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To: Local Government Legislation Review (DPaC)
Subject: Submission to Review of Tas LGA

Dr Jennifer Bolton
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Submission to the Review of Tasmania's Local Government Legislation Framework

There are a number of sections of the current legislation that I am concerned about and hope will be improved in the new legislation.

Local Government Act 1993

Part 3 - Local Government

Division 2 - Councils

24. Special committees

The special committee provision allows for councils to establish special committees for any purpose they see fit and to appoint people to that committee as the council thinks appropriate.

This allows councils to establish local district committees with hand-picked members and use those committees to conduct community consultation thus avoiding having to consult the entire community on certain matters. This works very well for councils as they only have to get the agreement of a handful of residents to proceed with their plans and can defend their decisions by saying they consulted the community.

It is fundamentally wrong to have the council decide which members of the community they consult with and creates a great deal of inequity between residents who are on the committee and those who are not. This system prevents the wider community from having a voice on important matters within the community such as budget priorities for their local area.

This section of the legislation should be tightened up by prohibiting councils from establishing special committees for the purpose of community consultation.

Part 12 - Special Powers

Division 1 - Purchase, acquisition, sale and lease of property

178. Sale, exchange and disposal of public land If a council wishes to lease public land they are required to advertise this fact, the public has a right to object and all objections must be considered before a lease can proceed.

However,

179. Lease of public land for less than 5 years This section says council may lease public land for less than 5 years without complying with section 178.

This section should be removed. It should not matter how long a lease is, the public should still be able to lodge objections if councils want to lease public land.

At present councils are able to lease public assets over and over again to the same groups or individuals with no scrutiny, as long as each lease is less than 5 years.

Also,

177A. Public land

The requirement for the general manager to maintain a list of all public land in the municipality and make it available for public inspection should be expanded to include details of the current leases on the public land including the identity of the current tenant and when the lease expires.

Yours sincerely,

Dr Jennifer Bolton