

Introduction

The Australian Services Union (ASU) is one of Australia's largest unions, representing over 135,000 members across diverse industries. Created in 1993, the ASU brought together three large unions - the Federated Clerks Union, the Municipal Officers Association, and the Municipal Employees Union, as well as several smaller organisations representing social welfare workers, information technology workers and transport employees.

The Victorian and Tasmanian Authorities and Services Branch of the union represents workers in Tasmania's local government sector and counts members at each of Tasmania's 29 councils.

We welcome the opportunity to make a final submission to the Future of Local Government Review, this time in response to the Final Report. The ASU also appreciates the informative and productive discussion Michael Mogridge and others in the Office of Local Government since the release of the Final Report.

The ASU has made a number of submissions to earlier stages of the Future of Local Government Review. Those submissions set out ASU members' concerns with proposals put forward by the Local Government Board and make sensible proposals to address many of the largest issues faced by councils across Tasmania.

This submission sets out ASU response to and recommendations on the Final Report.

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Summary

The Future of Local Government Review Final Report makes 37 recommendations on the role of local government, structural reform, specific reforms, and implementing the reform agenda. The ASU agrees with a number of these recommendations.

However, the ASU has concerns with and makes comments on a number of recommendations made by the Local Government Review Board.

Key themes in these recommendation-specific comments are

- The importance of accountable and detailed workforce planning to ensure councils have sustainable and diverse workforces.
- No forced council amalgamations by ensuring separate polls in each council area involved in an amalgamation proposal.
- The critical importance of local decision-making where councillors, after genuine consultation with communities, decide the services and infrastructure the council will provide and the form of service delivery that best suits their communities.
- The opportunity for the Tasmanian Government to partner with councils to improve councils' capacity around workplace safety.

Recommendations on the role of local government

Recommendation 3 (see also comments on recommendation 36)

The Tasmanian Government should work with the sector to develop, resource, and implement a renewed Strategic Planning and Reporting Framework that is embedded in a new Local Government Act to support and underpin the role of local government. Under this Framework councils will be required to develop – within the first year of every council election – a four-year strategic plan.

The plan would consist of component plans including, at minimum, a:

- *community engagement plan;*
- *workforce development plan;*
- *elected member capability and professional development plan; and*
- *financial and asset sustainability plan.*

The ASU has concerns regarding the non-specific recommendation for councils to develop a workforce development plan.

Workforce planning should include broad participation from those engaged in the workplace, as is the case in Western Australia, where workforce planning includes “the council, all employees and other stakeholders, including unions and professional organisations.”¹

To be effective in tackling workforce issues on a local and statewide basis, each workforce development plan must be informed by statewide skill shortages, the local experience of each council in attracting skilled workers and the expected department-level workforce demand for the period of the plan. Each should also include the gender and age profile of the existing workforce.

In the absence of this information, there is no connection to the context of workforce development, resulting in council-level plans being little more than a projected headcount of employees.

Workforce development plans must also consider factors that cause localised workforce shortage. These issues may be statewide issues, such as a lack of affordable housing or a lack of suitable training providers in regional and remote areas. Issues of this nature are beyond the capacity of a single council to address and will require a statewide policy response from the Tasmanian Government.

The Office of Local Government has an important role in supporting councils to address ongoing and sector-wide skill shortages.

An example of a state government providing support to councils actively addressing persistent skill shortages is the Victorian Government’s Women Building Surveyors Program.² Through this two-year program, councils could nominate a female staff member or recruit a female staff member to be part of the program. Successful councils received \$75,000 each year from the Victorian Government

¹ Department of Local Government 2012, *Workforce planning: the essentials*, Western Australian Government, p5.

² Local Government Victoria (2022) *Women Building Surveyors Program, Local Government*. Available at: <www.localgovernment.vic.gov.au/grants/women-building-surveyors-program>.

so the council's candidate could begin professional qualifications, gain work experience at the council or attend development opportunities.

To ensure workforce development plans are a genuine mechanism for planning for the future workforce, there must be public reporting of workforce development plans, measurable targets within the plans for ensuring workforce sustainability, clear actions to achieve targets, and a projection of resources required.

ASU Recommendations:

1. Workforce development planning is an open process involving employees and stakeholders such as unions and professional associations.
2. A new Local Government Act should require councils to develop, monitor and report on workforce plans.
3. Council workforce plans are public documents and include measurable targets and actions to achieve a sustainable and diverse workforce.
4. The Office of Local Government should create a statewide workforce development plan, and provide a policy response to issues beyond individual councils' capacity to address.

Recommendations on structural reform

Recommendation 7

In those areas where amalgamation proposals are being developed, a community vote should be held before any reform proceeds, to consider an integrated package of reform that involves both a formal council amalgamation proposal and a funded package of opportunities to improve community outcomes.

This recommendation poses a serious risk that the views of smaller communities will be overridden leading to forced council amalgamations.

It is clear from the discussion in the final report there would be a single poll of voters in affected areas rather than individual polls where voters in each council would decide whether they wish their council to amalgamate.

“This poll would be run in all the areas affected by the reform proposal. If the vote were successfully carried, the Tasmanian Government would then implement the Board’s structural reform recommendations to establish the new council and would begin implementing the funded supporting initiatives.”³

It is possible to illustrate the effect of the proposal for a single poll by considering how the result of a previous amalgamation proposal would change by denying voters in the smaller council area an independent say on amalgamation.

³ Local Government Board 2023, The future of local government review final report, Tasmanian Government. Available at <www.futurelocal.tas.gov.au/publications/>

In 2017 a survey conducted by Sorell Council found very strong support for amalgamation (84 %) and two years later an elector poll in the Tasman Council area found strong opposition to amalgamation (68%).⁴⁵ If these results were replicated in a single poll covering the two council areas, Sorell Council's much larger population, which overwhelmingly supported an amalgamation with Tasman Council, would have forced an amalgamation against the wishes of Tasman voters.

As a further illustration, if the merger proposals outlined in the Future of Local Government Final Report were to proceed, the community of Southern Midlands Council could be forced to amalgamate against its wishes with the larger voting population of Brighton Council. The community of the Central Coast Council could be forced to amalgamate against its wishes with Burnie City Council.

ASU Recommendation:

5. The Tasmanian government fulfils its commitment that there will be no forced amalgamations by ensuring a separate poll in each existing council area to determine the community's view on amalgamation.

Recommendation 9

The new Local Government Act should provide that the Minister for Local Government can require councils to participate in identified shared service or shared staffing arrangements.

Local democracy relies on local decision-making informed by councillors' engagement with their communities. This ensures local voices are heard in determining which services a council will deliver and how those services will be delivered.

The Local Government Review Board's recommendation will result in the Minister for Local Government dictating how councils deliver services to their communities.

This will lead to the centralisation of service delivery away from communities, with significant detrimental effects detailed in previous ASU submissions.

ASU Recommendation

6. Local councillors, rather than minister who may have no connection to affected communities, should decide on participation in shared services.

⁴ Thomas Wilson, S 2017, Sorell residents back merger, Ther Mercury, 4 August. Available at <<https://www.themercury.com.au/news/politics/sorell-residents-back-merger/news-story/a20ce0ec5b6de59ea90293dec97c373c>>

⁵ Tasmanian Electoral Commission 2019, Tasman Council Elector Poll. Available at <<https://www.vision6.com.au/em/message/email/view.php>>

Recommendations on specific reforms

Recommendation 33

A new Local Government Act should require councils, when developing and adopting their community engagement strategies, to clearly set out how they will consult on, assess, and communicate the community impact of all significant new services or infrastructure.

Consultation with communities should not be limited to significant new services or infrastructure.

Limiting the requirement to consult with and inform communities only on the impact of significant new services and infrastructure fails to recognise the huge value communities place on many of the services and infrastructure currently provided by councils.

Particularly in smaller communities, councils often provide services as a provider of last resort, and their removal without community input could have devastating effects. Communities could be left without medical care, child care or a range of other essential services if the council is not required to consult on the community impact of any service reduction.

ASU Recommendation:

7. A new Local Government Act should require councils to clearly set out how they will consult on, assess, and communicate the community impact of significant changes to existing services and infrastructure.

Recommendations on implementing the reform agenda

Recommendation 36 (see also comments on recommendation 3)

The Tasmanian Government should:

support the Local Government Association of Tasmania (LGAT) to develop and implement – in consultation with councils and their staff – a workforce development toolkit tailored to the sector and aligned with the Tasmanian Government’s workforce development system;

- *support councils to update their workforce plans at the time of any consolidation;*
- *support LGAT to lead the development and implementation of state-wide approach to workforce development for key technical staff, beginning with environmental health officers, planners, engineers and building inspectors;*
- *recognise in statute that workforce development is an ongoing responsibility of council general managers – and that it be included as part of the new Strategic Planning and Reporting Framework; and*

- *include simple indicators of each council's workforce profile in the proposed council performance dashboard.*

The ASU supports a requirement that workforce development planning becomes an ongoing statutory responsibility of General Managers. However, along with this responsibility must come accountability. Ministerial approval of council-level Workforce Development Plans will provide rigorous oversight of plans and ensure General Managers take the process of ongoing workforce planning seriously.

The ASU supports statewide oversight of workforce planning and urges a greater role for the Office of Local Government in the creation of the workforce development toolkit. If the development of this vital resource is left to councils, through their representative body LGAT, it risks embedding the existing approach that has placed little emphasis on workforce planning.

As part of the toolkit development, broad issues of workforce sustainability should be included. Drawing on the approach in other states could ensure best-practice in Tasmanian local government workforce planning.

For instance, in New South Wales, the Workforce Management Strategy should address issues such as:

- an ageing workforce
- succession planning
- how to provide opportunities to create and retain positions for local young people
- incentives and other programs that will support the council to be an employer of choice
- learning and development
- performance management
- recruitment strategies to fill skills gaps
- workforce diversity.⁶

ASU Recommendation:

8. The Office of Local Government to lead the development of the toolkit with ongoing input from LGAT, council, unions and other stakeholders.
9. Toolkit development to draw on best practice in other jurisdictions to ensure ongoing workforce planning addresses broad issues of workforce diversity and sustainability.

⁶ Office of Local Government (2021) *Workforce planning*, NSW Government. Available at: www.olg.nsw.gov.au/councils/integrated-planning-and-reporting/support-for-implementation-of-ipr-framework/workforce-planning/

Recommendation 37

The Tasmanian Government should partner with, and better support councils to build capacity and capability to plan for and respond to emergency events and climate change impacts.

The ASU supports the Tasmanian Government partnering with and better-supporting councils to build the capacity and capability to respond to emergency events and climate change impacts. Similarly, the Tasmanian government should partner with and support councils to improve work health and safety at councils.

The tragic and avoidable loss of life in a workplace incident at West Coast Council, and the council's response in the days and weeks following, underlines the importance of capacity building at councils.

The ASU's observation is West Coast Council failed to ensure safe systems of work, attempted to obstruct investigations and protect its reputation by requiring employees to filter responses to Worksafe Tasmania through council lawyers, and put barriers in the way of a Health and Safety Representative being trained by an accredited trainer of their choice. Greater capacity at the council may have ensured safe working practices and a response more focused on the future safety of the workplace than we have seen.

ASU Recommendation:

10. The Tasmanian Government to partner with councils to build capacity around workplace safety.
11. The Tasmanian Government to increase funding to WorkSafe to ensure WorkSafe intervenes when employers breach the Act.
12. The Tasmanian Government will instruct WorkSafe to respond to serious workplace incidents by meeting on-site with all workers to inform them of any investigation and how workers can raise workplace health and safety concerns.
13. The Tasmanian Government instructs WorkSafe to act when an HSR Committee is not operational by engaging with workers and their representatives to form an HSR Committee as quickly as possible
14. Amend the Work Health & Safety Act 2012 to recognise employee representatives