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Dear Local Government Review Board

Thank you for this opportunity to comment on the Local Government Review Stage 2 Report.

General Remarks

1 Please understand, it is difficult to comment on the Report Stage 2 given that there have been at least two very significant changes recently announced by the State Government. Especially, the proposal to remove Planning from Councils. Also, the recent back down on imposed Council amalgamations.

2 Having read the 8 Reform Outcomes in Appendix 3, in my view, many sound quite positive. However, I only wish the State Government might apply some of the desired outcomes such as transparency, community consultation, and financial accountability to the workings of the state. I see the need for these things in all levels of government, including state and local government. People want to see high professional standards upheld right across the Tasmanian government, whether it is political donations, salmon farming, Marinus Link, the cable car, the merger of Fire and Emergency Management under the Police Commissioner, decisions about the new stadium and planning reforms. There is a crucial need for transparency, accountability and integrity in all these public interest matters. Especially when public dollars are being spent.

3 It is my understanding, ratepayers and residents want Councils to strongly represent and advocate for their local community.

4 Councils to be retained. Amalgamations should be voluntary. Not imposed.

5 People do not want Councils limited to roads, rates and rubbish only. They have a bigger role to play as they are the branch of government closest to the people, and more and more, they are being asked to take on social aims and general well-being in their communities.

Appendix 3 Specific Reform Options + the 8 Desired Outcomes

The clauses highlighted below are supported.

Clauses designated * are strongly supported.

Reform Outcome 1 Clarity around role of Councils 1.1 1.2* 1.3*

Note 1.2 and 1.3, community wellbeing must include **climate change impacts/sustainability**. These words should be added, and they must be factored into all strategic planning and service delivery. Housing is critical for community wellbeing. The discussion around limiting short stay accommodation to keep the balance right with long term rentals is a very valid responsibility.

With respect to the Council responsibility of rubbish collection, recycling must be included.

Extra financial resourcing of Councils by government is supported.

Reform Outcome 2 Councillors capability and professional conduct 2.1* 2.4*

Training in planning law is absolutely critical for all Councillors.

Better systems to enable comprehensive community representation are essential.

Pecuniary interests of Councillors must be transparent to all ratepayers, to avoid conflict of interest.

Additional point Channels of Communication across Councils. Councillors should be enabled to easily talk to staff across the Council in my view. Communication across Councils should not only be via the General Manager. Especially so when information is required for decision making on behalf of the whole community.

Reform Outcome 3 Consistent engagement strategies with communities 3.1* 3.2 3.3*

3.3 Clear performance -based benchmarks, reporting, monitoring etc.

One obvious shortfall of the current system is the lack of funding for follow-up monitoring and compliance in the case of Development Applications.

Compliance with Conditions when a DA is approved is critical. Where a proposal has been approved subject to conditions, it is critical that Councils are better resourced to enable this important monitoring function.

Reform Outcome 4 Councils to have a sustainable and skilled work force. 4.1* 4.3*

4.1 Ideally State Government and Councils should talk and work together. We are not seeing that happen, especially over the most recent moves for removing planning to a Development Assessment Panel. The Mayors of Greater Hobart were never even consulted which is appalling lack of courtesy as well as being anti-democratic.

4.3 there could most definitely be a shared team **“of specialist” (these words to be added)** and regulatory staff. I cannot see why planning and financial advice cannot be shared across Councils, as well as the obvious need for asset and equipment sharing. I would like to see a mechanism put in place to share planners, urban designers and other multi-disciplinary, professional people.

Reform Outcome 5 Regulatory Frameworks simplified, eg Planning

5.1a is not supported.

Under the Tasmanian Planning Scheme, which was meant to be “faster and simpler”, if Acceptable Solutions are met, a DA is approved. This is mandated by the government. It is the current system. Council planners are delegated to make that decision. Councillors are not able to represent their community if a DA meets the Acceptable Solutions.

The fundamental cause of tension in planning is the TPS planning rules or State Planning Provisions (SPPs). They are already rolled out in half the LGAs, and are NOT delivering sustainable future solutions in our climate challenged world. The so-called Acceptable Solutions are actually NOT acceptable. They do not deliver what communities want with respect to neighbourhood amenity, local character, built heritage, biodiversity or sustainability. Councillors understand this, but cannot resolve this. The Tasmanian government imposed the “one size fits all” TPS on Tasmanians and our Councils. The SPPs urgently need review.

If a Performance Solution is required for a DA, and there is a Discretion, **only then** can Councillors make a decision; based on what they know of the community expectation, and based on community representations. The system itself appears to be working, (though not the actual planning rules/SPPs). Any delay in the planning system because of information being sought, is usually with the developer who has been asked for extra information.

Only 1% DAs go to appeal at TasCAT! We are pleased the Board wishes to test further the idea that there could be tension between the role of Planning Authority and their role as community advocates.

Lobbying I think one idea that must be tested in Stage 3 is the need to restrict political interference and lobbying. It’s very concerning that vested interests and developers in Councils can push to bend the rules, eg with land use zoning changes.

Development Assessment Panels I do not see that a DAP can improve that. **The independence of the DAP cannot be assured.** There must be absolute transparency to allow decision making whether at Councils or in a DAP, to be free of politics and vested interests.

5.3 State government and Councils to work together, and better resourcing. Definitely.

5.4* Strengthen connections with Federal/State governments around strategic land use planning YES, a critical function.

Models for strategic regional governance on planning and infrastructure are absolutely important.

I understand that the state government did not even consult with Lord Mayor Reynolds or the CoH about the MacPoint Stadium. This is appalling in the view of many.

Reform Outcome 7 Revenue and rating system

Rating and Council income is a highly significant problem. I do know of people who would be prepared to pay increased rates for services, as long as quality is assured across the LGA. We want a whole community with equal opportunity, whether parks, schools, footpaths, clean water, child health or internet access. These are areas where Council could work closely with Government to improve services. It cannot always be user pays. Some things must be provided for public benefit.

Please contact me if anything needs further explanation.

Thank you and regards,

Anne Harrison

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