approximately 42% of all participants.

The second most popular response, chosen by 312 respondents, was for the Transport Commissioner to take responsibility for all speed limit evaluation and setting, accounting for approximately 31% of all participants.

The detailed results of that survey accompany this submission.

Garry Bailey
Chief Advocacy Officer

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