From: Ray Norman
Sent: Monday, 6 March 2023 3:08 PM
To: Office of Local Government
Subject: upDATE ON LOCAL GOVT SUBMISSION.

TO LOCAL GOVERNMENT REVIEW BOARD,

I am increasingly aware of constituents' concern and alarm brought on by local governance determinations. Through my research concerning ***'placemaking'***, which I submit is actually the fundamental function of local governance, I am seeing this evidenced in various ways but ***'letters to the editor'***, albeit that they

are rather blunt instruments in regard to their actual **'authority'**, they are nonetheless useful references.

Considering my earlier submissions, while I was mindful of the factors I now submit now but I do not believe that I emphasised them anywhere near strongly enough. Therefore, I submit the following as an ***'attachment'*** to my earlier submissions and I trust that the board will not be inhibited in any way in regard to considering the matters raised.

If this submission cannot, or will not, be considered for any reason whatsoever I would appreciate your office's advice to that effect.

Yours sincerely,

Ray Norman

Ray Norman
<*zing***HOUSE**unlimited>
The lifestyle design enterprise and research network

"A body of men holding themselves accountable to nobody ought not to be trusted by anybody." Thomas Paine

"The standard you walk past is the standard you accept" David Morrison

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Helping you to help yourself
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*zing***CONSULTANCY**

*We acknowledge the First Peoples – the Traditional Owners of the lands where we live and work, and recognise their continuing connection to land, water and community. We pay respect to Elders – past, present and emerging – and acknowledge the important role Aboriginal and Torres Strait Islander people continue to play within the research zing***HOUSE***unlimited undertakes.*

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Saturday, 4 March 2023

LETTERS TO THE EDITOR ON LOCAL GOVERNANCE AND MOVING ON

LETTERS TO THE EDITOR 4.3.2023 The EXAMINER

Community support for council mergers

I SUPPORT the amalgamation of Tasmanian councils though I also share the concerns of those in small districts that worry about being neglected, especially financially.

An uncle was an alderman in Newcastle where I grew up and he would talk about representing a ward. To overcome the very real possibility, or perception, that an area of a much larger amalgamated council will be neglected a ward system could be introduced whereby a council is divided into districts with a certain number of alderman elected to represent each ward.

This would be particularly important for King Island and the Furneaux Group if these became part of a larger council area.

Noel Manning, Newstead

REVIEW POLICY

BECAUSE of cost of living pressures, Labor parliamentarians should heed the advice given in Thursday's editorial over local government reform. The PESRAC report recommended it.

The national secretary of the Labor Party when addressing Federal Parliamentary Labor members stated cost of living was the issue. He failed to state former Prime Minister Ben Chifley's advice: "Australians vote through their hip pocket, hit them hard enough, and they will vote accordingly".

Labor needs to reform its local government policy and I was convinced after the forum meeting at Bridport prior to the recent council elections when a capacity audience at Dorset gave a clear message on Chifley's edict.

The recent Launceston City Council meeting showed the failure of not having city engineers and architects and a consultant having a conflict of interest over the rail trail debate through consulting for both parties.

The role of general managers must be reviewed by the Local Government Minister .

Brian Khan, Bridport.

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Read together these two letters make some sense out of recent events and the State Govt Minister looking to flex his mussels in regard to the forced ***'amalgamations***' of Councils. Minister Street is absolutely right in coming to the conclusion that 29 Councils in Tasmania is way too many and that the status quo is unsustainable.

The problem being how cut to the numbers, and make the fiscal savings and have accountable local governance. Politically it is difficult to sack Councillors and Aldermen but ultimately it will need to be done. It is the way of the world and it is what it is! Then comes the problem of viable and accountable ***'representation'***. In any event there is a need to first determine the needs of the people being ***'governed'*** and to assist them in overcoming their fears – *and there is much to fear*.

Interestingly, there appears to be a sense of discomfort among the ranks Councillors and Aldermen given that they **personally** have something to lose – *especially those serving on Council as a* **SIDE***gig*. Self interest can be an enabling force yet all too often it can be a powerful inhibitor.

The hurdle here is **'representation'** but ***Indirect Elected Representational Democracy (IERD)***does not come with an automatic guarantee of accountable representation given the networks of vested interests that become evident. It may well be the ***'governance system'*** that the Western World advocates but it does not automatically offer transparent accountable representation – *arguably to the contrary*.

On the other hand, ***'appointed representatives'*** actually can offer a greater level of accountability given that there are mechanisms put in place to hold the incumbents to account. You actually do not need to wait for an election to hold appointed non-performing members to account if the protocols are there. Nevertheless, it is all important that equitable and effective mechanisms actually do need to be put in place.

Noel Manning in his letter raises the notion of a **Ward System**. It is something that in Tasmania might well have value and especially so if the State were to opt for the much touted '***three Council or Commission model'*** for the State's local governance. This approach has considerable merit if it comes with mechanisms to ensure transparency and accountability to the constituency and the ***'entities'*** are ***'policed'*** by the Minister for Local Government and Cabinet.

Brian khan's letter is more than interesting when he alerts us to the paucity of expertise in some, arguably many local governance jurisdictions where General Managers have inappropriately usurped the powers of governance and virtually deemed that they, all by themselves, have the wherewithal to deliver on the ***'expertise'*** provisions in the Local Govt Act 1993.

Of course, GM's, along with any reasonable thinking person. could not have the ***'domain knowledge'*** that engineers, architects and any number of professionals have and GMs should not act as if they do. Nevertheless, it is more than concerning that the Act quite deliberately affords them the latitude so to do and for Councils not to have such ***'experts'*** within their administrations. This turns out to be a serious, albeit surreptitious, flaw in the reigning status quoism at work local governance's operational wing.

Interestingly, the question hanging in the air here in regard to the Ward System is how might Govt define a Ward in 21st C Tasmania. It so happens that in Tasmania **an earlier government commissioned the mapping and numbering of catchments**.

In the mapping, water management is focused on 48 catchments across Tasmania. These catchments include one or more watercourses and have been defined at a suitable scale for resource management based on a combination of water flow, land tenure and land management.

Given this, it would make almost perfect sense to base a Ward System on catchments. By extension, catchments could similarly be the basis for ***'Catchment Assemblies'*** with random rotational membership tasked to ensure that their relevant ***'placemaking'*** in regard to their council/commission was being taken account of in a open and transparent manner.

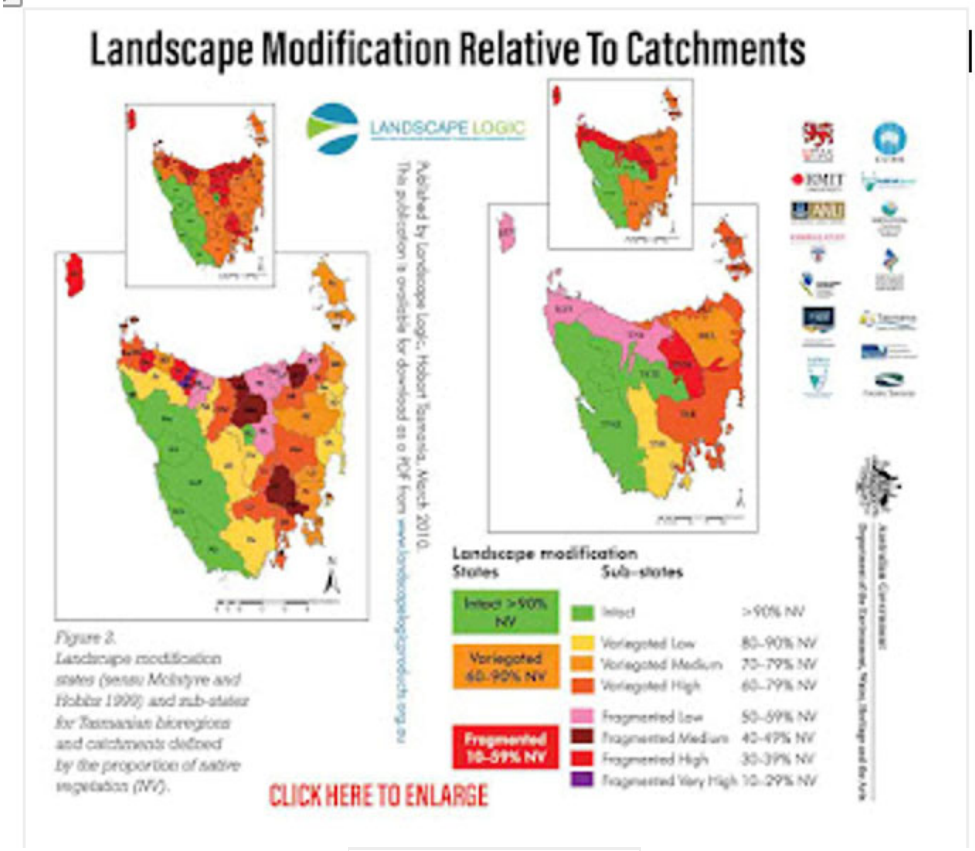
While these ***'entities'*** would need resourcing, prudent planning would ensure that they be of a scale that does not repeat the top heavy bureaucratic modelling that all too many Councils have allowed to evolve into. The new Commissions/Councils would and should surely be carrying the required managerial role under their patronage and guidance.

'Albeit somewhat audacious, a ***'catchment based ward system'*** seems to be a proposition with as much merit as it has promise. This is especially so given Tasmania's histories and the relative diversity of the State's cultural placescaping over time - *pre-colonisation up to the present*.

It is increasingly evident that Tasmania's current model of Local Govt. and the kind of democracy that was put in place in 1993 is well past its use-by-date and consequently it has continually lost functionality. The ***'givens'*** that informed the modelling in 1993 even then were anachronistic in retrospect.

Currently ***'that democratic model'*** is losing currency, and along with that, any functionality it has retained almost by the minute.

For example, there are incidences of management distorting the roles, and sometimes blending the functions of governance and management. That is, blending governance's strategic, policy and legislative role with management's implementation function. Even when this might not be the case the ***'goings-on'*** in camera and their circumstances raise concerns to do with corruption and corruptibility.



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John Adams, American statesman, attorney, diplomat, writer, and Founding Father, said and somewhat poignantly "***Remember, democracy never lasts long. It soon wastes, exhausts, and murders itself. There never was a democracy yet that did not commit suicide.***" There is a pungent smell about the current model of local governance in Tasmania in that it too seems to be holding a pistol to its head.

Indeed, Minister Street is now saying, and unambiguously, that the ***'status quo'*** is unsustainable and clearly in acknowledgement of ***'the model's'*** fading relevance and short falls that come to his attention.

Looking to another more recent American President, Ronald Reagan, it was he who told us that the ***'status quo'*** was quite simply Latin for the mess we are in. And, after saying so, he watched on as Soviet Russia murdered itself much like Adams said was inevitable.

Tasmania it seems always wants to learns its lessons the hard way. Well we have, and at considerable expense. Now is the time for change, real change, and hopefully enlightened change without any hint of the status quo being in the pathway ahead.

In placemaking, ***'place'*** determines the cultural realities within it, and all the while those ***'realities'*** are at work shaping ***'place'*** and the ***'placedness'*** that makes them ***'homeplaces'***. All this is at the very core of local governance – *democratic or autocratic governance*.

In placemaking **Indirect Elected Representational Democracy** ***(IERD)*** can never be the **SILVER***bullet* it is presumed to be in the Western world. For instance, **21st C** digital technologies have come to a point where they can empower **Direct Deliberative Democracies** ***(DDD)*** well beyond anything the ***IRD****model* currently delivers in Tasmania, or indeed anywhere ever.

Therefore, **IF** there is to be **CHANGE** let it be real change in a 21st C context unhindered by the failings of that the unsustainable **'status quo'** clearly operates within – *that redundant, now quite dysfunctional,19th cum 20th C mindset*.

LETTERS TO THE EDITOR **6.3.23** The Examiner

COUNCIL DECISION MAKING MATTERS

Councils lack in-house expertise

I must agree with Brian Khan (Letters, March 4) particularly regarding the gutting of councils of engineers, architects and other technical specialists in favour of a more managerialist approach where "managers" who are technically deaf, dumb, and blind in many essential areas guide matters. They or councillors no longer have the benefit of walking down the hall for an informal chat or a formal briefing by council-in house expertise. Instead they outsource to a group of go-to consultant "experts" who are in the game for the long haul so are sometimes loath to give frank and fearless advice, on occasion bluntly that a certain route is sub optimal or even just plain dumb. As for explaining technical reality, well, why bother?

I say this as a consultant engineer of 45 or so years of experience in my field who talks with other engineers regarding such matters from time to time.

It's all a bit like outsourcing manufacturing to say China only to find out they have a different suite of agendas and then realising you have a supply chain problem....among other things.

M.Seward, Port Fairy, Vic

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Rail trail to release arsenic

LEVELS of arsenic contamination on the North East Railway line have been measured at 6,000 times the acceptable limit of the Australian and New Zealand Environment and Conservation Council (ANZECC) guidelines. The Dorset Council in its zealous pursuit to convert it into a rail trail by crushing the ballast for the path is an environmental disaster waiting to happen. The crushed ballast releasing arsenic and heavy metals will seep into the rivers and water courses as well as the surrounding agricultural land, as arsenic is soluble in water. Remedial methods proposed and silt traps will not work and does not address this.

Arsenic levels as tested will result in environmental poisoning, thus putting the users at risk, children are particularly vulnerable. The total disregard for the surrounding farmers and their livelihoods is outrageous.

The State Infrastructure Minister has been informed. The Environment Protection Agency has been informed. The public and the Launceston City councillors have been misled by the Dorset Council.

The federal Liberal minister reinstated the lapsed $1.4 million grant in September 2020 to allow this to proceed. This project proposed for a contaminated site has to be stopped.

Wendy McLennan, Bridport