



role of
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government

Exploring the Roles of Local Government

Discussion Paper – May 2013



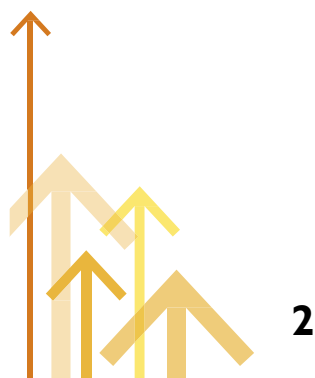
Local Government Association Tasmania



Tasmanian
Government

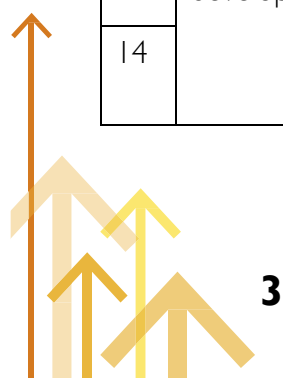
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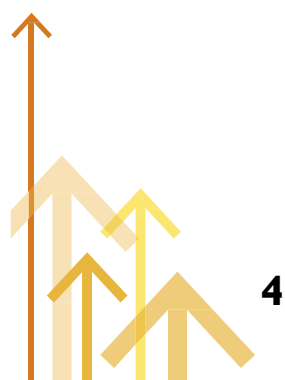


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Foreword

Thank you for your interest in this important project looking at the role of local government.

The goal of the Role of Local Government project is to establish a clear understanding of the role and capabilities of local government, identify strengths and capability gaps and develop actions to build a sector that is sustainable, efficient, effective and responsive to community needs.

The objective of this paper is to generate open and wide discussion about the various roles of local government and the capabilities that local government needs to fulfill those roles. It is a starting point for a conversation among the local government sector, stakeholders and the community that will assist both spheres of government reach agreement on the urgent issues to be addressed.

The individual contributions that make up the discussion paper represent the perspectives of local government practitioners and organisations who work with local government in various capacities. I want to make it clear that the views contained within the paper are the views of the authors, and do not necessarily represent the views of the State Government or the Local Government Association of Tasmania.

On behalf of the Premier's Local Government Council and the project Steering Committee, thank you to all of the authors who enthusiastically prepared the diverse and thought-provoking articles contained in this discussion paper. The time and expertise they committed to the papers is invaluable to this project.

I strongly encourage you to join the debate. We want to know the extent to which councils are delivering on their roles, and, where they are not, what needs to be done to build capacity to deliver on these roles. Your feedback will be considered when identifying what actions are required and will help build a self-assessment tool that will assess local government capability. The local government self-assessment will be the first step in identifying key issues to be addressed.

For further context around the project, a background paper is available on the Local Government Division's website at http://www.dpac.tas.gov.au/divisions/local_government/role_of_local_government2

I look forward to hearing your views.

Bryan Green MP
Minister for Local Government



About the project

The goal of the Role of Local Government project is to establish a clear understanding of the role and capabilities of local government, identify strengths and capability gaps and develop actions to build a sector that is sustainable, efficient, effective and responsive to community needs.

The project is being delivered in two phases. Phase 1 of the project was carried out during 2012 and involved the release of a discussion paper and a consultation period incorporating three regional workshops. Phase 1 concluded in December 2012 when the Premier's Local Government Council (PLGC) approved eight role statements describing the role of Local Government.

Phase 2 of the project will be delivered in the following stages:

May – June 2013	Communicate and consult with councils and stakeholders
July – September 2013	Local government self-assessment of capability
October – December 2013	Local government sector wide assessment
January – April 2014	PLGC working groups develop recommendations.

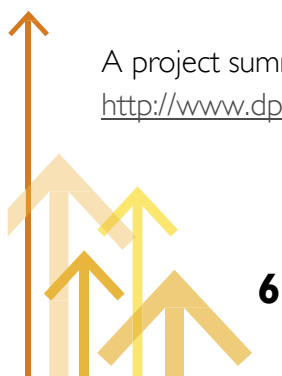
The Role of Local Government project is underpinned by a commitment to consultation, collaboration and evidence-based policy development.

The broad objectives of the project are to:

- build a shared understanding of the role of local government in Tasmania;
- build an understanding of the capabilities required of local government and identify sectoral gaps and sustainability issues;
- investigate opportunities to address significant capability gaps and sustainability issues; and
- recommend actions to improve sustainability, effectiveness and efficiency of the local government sector.

The project will assist councils objectively assess their own capability in delivering on the roles, with the final outcome being a set of recommendations comprising actions and strategies designed to enable local government to adequately fulfill their roles.

A project summary and background paper are available at
http://www.dpac.tas.gov.au/divisions/local_government/role_of_local_government2



About this paper

This discussion paper is the basis of the consultation period for phase 2 of the Role of Local Government project. The aim of the consultation is to build a better understanding of the capabilities required of local government to fulfill its role. Following are some statements drawn from the discussion paper. What do you think?

- 'Tasmanian councils are now in global competition for people, for investment dollars, for liveability claims';
- 'a high performing council will put community cohesion and resilience at the heart of their vision and corporate values';
- 'a high performing council will make evidence-based land-use planning decisions that can demonstrate overall community benefit'; and
- 'most of the important social, economic, and environmental factors that influence our local quality of life and prosperity have their genesis across a broader geographical scale than an individual council area'.

The contributions in the discussion paper are split up under the eight roles of local government identified by the PLGC. They are:

- Councils respond to and develop a sense of place through branding, promoting and enhancing local identity and promoting social cohesion.
- Councils engage with their communities, providing them with information about community and council business and where appropriate, actively consult with and provide opportunities for constituents to participate in council decision making.
- Councils provide strategic leadership through understanding current and future operating environments, identifying opportunities and challenges and making decisions which align with long-term strategic plans and corporate plans.
- Councils are strategic land-use planners who work with communities to create an environment that guides the use of land to balance economic, environmental and social values.
- Councils facilitate the economic viability and development of communities by working with the business community to attract and retain investment and support sustainable economic growth.
- Councils are responsible financial managers who deliver cost effective, equitable and efficient services and assets which reflect local needs and expectations and are guided by council's long-term planning objectives.
- Councils enforce relevant state and national legislation and create by-laws and policies as required to support the efficient and effective functioning of council to support the community.
- Councils engage with each other and other spheres of government to represent and advocate the needs of their communities, and where appropriate, cooperate and work in partnership to generate the greatest benefit for communities.



The consultation period concludes on 28 June 2013. A report will be prepared at the conclusion of the consultation. The report will be available on-line.

To have your say:

- submit your comments via the project webpage
http://www.dpac.tas.gov.au/divisions/local_government/role_of_local_government2
- join the conversation on Facebook
- send an email to lgd@dpac.tas.gov.au
- send a written submission to GPO Box 123, Hobart, Tasmania 7001

Questions

There is no particular expectation around how you make your contribution. However, you may find it useful to ask yourself the following questions as you read the papers to help you frame your response.

- What capabilities do councils require to fulfill the role of local government?
- How will these capabilities change in the future?
- What are the challenges facing Tasmanian councils?
- What are the opportunities for Tasmanian councils?

Sense of place

Councils respond to and develop a sense of place through branding, promotion and enhancing local identity and promoting social cohesion.

Submission by **Sandra Ayton**, General Manager, Central Coast Council

Local government has traditionally been about the delivery of 'property-related' functions. Many decisions which affected the future of local communities tend to be insensitive to place, meaning that decision-makers are often not concerned with, or aware of, the specific geographical or community implications of their decisions and actions.

Emphasis has tended to be on the management of places as an administrative responsibility, centrally controlled, exercised in a hierarchical fashion and delivered predominantly through the legislative and operational functions of local government.

A change is now underway with a shift in emphasis from 'property-related' functions to broader 'community related' functions.

This broadens local government's role to understanding what 'sense of place' really means and how as local government we can contribute to the sense of being and empowerment of residents insofar as they can be locally determined.

A sense of place refers to a feeling of connection or belonging we might have to a place. We develop a sense of place mostly without even being aware of it. It grows out of our knowledge of the people, networks and relationships, landscape, and events of the place combined with our culture – our

shared values, feelings, attitudes, and responses to these.

Places are not the same as administrative or bureaucratic boundaries, meaning that people can associate with places at multiple scales and contexts. Understanding how people define and identify with place(s) and how people interact within these places is an important first step strengthening local communities.

Looking at sense of place is a positive move from just looking at the services that local government is responsible for and delivers, but also reflects the well-being and place-shaping role for the local government area.

Areas where local government plays a significant role in contributing to a 'sense of place' include:

- providing a safe and secure place to live;
- ensuring communities are cohesive and integrated;
- helping to foster the greater prosperity (socio-economic development) within the area, including engaging with the challenges and opportunities posed by globalisation;
- fostering a sense of community by developing unique, individual character, image and style;



- evolving and growing with their community and reflecting their character, heritage, and future aspirations; and
- making our lifestyles more sustainable through engagement with ratepayers and through the performance of statutory functions.

As Worthington and Dollery through their research have stated that while councils have traditionally delivered both strategic and corporate planning functions, as the role of local government has increasingly shifted from 'property-related' functions to 'community related' functions, there has been an increase in focus on human services and social planning which has obvious benefits in local government in developing a 'sense of place'. More and more, councils are examining the impact of social planning on their overall strategic plans. Councils are also placing more emphasis on economic planning to foster growth, especially in tourism.

Successful integration of 'place based forms of development' into local government areas needs to be guided by a robust plan and incorporated into councils' strategic plans.

Place based forms of development have traditionally not been seen as a high priority in local government in Tasmania but to be effectively integrated into local government functions it needs to be driven by senior managers.

Place management requires sound and sincere community engagement to be truly effective. It will require liaison with governments, developers and communities to work out exactly what is needed to keep people happy, make communities thrive and ensure the best result – both in terms of the local economy and lifestyle.

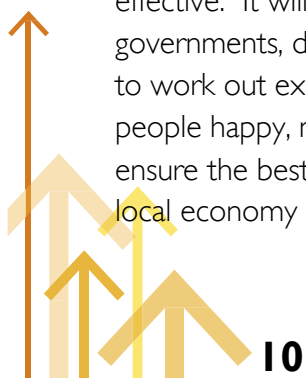
Place management is an evolving process which can change over time. This in itself raises many challenges for local government.

'Place shaping' and 'place making' are two inter-related terms. Place shaping tends to be about the built/physical environment and related policy contexts where place making is where the sense of place and belonging comes in. It is suggested that this paper should be inclusive of both functions.

Both these areas of place based development rely on community engagement. Councils traditionally work within the area of place shaping where the focus tends to be on consultation and involvement of the community. Place making is an area that is more challenging to councils as while including government it needs to include more inclusive, collaborative and empowering forms of governance – ie involve the community in the co-design and co-delivery of ways of dealing with issues and opportunities. This may require additional or complementary forms of governance and capabilities – not so easy to bolt onto traditional forms of governance.

The IAP2 Spectrum of Public Participation identifies different approaches to community participation, and techniques that can be used depending on what the purpose for engaging with the community. The spectrum moves from informing, consulting, involving, collaborating to empowering the community.

Strategies designed to create/enhance a 'sense of place' mostly fall into community engagement through collaboration and empowerment. This may provide challenges for some councils, as such processes may need additional/complementary governance arrangements and skill sets to work effectively in this space. There is definitely a



role to contribute to developing a 'sense of place' and the challenge for councils and local government collectively will be in developing these new community governance arrangements.

To be successful in helping to develop a 'sense of place', councils will need to build their capability around place based forms of development that are based more on collaborative and empowering forms of community engagement. This may require the re-allocation of some resources from traditional service delivery areas and the development of new sets of skills that are in addition to what councils currently do.

Councils clearly have a role and responsibility to respond to and develop a sense of place – the contribution that councils can make is largely dependent on

the elected and organisational leadership and the extent that they understand and can embrace these newer forms of community engagement.

Challenges for councils include:

- how to develop and integrate these new forms of engagement into their operations;
- building the required internal capabilities; and
- potential reallocation of resources from traditional service delivery towards front line community engagement.

References

IAP2 Spectrum of Public Participation, 2007 *International Association of Public Participation*

Worthington, Andrew C. and Dollery, Brian E. (200), "Can Australian Local Government play a meaningful role in the development of social capital in disadvantaged rural communities?" *Australian Journal of Social Issues* 35(4):pp. 349-361



In an ideal world how would a high performing council deliver on this role and what would be the benefits for communities?

This role all hinges on our interpretation of place. Place is only important because of a number of valued features people often associate with their 'local' place these include:

- (1) Perceptions of safety and security
- (2) Access to resources – learning, enterprise, leisure, recreation, cultural etc
- (3) Connectivity to family and friends
- (4) Being able to have a say in matters of importance
- (5) A sense of identity and belonging
- (6) Resilience and sustainability of community
- (7) A source of creativity and innovation
- (8) Stability and social cohesion.

For councils the challenge is how they can enhance each of the positive features given the strong correlation between these features and for example health status, branding value and economic productivity.

Most of these positive features have been brought into sharp relief in recent times because of the sense of loss of community – for example declining population in many rural communities and increasing vulnerability of communities to industrial changes (think forestry) and policy shifts of governments (think school closures). In Tasmania our food insecurity is actually increasing especially in many regional towns (as supermarkets consolidate in regional centres) and we are increasingly dependent on offshore processing.

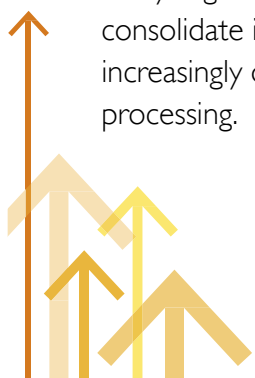
Tasmanian councils are now in global competition for people, for investment dollars, for liveability claims. This really hasn't sunk in yet. To date and on most trajectories cities are going to do well at the expense of surrounding rural communities. How best to organise the relationship between cities and surrounding areas is for example the focus of the Greater Launceston Plan.

This 'place shaping' (including the democratic engagement to drive it) is likely to be the key role for local government in the future.

What support/resources would councils need to effectively deliver this role?

Councils have traditionally been focussed on services rather than place shaping and to effectively deliver this role would require:

- (1) Clear mandate and valuing of the role from local communities
- (2) Increased skills and capabilities within local councils
- (3) Willingness of State and Commonwealth governments to support and value the role of place shaping
- (4) Specification of outcomes around e.g local economic development
- (5) Strategic collaboration between councils and many others
- (6) Recognition that cities now drive global prosperity



What are the challenges councils face in delivering this role and how could these be overcome?

New roles around stewardship of local places are still emerging here and internationally so there is considerable uncertainty and some confusion around the language and idea of 'place shaping'.

Some of these features (especially access to resources) now have much broader spatial boundaries than in the past hence the critical importance of both regional and local boundaries. For many of the critical future roles of councils existing boundaries won't work. Improved transport and communication systems means that people now travel greater distances for sport, recreation, leisure, culture, learning etc which sometimes makes traditional boundaries irrelevant to how and where people live their lives and can shift costs to adjoining councils.

Many existing functions are and will continue to be aggregated at a larger spatial level such as water and sewage. Systems that were designed around technology and transport 100 years ago are no longer effective or efficient today.

The art here is how to better share resources and collaborate with other councils without losing the essence of the distinctively local aspects of local government. Regions and regional level activity is a key to this in the future. Without a mature conversation about how such roles can add value the debates will continue to degenerate into spats about amalgamation.

Why is this role essential and what are the ramifications if councils perform poorly?

The basic value proposition for local government is around those functions (such as service delivery, local economic

development and planning) which are critical to local prosperity wellbeing and sustainability. *If these benefits can't be identified and demonstrated or if others can perform them more efficiently and democratically then local government has a big problem.*

The challenge for city councils is how to shape cities that are liveable, sustainable and which can hook into the global value chains now driving all economies. For smaller regional councils the challenges are about how to relate to cities and be part of global economies whilst retaining local identity. At this stage no other institutional entity seems capable of local place shaping and without it local communities could be thrown to the wolves of big governments and big corporations.



Submission by **Wynne Russell**, Policy and Research Analyst, Tasmanian Council of Social Services

Councils play an important role in fostering and promoting senses of place, both at the level of the local government area and at the level of individual communities. At the most basic level, any council should work to ensure that these activities move beyond promoting visions of privilege and that the local identity that is being developed and promoted breaks down:

- *Barriers between individuals.* All councils must value personal diversity—whether of age, gender, physical or intellectual ability, sexuality, race, or cultural background—and to convey this value to all residents.
- *Barriers between communities.* All councils should engage in active efforts to combat stigma aimed at disadvantaged areas, and to promote and celebrate the strengths of all neighbourhoods within their local government area.

Beyond this basic level, however, *a high performing council will put community cohesion and resilience at the heart of their vision and corporate values.* Cohesion is more than the absence of conflict: it is a condition where all can participate in a community, undeterred by cost or differences in aspirations or interests. Similarly, resilience is more than the ability to bounce back from damaging events: it is about people possessing the skills and having the access to the resources—personal, social and economic—that allow them to negotiate

challenges and to take up opportunities.¹ In a high-performing council, the fostering of community cohesion and resilience will drive all cross-council activities, from planning and infrastructure to services and community development, events and activities, and corporate branding.

For a high performing council to focus on building and deepening community cohesion and resilience, however, it is crucial that staff and elected officials have an understanding of what these concepts mean for the residents of their local government area, and of the vision that local people, organisations and businesses have for their area: what their shared aspirations are, and what will bring them together.

As a consequence, a high performing council will fully engage its community in the development of its vision statement, and the branding and promotion that flow from it. Through such engagement, residents, organisations and businesses are more likely to buy into the council's vision statement, to understand what it means for them, and to act on it in their day to day activities.

In conjunction with community engagement, a high performing council will ensure that all council staff and volunteers understand what the council's vision statement, and the concepts of community cohesion and resilience that it is intended to promote, mean for them and their activities, from

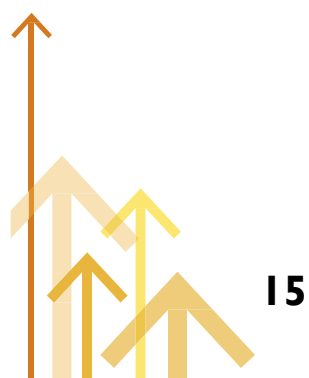
¹ Borough of Newham (2011), *A strong community: building resilience in Newham. Stakeholder consultation 2011.*

developing and commissioning services and activities, to information provision.

Such a council will develop, in conjunction with their communities, performance indicators related to the development of community cohesion and resilience, and will

include them in the monitoring and evaluation of all programs and projects.

For an example, see the London Borough of Newham's Community Resilience Strategy and accompanying documents, available at <http://www.newham.gov.uk/yourcouncil/buildingastrongcommunity.htm>.



Community engagement

Councils engage with their communities, providing them with information about community and council business and where appropriate, actively consult with and provide opportunities for constituents to participate in council decision making.

Submission by **David Adams**, Professor of Management in Innovation, Faculty of Business, University of Tasmania

In an ideal world how would a high performing council deliver on this role and what would be the benefits for communities?

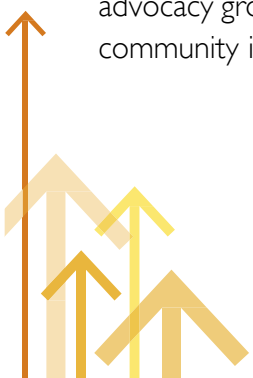
The essence of councils' mandate is that they are the only level of government with a legislative mandate for the well-being of the people. In principle they are democratically elected, accountable to the people and responsive to local risks and opportunities.

Such a mandate entails close and frequent engagement with constituents. Ideally councils would deliver this role through (1) a diverse group of elected councillors reflecting the demography of their communities (2) use of the full range of communication and engagement techniques now available including use of new ICT capabilities eg social media (3) specific strategies targeting hard to reach and excluded groups and places (4) combining a focus on practical issues of concern to communities with a focus on leading conversations about the future (5) support to those key intermediary and advocacy groups more closely connected to community issues.

What support/resources would councils need to effectively deliver this role?

Most councils have and do exercise communication and engagement strategies pretty well for the mainstream constituents.

However, between councils a more consistent approach to, for example, resource sharing around spatial information and leisure facilities would enhance communication as would better co-ordination of the many 'apps' that are being generated within local councils. Relatively few councils have structured approaches to engaging young people in civic affairs or strategies to mentor young people into local government roles – as elected representatives or as officials.



What are the challenges councils face in delivering this role and how could these be overcome?

Councils now compete with multiple other community sources of information increasingly provided through the internet. Councils have particular challenges around those residents not connected to the internet and those individuals and families who face various types of social exclusion risks – such as mental health risks, transport, poverty and isolation. Levels of youth participation in council activities remains very low in most councils whilst the average age of councilors remains very high.

City councils face different challenges to smaller regional councils for example in rural areas low levels of ICT connectedness and longer distances are barriers to communication and engagement. *Since most people now live their lives and businesses do business across many local government boundaries, regional level communication and engagement is just as important as local communication and engagement.*

Why is this role essential and what are the ramifications if councils perform poorly?

The credibility of local councils depends on the continued mandate from local communities. When councils were seen as primarily about roads, rates and rubbish there were few incentives to participate but increasingly as councils are more directly involved in community economic development, sustainability, resilience and social cohesion more people are engaging. The essence of the engagement is around

the importance of local democracy to wellbeing and prosperity. This is made more important by the perceived loss of local control to global forces such as rapid and major industry changes and offshore processing of agricultural products.

Old fashioned words like resilience, community identity, reciprocity and sense of belonging are becoming important again and local councils are likely to be the key stewards of these ideas in the future.

With both the forestry and the planned school closures debates in Tasmania it has been local councils at the forefront of mobilising engagement on the issues – because they understand community.

It takes a community to raise a child but if our communities are fragmenting whose job is it to make sure they can still raise children?



Submission by **Wynne Russell**, Policy and Research Analyst, Tasmanian Council of Social Services

A high-performing council knows who live and works in their communities and ensures that all residents, organisations and businesses have a full and equal say in decision-making by prioritising best-practice early engagement, consultation, assessment, monitoring, evaluation and review processes designed to:

- Transparently communicate policy and planning processes, including negotiations with other groups (developers, for instance) over major projects.
- Capture and engage with the ideas and views of all residents, included socially excluded individuals and groups.
- Equitably consider the needs and desires of all residents.
- Ensure that outcomes are clearly explained and open to appeal.
- Ensure that outcomes are monitored, evaluated and reviewed for effectiveness for all residents.

Socially excluded residents are less likely to participate in public policy processes, however, and political disengagement and social exclusion appear to drive each other.²

- Low-income and disadvantaged residents can feel as though “the system” is biased against them, or lack the literacy or numeracy skills necessary to engage.
- Older people can feel as though “progress” is running away from them, and be intimidated by new technologies.
- Young people who cannot yet vote can feel that their views are of no interest.

² Electoral Commission (UK) 2005, p. 20.

Research from other states suggest that typical local government engagement efforts are not effective and that new strategies for reaching the “hardest to engage” groups are required.³

Good consultation for social inclusion:

- Happens early, so that respondents are not put into a reactive, negative mode and fundamental issues are still open for discussion.
- Ensures that all are invited to participate and that the timing and location of consultations are convenient to people with caring responsibilities or mobility problems, or who lack access to transport.
- Permits people to contribute ideas, digest the consequences of different plans of action, and weigh up different alternatives.
- Uses mechanisms and tools, for instance, 3D visualisation tools, specifically designed to obtain the views of less educated and socially excluded residents.⁴
- Makes available advocates to help represent communities on highly technical issues.
- Takes both qualitative and quantitative data seriously, to give community concerns and expert assessments equal weight.
- Informs respondents of actions that have emerged from their engagement so that they can see that their input is valued.

³ ACELG et al 2011, p. 3.

⁴ Kelly 2011, p. 14.

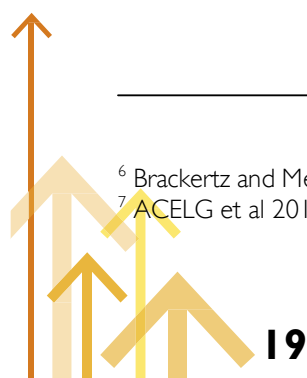
⁵ See, for example, Department of Public Works, Government of Queensland 2010.



- Contains post-project evaluative components as well as annual opportunities for public input to ensure that policy and project objectives are being met, monitor performance, and review – and where necessary adapt – decision-making processes.⁵

The key determinants of effective consultation for social inclusion are skillful and knowledgeable staff who have good lines of communication and the support of their organisations and of elected representatives.⁶ An explicit commitment to building staff capacity for engagement, and to evaluation of engagement, is an integral part of many progressive councils' engagement policies.⁷

⁶ Brackertz and Meredyth
⁷ ACELG et al 2011, p. 21.



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Submitted by **Sandra Ayton**, General Manager, Central Coast Council

Community engagement is used as an umbrella phrase by the local government sector to include information, consultation, engagement and empowering activities. (IAP2 Spectrum of Public Participation).

Ratepayers are now seeking more direct ways to become involved in public life and decision-making, particularly on issues in which they have a direct interest.

Engagement is a core element of local government – an effective tool to facilitate decision making, and a way to reach decisions with which the community feels satisfied. The more conventional and formal methods have limitations in that they tend not to engage communities in an active or deliberative way, often not attracting a large number of participants, and those community members who do respond to such processes are rarely representative of the diversity of the community.

A contemporary local council is now expected to address social, cultural, economic and environmental issues and anticipate new initiatives such as local area planning, intergovernmental relations, and the integration, monitoring and evaluation of service delivery. Enhanced public participation and more holistic approaches to community development are also expected.

It can be argued that the role of a council includes acting as a representative government by taking into account the needs of the local community in decision making, and fostering community cohesion and encouraging active participation in civic life.

Community engagement provides opportunities for people who are affected by or interested in a council decision to participate in the decision making process in order to enhance the resulting decision, plan or project. It helps us to discover new ideas and allow us to learn from each other.

Community engagement encourages better governance – fostering democratic representation, social inclusion and developing community capacity.

Therefore, local government should want to be involved in engaging with their community as community involvement in the decisions that affect them can achieve better economic, employment, environmental and social outcomes for communities.

Community engagement can help a council ensure that good services are delivered where they are most needed and that they are tailored to local needs. Ongoing feedback ensures that services meet the community's needs.

There is a wide array of guidance material and tools provided within the local government sector and can be sourced on the internet. ACELG also has a number of resources identified in its working paper titled 'Local Government and Community Engagement in Australia', November 2011.

There are many tools available to councils including training of staff, policy frameworks, on-line technologies, including social media.



Some of the challenges for councils include:

- Reframing community engagement to be viewed as core business and not confined to individual projects – community engagement needs to be promoted and supported from the top down through the entire organisation at both the elected and officer levels. It needs to be more inclusive of higher levels of public participation i.e. involving, collaborating and empowering and not just the more conventional methods of informing and consulting.
- Creating a supportive organisational culture – adequate resourcing, staffing, policies/frameworks and positive attitude amongst people in leadership positions towards community engagement and its value to both the organisation and the community. A shift in mindset may be required so that staff and councillors see communities as a resource which adds value in decision making. Effective leadership can enable meaningful engagement.
- Operating within resource constraints – resourcing constraints is a barrier for many councils to effectively engage with their community – there may be the need for independent facilitators rather than relying on internal staff – which is also a financial resource constraint.
- There is a need for a focus on training senior council staff and elected members

in community engagement principles and practices. If this is not done, then opportunities may be missed to embed engagement at the heart of decision making.

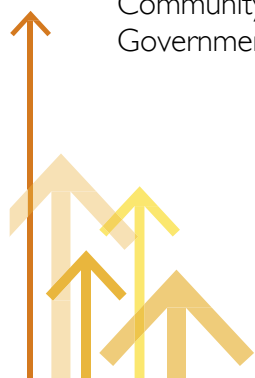
- Recognising a role for elected members in building civic capacity – while elected members are elected to make decisions on behalf of communities, there is an increased emphasis being placed on the role of councillors in providing the community tools, information, and options on how to empower themselves.

If councils choose to not embrace community engagement then they are likely to become less aware of their communities needs and also not have the opportunity of tapping all the knowledge, skills and capacity within their community to help develop a communities full potential.

In essence, local government needs to find the right blend of community engagement, governance and decision-making processes, and management frameworks to strengthen local democracy and advance community wellbeing.

ACELG (November 2011), 'Local Government and Community Engagement in Australia, Working Paper No. 5

Community Development Division, Dept of Premier and Cabinet (March 2013), 'A Tasmanian Government Framework for Community Engagement, Consultation Paper



Strategic leadership

Councils provide strategic leadership through understanding current and future operating environments, identifying opportunities and challenges and making decisions which align with long-term strategic plans and corporate plans.

Submission by **Robert Dobrzynski**, General Manager, Launceston City Council

Strategic leadership at the local level is the most fundamental manner in which local government can positively influence the quality of life of its constituents through pursuing social, economic and environmental outcomes that are evidence based and strategically focussed to provide the best return from effort.

Strategic leadership requires a rationale that is derived from an evidence base comprising data on what is happening, trends and an analysis of potential impacts, challenges and opportunities.

Importantly, it requires an engaged community that has scope for both "blue sky" thinking but however is also aware of key contextual factors resulting from the evidence base that are immutable.

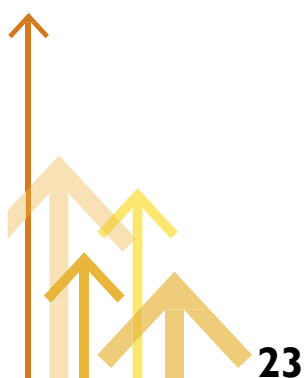
This strategic leadership approach should be all pervasive. It should involve the community in the design and delivery of services, and the identification of key priority areas that enable communities to achieve their potential.

Its context is broader than the traditional local government services role. Advocating, collaborating and partnering with other councils, the community, State and Federal Government over a broad range of areas affecting the quality of life of our local residents is fundamental to strategic leadership.

Crucially, the outcomes of this strategic leadership approach should determine how our organisations are structured.

This relates to both the internal structure and also in determining what constitutes viable units of local government that have the capacity and capability to deliver services and facilities across key social, economic and environmental areas required by contemporary communities in a challenged Tasmanian context.

Local government in Tasmania should dramatically shift its political and operational mindset from one which is often blinkered by a reactive, anachronistic and conservative mindset to one which values data, business case analysis and a strategic leadership role beyond a focus merely on traditional council services.



Strategic leadership is important at a local level. However its context is rarely limited to local circumstances. *Major economic and social factors influencing quality of life in our community are generally reflected across broader regional geographical areas which have a profound impact on local areas.*

Comprehensive spatially depicted critical data across regional areas is required on what is occurring, trends and key contributing factors. This provides the evidence base for collaborations with Government, adjoining councils and the private sector in order to develop and implement strategic interventions.

Challenges to local government in strategic leadership include the paucity of data at the level of sophistication required together with the lack of capacity and skills in many councils for analysis to determine what the data means for the future of local communities.

Traditionally there has not been a culture of local governments commencing their individual localised strategic planning based on the context of a regional perspective strategic planning approach. Neither has there been much evidence of a corollary of this approach driving regional local council partnerships with the State and Federal Government to influence policy and public investment outcomes.

Why is this role essential and what are the ramifications if councils perform poorly?

Tasmania is an Island State with a small population classified as a small sub national peripheral economy. It is characterised by a

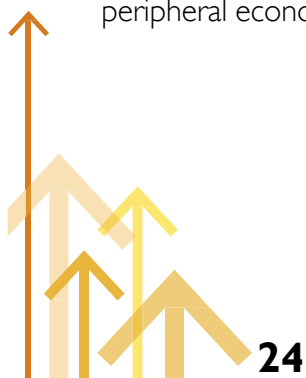
disproportionate number of local government units, many with constrained capacities.

The State operates with limited influence in the national political environment and is subjected to global economic market pressures upon an economy with limited diversification which is transitioning from a heavy reliance on traditional industries such as forestry.

If predictions of a future federal political environment of economic austerity are correct, local government in Tasmania will need to demonstrate its case for Federal support through sophisticated data and regional advocacy in order to be heard. The days of rhetoric as a viable strategy in lobbying would appear to be over.

The price of failure will be that small communities will become marginalised and increasingly fail socially and economically, opportunities will be missed and the economic and social prosperity of Tasmania will continue to fall, impacting on disposable incomes, local business viability and leading to continuing outward migration of youth and younger families.

A new approach by local government based on a paradigm shift to a strategic leadership framework is urgently required.



The Importance of Integrated Planning

A key element which enables councils to provide strategic leadership and make decisions which align with long-term strategic and corporate plans is integration. This ensures a holistic approach to planning in which goals and resources to achieve objectives are connected. This requires dynamic and iterative connections and communication between strategic, corporate and resource planning processes.

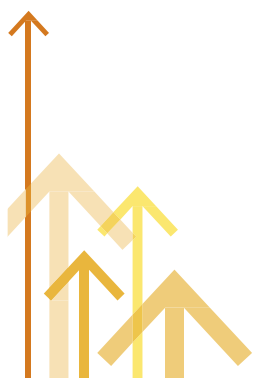
The review of local government strategic and corporate planning requirements carried out by the Centre for Local Government (forthcoming), places the Tasmanian strategic planning framework within the larger national context. The Tasmanian *Local Government Act 1993* currently specifies that councils must develop a five year strategic plan for their municipal area. New South Wales and Western Australia require their local governments to develop long term 10-year strategic plans in collaboration with residents. This strategic plan informs the development of a suite of corporate documents which set out how a council will achieve the community's objectives (for example, corporate, annual,

financial, asset management and workforce plans). The other Australian jurisdictions do not require long term strategies, instead local governments develop four or five year plans with similar requirements for annual, financial and asset planning.

Frameworks in New South Wales and in Western Australia are the most detailed and arguably have the strongest requirements for integration. The WA Integrated Planning and Reporting Advisory Standard (DLG no date) sets out how local governments can meet the basic, intermediate and advanced standards for the key elements of their framework (Strategic Community Plans, Corporate Business Plans, Asset Management Plans, Financial Management Plans and Workforce Plans). The WA Advisory Standard defines an ideal world where councils have in place robust strategic and corporate business planning frameworks.

The result is integrated planning performance in which the activities and services delivered flow from the stated aspirations and objectives of the community (see figures 1 and 2 below)

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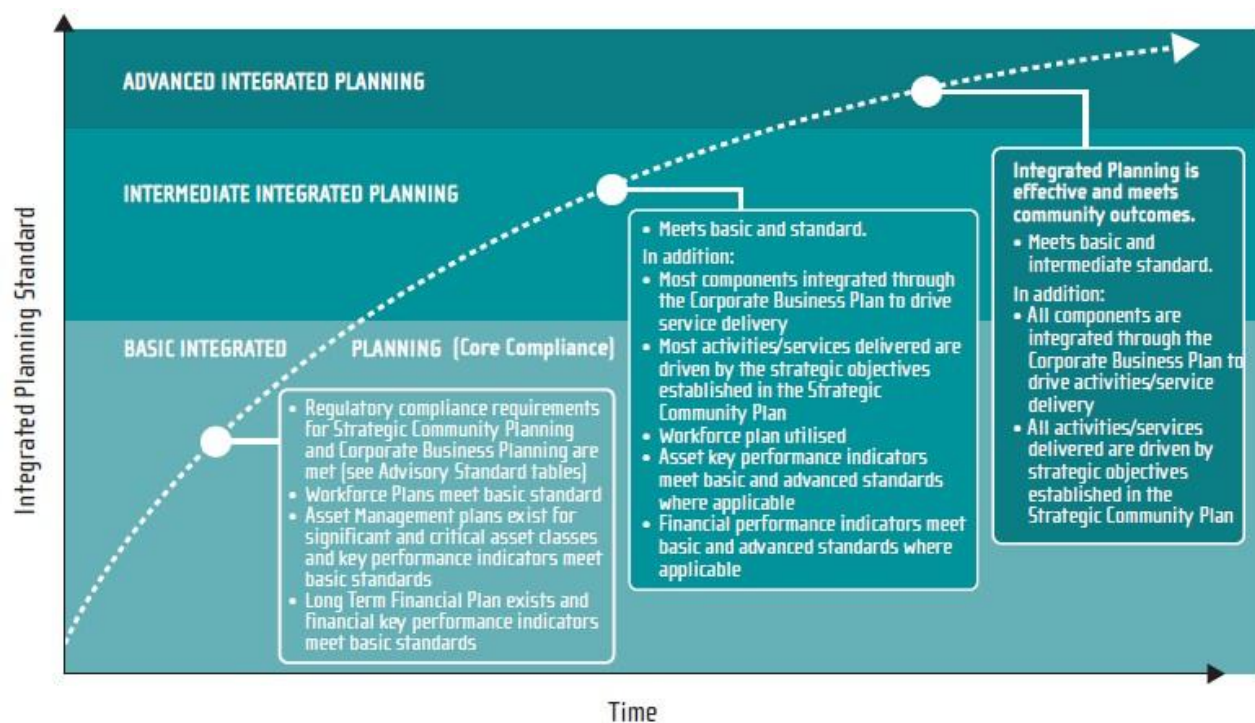


Figure 1: The WA Integrated Planning Standard

Source: Department of Local Government WA, no date, *Integrated Planning and Reporting Advisory Standard*

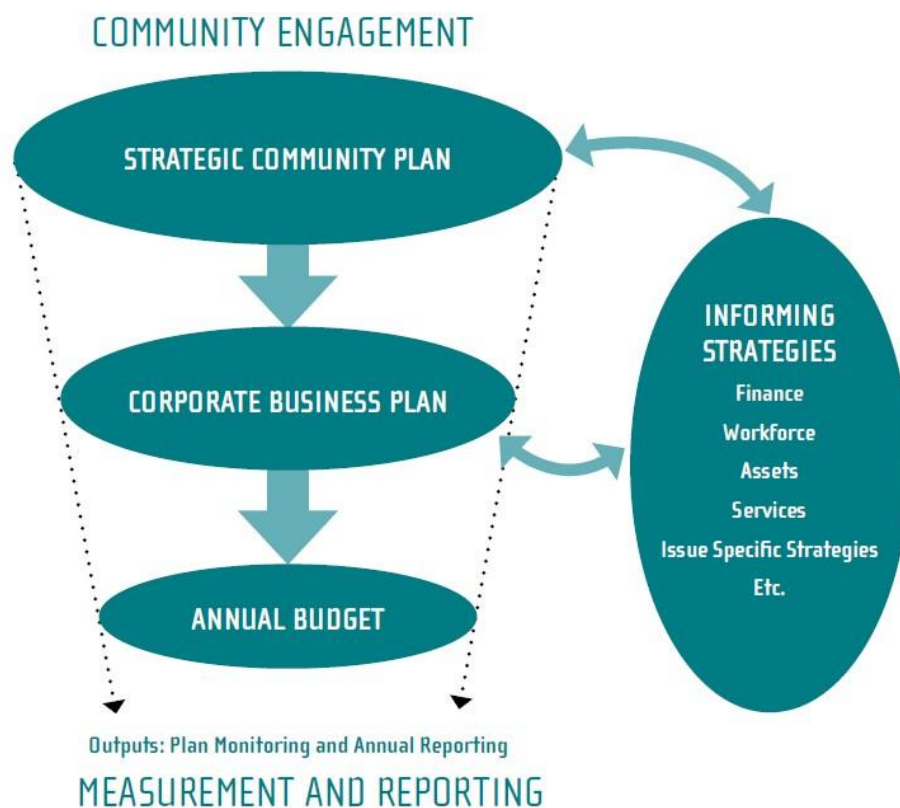


Figure 2: The WA Integrated Planning Framework

Source: Department of Local Government WA, 2010, *Integrated Planning and Reporting Framework and Guidelines*



Figure 3: NSW Integrated Planning and Reporting Framework

Source: Division of Local Government NSW 2013, *Integrated Planning and Reporting Guidelines for local government in NSW: Planning a sustainable future*

In New South Wales the Integrated Planning and Reporting Manual (2013) provides some top tips of achieving integration:

- Clearly link the goals in the community strategic plan to the activities in the delivery program and operational plan
- Reflect specific asset, financial and workforce activities in the resourcing strategy in both the delivery program and the operational plan
- Identify strategies or activities in the Workforce Plan and Asset Plans which will

have an impact on the council's finances (p.16).

It is the requirement for community engagement to develop long-term strategic plans, the strong alignment and integration of local government planning processes (corporate, financial, asset and workforce) and clear connections between corporate plans and community objectives which are crucial to ensuring that councils provide leadership and make decisions which are realistic and based on a sound knowledge of available resources.

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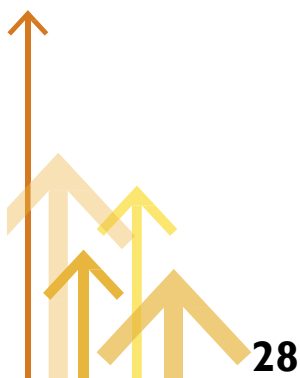
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Land-use planning

Councils are strategic land-use planners who work with communities to create an environment that guides the use of land to balance economic, environmental and social values.

Submission by **Wynne Russell**, Policy and Research Analyst, Tasmanian Council of Social Services

Many of the factors contributing to social exclusion can be addressed by good planning in relation to land use, transport and services infrastructure, and urban design. A high performing council ensures that all local planning schemes and processes:

- Create peaceful places where people of all ages, physical abilities, genders and levels of socio-economic advantage can relax; and
- Create inclusive public spaces where people and communities can connect.

- *Remove barriers to and, where possible, promote affordable housing.* All other Australian states have at least some mechanisms in their land use planning regulatory frameworks to encourage the development of affordable housing. It's important that Tasmanian planning processes facilitate the provision of a range of affordable housing types for all ages, as well as of social housing stock for special needs groups, in convenient, sustainable locations.
- *Promote good health and wellbeing for all.* There are many ways in which planning processes can work to:
 - Create opportunities for healthy activities for all people, regardless of age, gender, physical abilities or levels of socio-economic advantage;
 - Ensure that all individuals and communities receive equal protection from health hazards including toxins, non-toxic pollutants, accident hazards and other environmental health hazards;
 - Boost food security through appropriate spatial planning and urban design, and through the protection of existing and potential agricultural land;
- *Create the infrastructure for, and arrange development around, affordable and accessible transport.* Planning processes can help facilitate the creation of infrastructure required to encourage the growth of public and community transport options, as well as healthy options such as walking and cycling. The location of future housing and business development should be linked to transport availability.
- *Bring basic services closer to people.* It's important to remove barriers to the establishment of basic services in proximity to residential areas and ensure that basic services are provided for in the establishment of new residential areas.
- *Help socially excluded Tasmanians access employment.* Spatial planning processes can play an active role in efforts to promote sustainable employment for socially excluded Tasmanians.



Planning processes should factor in the particular impacts of climate change on socially excluded Tasmanians – for instance, in relation to affordable housing in vulnerable areas.

- *Encourage the activities of community service organisations.* Spatial planning processes can ensure that planning schemes don't obstruct community service organisations in their activities or location, and can facilitate the provision of space for community service organisation premises and services.⁸

Spatial planning is a particularly difficult area for securing public engagement, especially among socially excluded residents. This may be an appropriate area for the Tasmanian Planning Commission to take an active public education role.

⁸ For more detail, see TasCOSS' publication *Social Inclusion Principles for Spatial Planning in Tasmania*, which presents practical, detailed recommendations for action in relation to these goals for all levels of the Tasmanian spatial planning system, at www.tascoss.org.au

Submission by **Mary Massina**, Tasmanians for Reform

Tasmanians for Reform does not support this conceptual role for the following reasons:

- Councils appear to be out of step with ratepayers and general community interests. Therefore, they are unable to balance the competing priorities of the economy, the environment and the social needs of the community.
- There is a lack of capacity within rural and urban councils to work holistically to develop regional strategies which are targeted at economic development and addressing land use barriers.
- There is no comprehensive land release strategy in place at a council, regional and state level.
- Only one Regional Land Strategy provides some guidance to land use, however, this is only within the context of existing zoned land. If councils were strategic land planners there would be a comprehensive land release strategy in place.
- In all public forums, councils and the Local Government Association of Tasmania have been extremely clear in their beliefs that they are simply administrators of the planning system for the State Government. However, it should be mentioned that this does not stop them acting outside of State Government direction as the local government issues with PDI and PD4 amply demonstrate.
- All planning assessment processes are currently duplicated at a Federal, State and local government level which continues to add complexity and confusion, with local government resistant to any attempt to reduce or eliminate duplication.
- Local government is overwhelmingly seen as a barrier to sensible and forward-looking land use planning.
- Councils are often seen as being captive of minority groups and therefore development applications are considered not on their merits and against clear planning rules, but instead by political lobbying.
- There is no consistency of land use planning across the 29 councils. This is amply demonstrated by the three different regional land use strategies and the struggle to achieve consistency across the interim planning schemes.
- There has been a systematic rejection of any comprehensive planning reform agenda which would see a reduction in local government planning responsibilities.
- Councils' roles should be focused on policy, establishing regulatory standards which do not duplicate state and federal standards, adopting budgets and works programs, monitoring the performance of their councils against peers through a clear set of national and state benchmarks and key performance indicators.



In an ideal world how would a high performing council deliver on this role and what would be the benefits for communities?

A high-performing council (planning authority) would be forward-looking and strategic in its approach to land use planning. It would employ qualified planning staff to carry out the investigations, analysis and public consultation on which good planning should be based.

It would not merely react to development proposals as they arise but would be well-prepared in advance to assist and guide developers to invest in ways which provide community and environmental benefits as well as financial returns.

A high performing planning authority will make evidence-based decisions that can demonstrate overall community benefit. As was eloquently explained by Mitch Silver, keynote speaker at the recent PIA National Congress, economic performance is enhanced, not impeded, by good planning.

What support/resources would councils need to effectively deliver this role?

Councils facilitate land use outcomes through:

- (a) planning schemes which inform the community about the land-use 'rules' – thus providing a foundation of certainty to owners and investors; and
- (b) through permits for development which translate the planning scheme rules into site specific requirements.

This cannot work successfully in a State or regional policy vacuum. Some overarching state policies are in place but additional policies are needed (for example, settlement, infrastructure, industry location, public health) and much more could be done to ensure consistent approaches by disparate councils.

Regional planning has also been strengthened through MOU's with the three regions, but this process has not been completed and awaits implementation through declaration of Interim Planning Schemes.

Councils need to obtain and provide the resources to seriously engage in the land use policy and strategic planning realms. Many councils do not employ sufficient planning staff to carry out anything more than day-to-day development control.

What are the challenges councils face in delivering this role and how could these be overcome?

In this author's opinion many of the challenges faced by councils are matters of mindset and priorities, rather than absolute scarcity of financial or human resources.

Short term and populist responses to problems rarely investigate or address the underlying structural causes of those problems. This is a difficult task for elected members – to balance the long-term improvement of their communities against the immediate demands of the 'squeaking wheels'.

Elected members need the advice and support of their professional officers in reaching their decisions. And those officers need the support of their elected members to give that frank, honest advice without fear of recrimination. *Particularly among smaller councils, officers can feel isolated from their professional peers, so perhaps stronger networks at a regional level need to be established to give support to council staff.*



Why is this role essential and what are the ramifications if councils perform poorly?

The construction and implementation of a planning scheme is a technical/legal function that affects landowners' rights and citizens expectations.

Ideally it will be carried out from a basis of sound knowledge about the resources and hazards that are found in the planning area, and the economic and demographic trends that are at work. The planning scheme provides stakeholders in the community with a greater level of certainty about the location and type of development than can be expected to occur, thus assisting them to make their own investment decisions. The planning scheme is an apolitical document, in which consistent rules are applied to every landowner and development applications are assessed on their merits.

Nevertheless, some land-use planning decisions involve the exercise of choice and discretion by the planning authority. *It is therefore important that public confidence in the planning system is maintained through decisions that are transparent, fair, evidence-based, prompt and contribute to the public good.*

The ramifications of poor performance on any of those criteria will be a loss of trust and reputation that the council in question can manage its land-use planning responsibilities in a professional manner. This will have flow-on effects to the decisions of both local and external investors in the economy of the area.

Role

Councils are strategic land-use planners who work with communities to create an environment that guides the use of land to balance economic, environmental and social values.

This is considered to be a worthwhile aspiration for all councils, but one that cannot yet be demonstrated to apply universally.

Further, PIA submits that it is important to recognise that the role of local governments in the land-use planning arena is not just as strategic land-use planners: they are also administrators of both planning and environmental legislation and regulation.

Indeed, as planning authorities, they are responsible for determining the clear majority of applications for use and development in this State, under the powers granted to them as Planning Authorities under the *Land Use Planning and Approvals Act 1993*.

Even when local government is not acting as a planning authority, they have administrative functions in relation to other environmental legislation forming part of the Resource Management and Planning System of Tasmania (RMPS).

For this reason, PIA is of the opinion that the role statement developed as part of this review, is inadequate and does not accurately reflect the full extent of local government's participation in the planning system.



The *Local Government Act 1993* requires councils to prepare a five-year strategic plan in a process that involves community input into both its preparation and adoption. The land-use planning function of a council is one of the roles inherent in the strategic planning of a municipal area.

A council, as planning authority under the *Land Use Planning and Approvals Act 1993*, is obliged to have regard to its strategic plan in the preparation of a planning scheme, as well as meeting the "sustainable development" and other objectives of the legislation.

Legislated regional strategic land-use planning has been complimented by joint State Government-local government initiatives to prepare both regional land use strategies and regional model planning schemes, through regional Memoranda of Understanding (MoU) between the Government and councils and funding arrangements.

A series of planning directives, including providing a revised template for planning schemes and state-wide standards for single dwellings, have been introduced. Others have been commenced and are variously already in the formal statutory process, or at the pre-statutory and pre-formulation policy development stages.

This constitutes a new environment for both levels of government as producers of the statutory planning framework.

The role of the local councillor or alderman, in the processes to prepare new planning schemes has changed. Schemes are no longer to be primarily the exclusive work of their council planners or the subject of community consultation processes that are totally local in

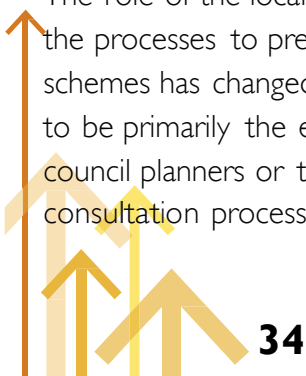
focus and content. Under the terms of an MoU, these schemes have to reflect 'declared' regional land use strategies "to achieve core regional planning outcomes" and to "include common provisions that are the same in expression and content to achieve consistency between the planning schemes across the region".

Provisions particular to a municipal area can be included in schemes providing they are not inconsistent with the regional land use strategy or the model planning scheme for the region.

This is a significant challenge for local government councils individually and collectively, as well as for the planning reform process to achieve outcomes that balance the efficiencies of 'commonality' and wider regional land use needs with the 'place making' role of planning and the aspirations of individual communities.

A range of mechanisms, including Specific Area Plans and Local Area Objectives, provide opportunities for councils to more explicitly link their strategic planning and annual operating plans with their statutory planning schemes to realise a particular community's economic, environmental and social values.

After the new schemes have been finally approved there will be a need for an ongoing framework to maintain both up-to-date regional strategic land use content of schemes and common provisions.



Economic development

Councils facilitate the economic viability and development of communities by working with the business community to attract and retain investment and support sustainable economic growth.

Submission by **Mary Massina**, Tasmanians for Reform

Tasmanians for Reform does not support this conceptual role, as internal and external council behaviour demonstrates a clear disconnect between sound business practice which benefits the community and the need to eliminate barriers to investment.

Internal Council Practice

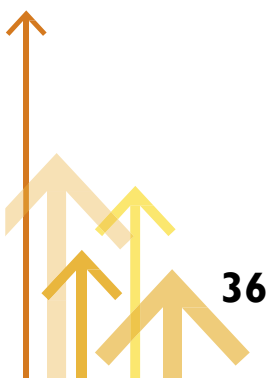
- Councils' internal economic management sends a strong message to the investment sector of being incapable of understanding the fundamentals of sound business practice and in particular, what drives private sector investment.
- Councils continue to work outside the real economy. There is no evidence to suggest that councils take into account the current economic conditions and tailor their budgets accordingly. This lack of economic reality is evident with the yearly rates increase of around 8.4 per cent. These yearly increases demonstrate that 29 councils continue to increase rates rather than achieving prudent budget management or restructuring.
- Increasing council rates and charges are having a direct impact on the cost of living and cost of doing business, which in turn affects small to medium businesses' viability.
- There is no long-term economic planning within councils or across councils, with a number of councils still not addressing the ongoing operating deficits, the requirement to introduce audits or equivalent and the business requirement for long-term asset and financial management plans (Auditor General's 2012 Report, page 9).
- There is minimal understanding of the need and reliance that business and the investment sector has on well managed and upgraded infrastructure. This lack is evident in the fact that only six of the 27 councils invested in existing assets, on average over a six-year period, in excess of their annual depreciation charge. (Auditor General's Annual Report 2012, page 10).
- It is hard to see how they can facilitate economic viability, when 15 of the councils, including some metropolitan councils, failed to achieve at least a net operating surplus. A number of these councils have incurred deficits for a number of years and in some cases actively budgeted for deficits while raising rates and charges. (Auditor General's Report 2012, page 11).
- Eight councils (an increase on 2011) were assessed as having asset investment ratios below the benchmark of 100 per cent (Auditor General's Report 2012, page 12).



External Council Practice

If councils were truly economic enablers, the following issues would have been resolved:

- There is no consistency with rating levels for similar properties in different council areas despite the fact that similar properties operate in the same market and yet incur significantly different overhead expenses.
- Differential rating continues to be tax-by-stealth and acts as a barrier to investment.
- Furthermore, the rate is fixed without transparency, accountability or recourse for the property owner.
- For each council area there are multiple planning schemes and regulations which are not consistent within and across metropolitan areas, and regions, let alone the State. This complexity adds directly to the cost of doing business or investing in the state.
- Investment incentive policies are developed in isolation without any consultation with the business sector thereby ensuring they are not targeted at key investment areas.
- Structural inefficiencies continue to hamper economic growth due to the red tape burden and the increasing cost of maintaining duplication. For example, 16 separate council entities assist 12 southern councils to manage a variety of issues for 220 000 southern Tasmanians. There appears to be little economic growth generated from this duplication, minimal outcomes and no thought to the cost of maintaining this structure. A recent example is the Glenorchy-Hobart City Council Authority which is responsible for the roll out of 5000 light bulbs at the cost to the tax payer of \$3.3 million. Only 10 bulbs have been replaced and according to the Mercury reports, at this rate it would take 250 years to rollout rather than the expected three years (The Mercury Newspaper - 5 February 2013, page 3).
- Furthermore, by transferring services to single and joint authorities it removes the direct line of responsibility from councils to the rate payers, as set out in the *Local Government Act 1993*.
- The governance of 29 councils combined with the bureaucratic overheads have not added value, ensured better services, improved and ensured well maintained infrastructure or maximised operational capacity, which would allow for a focus on economic development.
- \$300 million is currently sitting in council cash reserves. To date, none has been spent upgrading infrastructure, improving services, reducing costs or rates for the community or the business sector. If this money was allocated to infrastructure upgrades over a two-year period it would have the effect of a mini stimulus package for the Tasmanian economy.



The essence of economic development at the local government level is about building resilience into communities by reinforcing and expanding the economic foundations that support the well-being and capacity of a community to sustain itself over the long term. It is not simply to generate income and rate revenue to councils from development.

Well-being and capacity are generated through sustained employment and balanced communities in terms of the range of services and facilities that support families, attract population growth and provide sufficient lifelong opportunities for a "cradle to grave" lifestyle.

As state and federal politicians become less accessible to communities and local services are divested by governments or centralised, local councils are being expected to respond in a more direct manner and in a more prominent leadership capacity.

The pressures on local councillors are becoming more demanding particularly at times of community uncertainty, upheaval or distress.

The expectation of the local council from the community in terms of supporting their economic sustainability is well founded. Local government by nature of its local representatives is best placed to understand the current capacity, opportunities and threats faced by individual communities to their long term sustainability.

- understand the weaknesses, vulnerabilities and opportunities within communities;
- seek to broaden the economic base and minimise impacts through promotion of local strengths, opportunities and benefits, and assist with developments, activities, services and events whether through facilitation, partnerships or direct provision;
- establish strategic alliances and relationships with existing or potential businesses or markets both domestic and international; and
- create networks within communities to build relevance, engagement and participation.

Councils that perform this role effectively will understand that economic development requires an organisational and community commitment not simply an "at the time" response.

In meeting these criteria a council will need to maintain resource capacity and integration within its organisation, and at times, across councils if it is to support regional, state and national goals. It will require an understanding that economic sustainability is a synergy of a number of council functions and activities including, development facilitation, events, marketing, strategic relationships, community engagement, infrastructure planning and provision, land use planning, community development, strategic planning and long term financial planning and management.

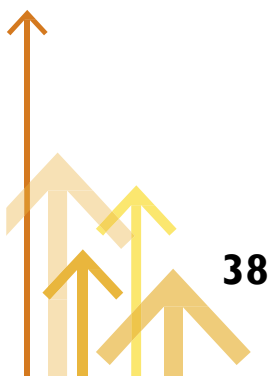
The challenge for local government is to maintain sufficient resource capacity and capability within all functions to deliver a strategic and consistent response.

It is clear that future councils will be expected to take the wider view of economic development to encompass economic sustainability. Communities will expect higher levels of participation and leadership from councils in securing their well-being. This will be more so in the rural and remote communities as traditional industries and business retract or cease to exist, the population gravitates to the major population centres for employment and

community services and support are cutback or devolved.

Economic sustainability will require a new way of thinking if these communities particularly are to survive to a point of achieving a secure and long term future.

It will be expected that a modern local council will facilitate that outcome.



Service delivery and asset management

Councils are responsible financial managers who deliver cost effective, equitable and efficient services and assets which reflect local needs and expectations and are guided by council's long-term planning objectives.

Submission by **Sarah Artist**, Assistant Director, Centre for Local Government, University of Technology, Sydney

Messy but Vital - Debating Community Resourcing Priorities

In a complex modern world many people are disconnected from the basic realities of their local environments. How much do roads and footpaths cost? Where should new houses, parks and shops be built? In a similar vein people in our culture often grow up accustomed to considering their own needs and opinions before seeking to understand the needs and opinions of others. How can I get away with paying less tax? Why should I pay for something I don't use? When can I get what I want?

The work of a local council is to ensure that local environments promote community well-being – health, comfort, prosperity, opportunities to interact, accessibility and natural beauty. In order to achieve this, the discipline of democracy challenges people to consider the good of the community over personal and individual interests. Democracy can be difficult because of conflicting needs, different views and expectations.

Communal decisions are slow, confusing and frustrating - but we all rely on governments to make decisions in the community's best interests.

sector advisers, and their skills are important - but it's not the full picture in a council context.

To achieve good financial and asset management in local government, councils also need to build the capacity of local people to understand and manage the real costs of running their communities.

They need to work together to negotiate diverse opinions and conflicting needs and aspirations to shape future priorities. Easy, convenient, simplistic or self-serving decisions can take a community further away from where they want to be in the longer term. It is the role of technical experts in a council to provide information about what might be possible and what things cost, but it is the community leaders who need to decide wisely together about whether the benefits outweigh the costs of each decision, activity, initiative, asset or service.

Councils need to facilitate conversations between technical experts and community leaders so that decisions about finances, assets and services are made with a full understanding of the social, environmental and economic implications.

Responsible financial and asset management in local government requires more than just better accounting and working smarter and harder. Sometimes councils receive advice about financial and asset management from private

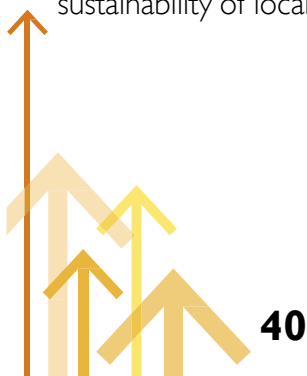


Making good decisions about how to run a council challenges people to understand the complexities of their local environment, define their priorities, share and compromise, and shape their part of the world.

Tasmania is the only state in Australia which does not require councils to undertake longer term asset or financial planning. Resource planning is essential in the light of the pressure on resources in local government, and in line with National Sustainability Frameworks for asset and financial management. However in a reform context and drawing on recent experiences in other Australian states with new integrated strategic planning frameworks, the Department of Premier and Cabinet might also consider adopting a framework which builds the capacity of councils to:

- Engage with their communities on an ongoing basis in resource allocation;
- Allow enough time for community engagement before adopting their resourcing plans;
- Build capacity and understanding within the community to participate in complex and ongoing debate about resourcing priorities; and
- Improve financial and asset reporting so it can be understood and used as a basis for decision-making by non-technical experts.

In my opinion a new mandate for councils in Tasmania to prepare long-term financial and asset management plans should also be designed to build capacity for engagement in local democracy. Conversations with communities about the realities of improving their local environments are messy but vital to the credibility and long-term sustainability of local government in Tasmania.



Even the best-managed council's rates can cause financial hardship for those who are asset-rich and income-poor, since residential property values are not always correlated with lifetime income.⁹ This situation is particularly likely where property values have risen sharply in areas where residents are on fixed or low incomes.

A high-performing council will ensure that its services are affordable for all by:

- *Ensuring that council valuation and ratings systems ensure the most progressive possible rates.* Overall, the current system of basing rates on annual assessed value (AAV) is less progressive than it could be. Several authors argue that capital improved value is probably a better indicator of capacity to pay than unimproved site value, although unimproved site value may better reflect the relative value of local government services.¹⁰
- *Offering concessions and payment options tailored to low-income and disadvantaged residents.* In addition to existing mandated concession rates, one suggestion has been to allow deferment of payment of rates—for example until a change of ownership for a principle place of residence—for ratepayers with capacity-to-pay constraints, whether long-term (retirees on fixed incomes, for instance) or short-term (such as individuals experiencing temporary financial hardship). Such an arrangement has the potential to shield low-income and disadvantaged residents from financial shocks while not disadvantaging councils or other ratepayers.¹¹

The issue of equitable assignment of rates is likely to become more critical over time, as grants as a share of local government revenue have declined

at the same time that councils' roles have expanded.¹² In the event that councils take a more active revenue-raising stance, a high-performing council will:

- 1) Undertake more active revenue raising only after preparing long-term financial and asset management plans and developing and articulating preferred affordable service levels.
- 2) Adhere to good taxation theory in regards to equity in ability to pay and benefits received.¹³

Councils may need to be enabled or encouraged in these areas by changes to the *Local Government Act 1993*, which should:

- 1) Contain a requirement for councils to prepare long-term financial and asset management plans and, in consultation with their communities, to develop and articulate preferred affordable service levels.
- 2) Make explicit that council rates contain a tax component, as well as utility charges, to ensure commitment to good taxation theory.

However, councils will also need improved federal and state funding to tackle expanding roles in social services and climate change adaptation.

A high-performing council also will engage in transparent commissioning of services based on social value and community benefit, not just value for money, and will encourage access to and sharing of community assets (buildings, equipment and knowledge).

⁹ Comrie 2013, p. 31

¹⁰ Comrie 2013, p. 32

¹¹ Comrie 2013, p. 33

¹² Comrie 2013, p. 23

¹³ Comrie 2013, p. 33



Over the long run, councils may benefit from exploring models of community governance, where local government shifts from delivering specific services to initiating collective processes which involve a wide range of players—from the public, private and non-profit sectors—in collaboration to meet community needs.¹⁴

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Australian Centre of Excellence for Local Government (ACELG), Institute for Sustainable Futures and University of Technology, Sydney (2011) *Local Government and Community Engagement in Australia*. ACELG Working Paper No. 5, November.

Comrie, J (2013) *In Our Hands: Strengthening Local Government Revenue for the 21st Century*.

Australian Centre of Excellence for Local Government, University of Technology, Sydney.

The Challenge

The challenge for councils is to undertake this role in an environment of tight financial and staff resources, with increasing regulations and community expectations. Tasmanian councils recorded a “net operating” (excluding capital revenue sources) deficit of \$12.771 million in 2011/12¹.

The Tasmanian Auditor General concluded “at a consolidated level, councils in general had:

- high financial sustainability risk from a governance perspective,
- moderate financial sustainability risk from operating and asset management perspectives.”²

“A number of councils need to address continued operating deficits, consider introducing audit, or equivalent committees and long-term asset and financial management plans.”³

Councils deliver services from a \$6.3 billion investment in infrastructure assets⁴, with roads generally the most significant asset class. “Expenditure on local roads has been less than the life cycle costs for the past 5 years or more, but trends and future consequences are not being reported.”⁵

The life cycle funding position for Tasmanian councils, is shown below.

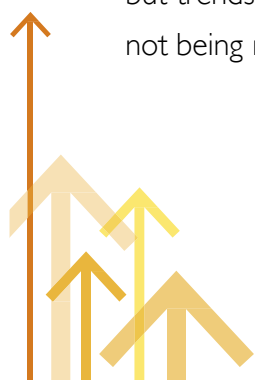
Nationally, “expenditure on local roads will need to increase by an average of \$1.2 billion per year for the next 15 years to avoid further and possible acceleration of service level deterioration.”⁶ Tasmania’s share of this is \$33 million per year.⁷

It is most likely that councils will not have enough revenue to continue to provide the current levels of service the community enjoys at present.

Meeting the Challenge

The key to meeting the challenge is to match the community’s need for services with affordability and ability to pay.

Improved service planning to define what are the services the community really needs, Asset management and financial planning to achieve a net operating surplus over a 3-5 year period while accepting the service levels and risk consequences.



- Careful consideration of the financial implications of acquiring new assets.
- Community engagement to inform on current and projected service levels, risks and costs and inform and guide councils' budget and planning decisions.

Council Capacity

The national framework for financial sustainability of local governments sets out the capabilities required to improve service delivery and financial sustainability. Tasmania has set a *process for good asset management*⁸, which IPWEA supports.

Tasmanian councils are well advanced in implementing the national framework. If the challenge is to be overcome, continual improvements is required in asset planning and financial management.

Councils can do this by increasing their asset management and financial management resources and capacity and making the long term financial plan the basis for annual budgets.

This will ensure that asset management plans and long-term financial plans are updated at least annually to achieve a net operating surplus over a 3-5 year period and year 1 of the LTFP becomes each year's annual budget.

Achieving financial sustainability in providing services is not a once-off task. It is an ongoing essential part of the business of councils providing services to their communities.

Councils will need to resource the tasks required to achieve financial sustainability in providing services and ensure staff have the necessary skills and time to do these tasks properly.

Councils are often the largest and most complex business in town and it is essential that councillors as the board of directors have the necessary skills, resources and information to fulfil their governance role as custodians of Tasmanian councils' \$6.3 billion investment in infrastructure assets⁹.

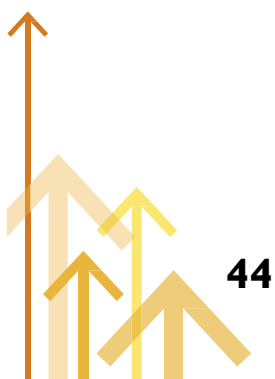
The consequences of failure to implement best practice in asset and financial planning is to not realise the best benefit from this \$6.3B investment, infrastructure assets will continue their path of decline, risks will not be managed and minimised and community service levels will deteriorate to a point where quality of life and economic conditions will not support community expectations.

Support and Resources

IPWEA has been very pleased to support the Local Government Division and Local Government Association of Tasmania in assisting councils improve their expertise in asset management and long-term financial planning.

We feel these initiatives have been very positive and councils have improved the skills base.

The momentum must not be lost.



- ¹ Tasmanian Audit Office, 2013, p 9.
- ² Tasmanian Audit Office, 2013, p 10.
- ³ Tasmanian Audit Office, 2013, p 10.
- ⁴ Tasmanian Audit Office, 2013, p 9.
- ⁵ ALGA, 2010, Finding 1, p 5.
- ⁶ ALGA, 2010, Finding 2, p 6.
- ⁷ Based on ALGA, 2010, Table 10, p 10, Tasmania's road expenditure is 2.7% of total.
- ⁸ DPAC, 2013, p 4.
- ⁹ Tasmanian Audit Office, 2013, p 9.

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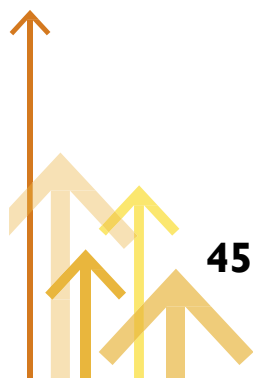
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Legislation and by-laws

Councils enforce relevant state and national legislation and create by-laws and policies as required to support the efficient functioning of council.

Submission by **Sarah Artist** and **Ronald Woods**, University of Technology, Sydney

Three levels of governance

As a federation, Australia has three levels of governance, which allows decisions to be made at the most appropriate level. The Parliament of the Australian Government makes laws for the whole country, while State and Territory Parliaments make laws for their respective jurisdictions. Each state has a local government act (law) that provides the rules for the creation and operation of councils. The Acts vary from state to state, but in general they cover how councils are elected and their power to make and enforce local laws, known as by-laws or local laws¹⁵. Elected councillors decide on policy and make by-laws for their community at council meetings.

A by-law is a form of delegated legislation, which implies that the state government delegates the authority to councils to make laws on matters relating to local services and activities, and it also implies that such by-laws may be overruled by state laws¹⁶.

Scope of local government activity

In Tasmania, the *Local Government Act 1993* establishes local governments and grants them **general powers** in relation to issues such as local roads, waste management, building approvals, town planning and domestic animal regulation.

Other examples of the scope of local government activity are that federal, state and local governments jointly administer **environmental protection** laws through bilateral agreements. Local government has traditionally played a strong role in **public health** and is predominantly responsible for monitoring and implementing public health legislation in most jurisdictions.¹⁷ A range of other statutory instruments devolves responsibilities to local government. In some cases state legislation may override local decisions.¹⁸

Putting laws into action

Each of the three levels of government has an executive that administers the laws that have been passed. At the local level, the decisions that have been made by elected councillors are administered by the Chief Executive Officer and other non-elected employees of the council. In order to secure funding to put laws into action, local councils collect taxes such as rates, sewerage and water charges and they also receive grants from federal and state governments.

¹⁵ Productivity Commission (2012). *Performance benchmarking of Australian Business Regulation: Role of local government as regulator*. Productivity Commission Research Report Volume 1, Canberra, p 7.

¹⁶ Parliamentary Education Office (n.d.). *Governing Australia: Three levels of law-making*, http://www.peo.gov.au/students/cl/CloserLook_Three_Levels.pdf, accessed March 2013.

¹⁷ National Public Health Partnership (2002). *The role of local government in public health regulation*, National Public Health Partnership, Melbourne, <http://www.nphp.gov.au/publications/legislation/localgov.pdf>, accessed March 2013.

¹⁸ Australian Government (1999). *Opportunity Denied: Review of the legislative ability of local government to conserve native vegetation*, Chapter 2 Tasmania, <http://www.environment.gov.au/land/publications/pubs/oppden2.pdf>, accessed March 2013.



Leading practices

Leading practices identified by the Productivity Commission on the basis of a study into local government's regulatory role include¹⁹:

- Allowing local governments the autonomy to respond to the needs and aspirations of local communities, while coordinating and prioritising regulatory objectives, responsibilities and activities between and within tiers of government;
- Maintaining up-to-date registers of state laws which require local governments to play a regulatory role and maintaining a database of all local laws in each jurisdiction;
- Conducting impact analyses for proposed local laws and ensuring that local regulations do not cause unintended consequences or overlap with other regulation;
- Making use of web publishing for local laws to improve the transparency of local government;
- Ensuring that local governments receive guidance on local law and policy making and have adequate finances, skills and guidance to undertake new regulatory roles; and
- Promoting resource sharing to address deficiencies in the capacity of individual local governments to discharge their regulatory functions.

Local government is an important partner in the Australian regulatory environment. In order to effectively improve local government governance and regulation, the above leading practices could be considered by adoption by state and local government in Tasmania.

¹⁹ Productivity Commission (2012). *Performance benchmarking of Australian Business Regulation: The role of local government as regulator*. Productivity Commission Research Report, Canberra.



Representation and cooperation

Councils engage with each other and other spheres of government to represent and advocate the needs of their communities, and where appropriate, cooperate and work in partnership to generate the greatest benefit for communities.

Submission by **Robert Dobrzynski**, General Manager, Launceston City Council

Almost exclusively, governments and private sector investors take into consideration catchments broader than individual council areas in making their policy and investment decisions. These broader areas may be related to a regional specific or retail catchment geographical area.

This reflects a plausible and pragmatic strategic perspective that most of the important social, economic and environmental factors that influence our local quality of life and prosperity have their genesis across a broader geographical scale than an individual local council area.

Therefore logically, research and planning at a more macro level and translating the results to a local level represents a more effective approach.

This positioning should not be seen as compromising localism. Local priorities and aspirations can coexist consistently within a regional planning framework which provides a broader level of comprehensive data and sophisticated analysis of existing circumstances and trends.

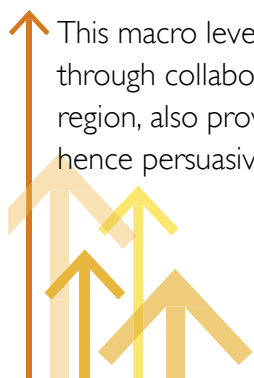
governance which offers better prospects of success.

It should not be seen as an alarmist proposition that councils be required legislatively to collaborate and develop auditable regional strategic plans which deal with social, economic and environmental priorities derived from research and analysis, and importantly broader engagement strategies with local and regional communities.

This provides potential to set regional aspirations and objectives which translate into a series of priority projects and strategies aimed at addressing challenges and taking up opportunities through the establishment of collaborative partnership frameworks.

Operating individually, a council almost inevitably lacks the context, resources and political will to undertake this level of sophisticated strategic work which is heavily reliant on a strong data driven evidence base.

This macro level approach, brought about through collaboration by councils across the region, also provides a more authoritative and hence persuasive evidence-based approach to



The practice of councils engaging with each other on high order strategic priorities is currently seen to be adhoc in nature and does not even begin to capture the resource capability and political influence potential available to the local government sector in an increasingly competitive State and national political environment.

The most immediate challenge to a paradigm shift that sees local policy independence set in a regional strategic context appears to lie within parochialism and self-interest which has blighted attempts for local government in Tasmania to move into the 21st century.

Many elected members may appear to have a personal interest in maintaining a fragmented system of Local Government which enables them the greatest influence on their parochial interests within their "patch".

Similarly, senior managers may have a personal and pecuniary interest to maintain their roles and seniority with the council and local community. Additionally, faced with disconfirming evidence that the real priorities socially and economically for the region, and therefore having a major influence on the local area, do not align with the priorities of individual elected members as reflected in council plans, perhaps challenges our under-developed capacity to look broader than parish pump interests.

The system of local government in Tasmania with 29 councils for a population less than 500 000 and smaller than the City of Newcastle, discourages high performance in researching, analysing, planning and combining resources in a more effective manner.

However this new affordable collaborative and regionally focused positioning would appear to be an important part of local government maintaining its relevance in achieving outcomes which have a major influence on improving local prosperity and quality of life.

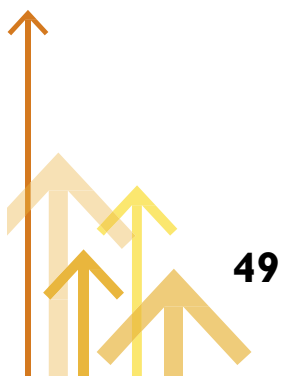
It could be observed that local government in Tasmania appears to doubt its ability to rise to the challenge.

Our councils must move to a position where collaboration and partnerships become normal practice, and coalitions of councils possess sophisticated data and planning frameworks which drive government and proactively encourage private sector buy-in.

The adage "if we do not act decisively to help ourselves how can we reasonably expect others to help" appears to place the challenge of a changed approach squarely in the hands of local government.

A failure for local government in Tasmania to rise to the occasion risks the situation of an increasingly mendicant local government operating within an increasingly mendicant State.

In this situation, local government will continue to loose relevance to the daily lives of its residents. Daily cost of living pressures on our communities demand a response from local government to dramatically reduce unit costs of services through an informed broader based regional strategic approach and collaboration.



It is crucial that all parties involved in combating social exclusion work together, both within and between levels of government. As noted by the Tasmanian Government's guide to whole-of-government action, collaborative thinking and action can:

- lead to better understanding and creative approaches to complex issues that straddle issue areas, such as access to basic services;
- capture issues that fall between the silos of different levels of government, departments and services, such as food security; and
- help to ensure that different levels of government and departments are working towards a common set of policy goals.²⁰

A high-performing council works towards collaborative thinking and action:

- *within the council*, to break down organisational barriers between, for example, planning and community development staff;
- *between councils*, to maximise opportunities for sharing expertise and resources; and
- *between the council and State government*, to advocate for all residents—including socially excluded members of the community—and to ensure policy harmonisation.

In the last regard, the State Government can assist by helping create institutional arrangements that enable integration between planners and State Government departments as well as shared decision-making between spheres of government. The State Government can also engage in bureaucratic and (if necessary) legislative review to ensure that vital tasks can be addressed by the level of government best suited to the problem.

But councils can also achieve better social inclusion outcomes—and save themselves work in the process—by working in partnership with community service organisations not only in service delivery, but in the policy planning process.

As already noted, socially excluded individuals and groups are among the least likely to engage with public consultation processes, making it hard for local governments to hear their points of view. Community service organisations have the potential to serve a unique function as a bridge between Tasmania's spatial planning system and some of the State's most marginalised individuals, families and communities.

With their detailed knowledge, community service organisations have the potential to help local governments:

- understand specific local issues contributing to disadvantage and social exclusion;
- avoid potential problems in existing and proposed planning approaches and schemes; and
- develop innovative approaches towards overcoming existing and potential barriers to social inclusion and community well-being.

Local governments can indeed seek out federal funding for projects involving collaboration with the State Government and community sector on social-inclusion-related issues.

A high-performing council creates databases of local community service organisations interested in contributing to policy and project planning processes (for instance through an e-mail survey of all local community service organisations), and consults the community service sector early in the policy planning process, as well as in the early planning stages of major developments, to ensure

²⁰ Department of Premier and Cabinet 2010.

that there is adequate time to respond to their feedback and concerns.

Strategic advisory groups—which can meet on an ad hoc basis—may be the best way to get planners, community development officers, and community service organisations together.

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http://www.dpac.tas.gov.au/divisions/policy/collaboration_a_tasmanian_government_approach



About the authors

The following contributing authors provided brief information describing their position and/or role, and either their personal or organisation's interest in the debate.

Chris Champion and John Howard, Institute of Public Works Engineering Australia

The Institute of Public Works Engineering Australia (IPWEA) is a not-for-profit professional association. It provides member services and advocacy for those involved in and delivering public works and engineering services to the community.

IPWEA provides guidance material and training courses on public works asset management and also on infrastructure financial management in the context of asset management. It works closely not only with its members but also with other membership bodies and government agencies in the development and provision of these services.

Much of IPWEA's work is of particular relevance to the local government sector. It regularly conducts training programs developed in conjunction with Departments of Local Government and Local Government Associations in most states.

IPWEA's guides include the International Infrastructure Management Manual (IIMM), NAMS.PLUS2 Asset Management, the Australian Infrastructure Financial Management Guidelines (AIFMG), Practice Note No. 6 Long-Term Financial Planning with a Level of Service and Consultation Practice Note in preparation. Training is provided for writing asset management plans (NAMS.PLUS2), Infrastructure Financial Management and Long-Term Financial Planning throughout Australia and in Canada.

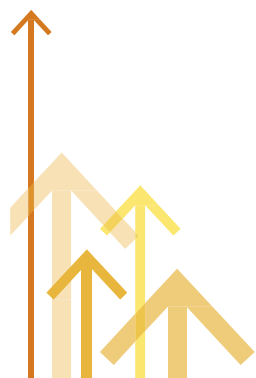
Professor David Adams, Professor of Management in Innovation, Faculty of Business, University of Tasmania

Professor Adams has worked with local and regional governance challenges in a range of roles both in Tasmania and internationally, for example as Social Inclusion Commissioner, as a Director of Northern Tasmania Development and as a founding member of the OECD Observatory PASCAL. In Professor Adams' opinion, how to use the 'local' to reap the benefits of globalisation and mitigate the risks is one of the biggest challenges of our times.

Planning Institute of Tasmania

The Planning Institute of Australia (PIA) is the national body representing the planning profession. Through education, communication and professional development, PIA is the pivotal organisation serving and guiding thousands of planning professionals in their role to create better communities.

The Tasmanian Division of PIA has approximately 130 members, many of whom work directly for local governments. Other members are planning consultants who assist developers and the general public in their dealings with planning authorities (councils).



Robert Dobrzynski, General Manager, Launceston City Council

Launceston is a regional service centre with a population of 108 000 that operates in a multi-jurisdictional environment spread over six council areas. There is a symbiotic relationship between Launceston and its region that demands a more sophisticated model of strategic planning, engagement with government and collaborative relationships between councils than currently exists.

In the context of the existing political climate in Tasmania, the Role of Local Government discussions provide the only realistic opportunity for a paradigm shift in the way local government functions to make it more relevant to 21st Century communities in a challenged economic and social environment.

Tasmanian Council of Social Services

The Tasmanian Council of Social Services (TasCOSS) is the peak body for the Tasmanian community services sector. Its membership comprises individuals and organisations active in the provision of community services to low income, vulnerable and disadvantaged Tasmanians. TasCOSS represents the interests of its members and their clients to government, regulators, the media and the public. Through its advocacy and policy development, TasCOSS draws attention to the causes of poverty and disadvantage and promote the adoption of effective solutions to address these issues.

University of Technology, Sydney's Centre for Local Government (UTS:CLG)

The University of Technology, Sydney's Centre for Local Government (UTS:CLG) has been in operation for over twenty years, and its mission is to support the advancement and improvement of local government in Australia through research, education and specialist consultancy services. The UTS:CLG is also a consortium partner in the Australian Centre of Excellence for Local Government (ACELG). Background work that has been done by both ACELG the UTS:CLG which is of relevance to the issues within this paper are:

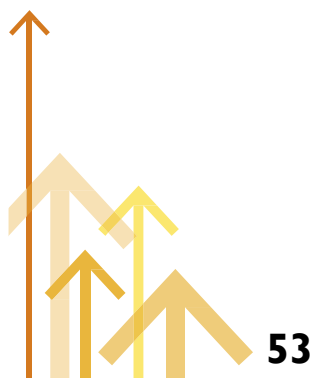
- Long Term Financial Planning Practice Note Integrated Planning and Reporting: Reflections on Three Years of Implementation by NSW Councils (2012)
- Evolution in Community Governance (2012)
- Strategic Planning in Australian Local Government - A Comparative Analysis of State Planning and Reporting Frameworks (forthcoming).

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Andrew Wardlaw is currently the General Manager of the Burnie City Council and previously General Manager at King Island and West Coast Councils giving him experience in small rural to medium urban councils. Andrew has been in local government for twenty years after a ten-year career in the finance industry.





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