

File No: SF0081
LP

Your Ref: n/a

8 March 2019

Local Government Legislation Review Project Team
By email: LGARReview@ddpac.tas.gov.au

Dear Local Government Legislation Review Project Team

Local Government Legislation Review Discussion Paper

Thank you for providing City of Launceston with opportunity to make a submission in respect of the above by 5pm Friday 8 March 2019.

At a Council Meeting on Thursday 7 March 2019, Council endorsed the following as the City of Launceston's submission in respect of the Local Government Legislation Framework Review Discussion Paper:

Overview of Local Government

- Community planning must be an essential component of long term planning and sustainability of councils. The City of Launceston would like to see community planning on a regional basis.
- The City of Launceston believes that level of service planning and sectoral consistency in the approach to level of service planning, is critical to sustainable local government in Tasmania.
- Strategic planning by Councils should consider regional outcomes, eg. regional land use strategy, regional infrastructure plan, regional recreation plan, regional stormwater management plan, regional transport network plan, regional waste management plan and regional dog management plan.

Council Governance and Powers

- Thinking about various legislated plans, eg. long term financial plan, strategic plan and stormwater management plans, the City of Launceston would like to see:
 - a framework that demonstrates the way the plans are intended to work together.
 - consistency in the level of detail required in each of the plans.
 - rigour around the timing of reviews to complement the local government election cycle.
 - end of term reporting and four-year delivery plans to complement the local government election cycle.



City of
LAUNCESTON

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Town Hall, St John Street, Launceston
PO Box 396, LAUNCESTON TAS 7250 T 03 6323 3000
E contactus@launceston.tas.gov.au www.launceston.tas.gov.au

Democracy and Engagement

- Around local government elections, the City of Launceston asks for consideration around the following:
 - The method of voting should be contemporised - the time, cost and energy that goes into printing booklets is perhaps not the best use of resources or the most effective way of engaging voters.
 - A shortened voting period (eg. one day like State and Federal elections) to give more certainty to candidates and the community.
 - A caretaker convention for election periods would keep decisions on policy and strategic direction moving in the lead up to elections - a review of delegations made to the General Manager during this period would also be useful (eg. to remit fees and charges).
 - Provision for the runner-up in the Mayoral candidacy to become the Deputy Mayor.
 - Eligibility for inclusion in the General Manager's Electoral Roll should be reviewed.
- General flexibility is required to allow Councils to be able to respond effectively to community views on key directions and strategic matters.
- Persistent references to 'electors' in the *Local Government Act 1993* (Tas) diminishes the role and influence of members of the community who are not electors, eg. people under 18 years of age.

Council Revenue and Expenditure

- Increased rigour around the content, use, consistency and auditability of key documents like the long term financial plan and strategic asset management plan would improve the value these documents add to decision making.
- The State Grants Commission needs to be cognisant of the impact and cost that some Councils bear to provide regional services; a mechanism to attach a weight to regional services may be a fairer approach to funding distribution.
- The City of Launceston would like to see sectoral consistency in the costs for services that are passed on to rate payers, eg. 100% of stormwater and waste management costs should be passed on to rate payers.
- Rate capping is not a solution to financial sustainability - Councils should be self-regulating and if there is a determined and equitable approach to the content, review and engagement on, eg. the long term financial plan and strategic asset management plan, Councils are then regulated by the community and planning constructs.
- The City of Launceston would like to see some of the more prescriptive elements in current legislation relaxed:
 - Prescription around cost recovery when Councils act against a nuisance, and the length of time it takes to recover costs, impact a Council's appetite to act, or limits a Council's ability to work in the community to resolve some nuisances - this is often seen as a failure by Councils to act.
 - Prescription around rate recovery sales is problematic because auction is no longer a preferred model for most real estate agents.

- The City of Launceston would like to see less prescription around the leasing of land for a public purpose by making certain land transactions not referable to Council, eg. term extensions for leases and licenses of less than 10 years to any not for profit group; transfer of easements to government owned or controlled entities for the purposes of providing utility services to the public.

Performance Transparency and Accountability

- Community indicators for each municipal area, that are focussed on outcomes rather than outputs, should be determined so as to:
 - drive performance and change.
 - inform the annual planning cycle.
 - be reported in the Annual Report.
 - Community indicators should be based on environmental, cultural, social and economic well-being.
- Indicators may be required by legislation but should not be the same for each municipal area - what should be measured in a small rural council would be different to an urban council.

A copy of the (unconfirmed) minute item is attached for your reference.

Yours faithfully



Leanne Purchase
Acting Manager Corporate Strategy

Attachment (1)

TITLE: Local Government Legislation Framework Review

FILE NO: SF0081

AUTHOR: Leanne Purchase (Acting Manager Corporate Strategy)

DIRECTOR: Louise Foster (Director Corporate Services)

DECISION STATEMENT:

To consider the content of the City of Launceston's submission on the broad principles and topics covered by the Local Government Legislative Framework Review Discussion Paper.

RECOMMENDATION:

That Council endorses the following as the City of Launceston's submission in respect of the Local Government Legislative Framework Review Discussion Paper:

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Ms L Foster (Director Corporate Services) was in attendance to answer questions of Council in respect of this Agenda Item.

DECISION: 7 March 2019

MOTION

Moved Councillor J Finlay, seconded Councillor A G Harris.

That the Motion, as per the Recommendation to Council, be adopted.

CARRIED 10:0

FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J Finlay, Councillor A E Dawkins, Councillor N D Daking, Councillor D H McKenzie, Councillor K P Stojansek, Councillor P S Spencer, Councillor A G Harris and Councillor T G Walker