

- There are very few facilities in Perth.
- Perth has the highest population of all towns in the Northern Midlands but continues to feel neglected.
- Decisions are made without community input/consultation.
- There is no transparency in the appointment of Local District Committees.
- The river bank is not looked after.
- Perth does not have an annual event to draw people in.
- Lack of family friendly facilities (i.e. playground, pump track, etc).
- There is no one from Perth on the Northern Midlands Council.

Evandale

- District Committee make-up is unclear.
- Residents don't get to hear about what comes out of District Committee meetings.
- It would be good for Council as part of its review of the District Committees to consider appointments based on 'sectoral' representation.
- Communication from Council could be improved (i.e. using things like Neighbourhood watch to disseminate information).
- Unclear of Council's views on proposed residential developments and the impact the same may have on the character of Evandale.
- Existing infrastructure may not cope with expanded residential areas.

Campbell Town

- No-one wanted the underpass – but Council did not appear to support the community in its opposition.
- There is a lack of information/clarity around what is actually happening with the Main Street makeover.
- A lot of the strategies are non-specific to Northern Midlands – they could equally apply anywhere.
- The documents need to be written in plain English.

Ross

- Cannot understand why the Council is so 'disengaged' with its community.
- Disappointed in the lack of 'take-up' with these community forums.
- There appears to be a lack of goodwill and secrecy occurring within the Northern Midlands Council.

 Consultation Report – Local Community Strategies

- Some Council staff are dismissive of community input.

Longford

- There are no implementation plans attached to the strategies.
- It would be beneficial to have some demographic data included in the strategies.
- Communication from Council in recent years has been appalling.
- Why are the public not allowed to participate in District Committee meetings?
- Facebook is used by the Council – but you are unable to comment on items.
- The consultation should have come first before the Council developed the strategies.
- Like the way the role of provider/facilitator/advocate has been included – but would be beneficial to have some description as to what this means.
- Arts and aboriginal culture appear to be a low priority within the strategy documents.
- Community has no concept of what the Northern Midlands Council vision is for Longford.
- Education does not rate a mention in the strategies.
- Does the Council have the resources to execute the list of projects included in all the strategies?
- How are the various components of the strategies going to be delivered.
- Often plans and strategies miss how the workforce will be attracted to do the work and where will they live.
- Northern Midlands Council vision for the arts is not aligned to the community's.
- What are the linkages between the strategic plan and the planning scheme – where is that acknowledged in the strategies?
- The consultation method for this process has not allowed for a good representation of the community.
- How does Council intend to draw on the volunteer groups in the community?

Views on the Draft Strategies

Perth

- The wording in some of the strategies is a bit 'hi-brow' and it would be worth reviewing them to make them less bureaucratic.
- Documents are too wordy, and they would all benefit from being simplified.
- Clearer understanding of the intent of each of the strategies should be considered.

 Consultation Report – Local Community Strategies

- The inability of the Local District Committee to influence the decisions of Council which directly relate to Perth is concerning.
- A Perth Community Association is being established which will allow 'freedom of expression' in comparison to the Local District Committee which are bound by the Council's Memorandum of Understanding.

Communication & Engagement Strategy

- Live streaming of Council meetings should be included.
- Regular newsletters to residents would be beneficial.
- Direct access to Local District Committee members should be a priority.

Health and Wellbeing Strategy

- More playgrounds and not just for the younger children.

Youth Strategy

- Age-appropriate playground infrastructure.
- Develop of a pump track.

Evandale

Communication & Engagement Strategy

- Communications from the Council at present is poor. The lack of promotion of these sessions is a good example.
- Consider using established networks to disseminate information (i.e. Neighbourhood Watch Newsletter, School Newsletters)
- Go 'old school' and do letter box drops.
- How will this strategy assist in the community being able to be informed/consulted on issues like major developments? Example given was Traders in Purple consultation is being run by the developer with the community hearing nothing from the Council.
- Help people to understand the planning process during the pre-application period.
- Council remains secretive with a lot of decisions being made in Closed Meeting with no feedback to community on what was the outcome/decision.
- There was an Evandale Development Plan which was prepared in around 2012 which seems to have been forgotten and/or ignored. This Plan was generally supported by the community who had had input into its preparation.

Arts and Culture

- There is an under appreciation of the Information Centre and what it provides to the Evandale community.

 Consultation Report – Local Community Strategies

- Needs to acknowledge and celebrate the level of volunteerism in Evandale (i.e. Penny Farthing, Glover Art Prize and the Verandah Festival).
- The Visitor Centre is under appreciated by the Council.
- The Visitor Centre is the main link for the community in Evandale.

Economic Development Strategy

- There is mention in the strategies of specific developments (i.e. Ridgeside Lane & Barclay Subdivision) – are these appropriate in a Council strategy document?
- Concerns that the strategy does not address infrastructure issues associated with increased development in the area.
- More attention in relation to getting local businesses working together – Council facilitating businesses getting together once or twice per year.
- Clarity around the role of the Northern Midlands Business Association and what it does is needed.
- TRANSLink is referred to but it has little impact on Evandale.

Health and Wellbeing Strategy

- There is distinct lack of cycle trails in and around Evandale.
- Cycling infrastructure provision in the towns is required.
- Developing a walking trail from Evandale to Clarendon House should be considered.
- More clarity around active recreation projects in the various towns.
- Greater emphasis on accessibility.
- Amazed at how well the Council looks after Evandale.
- Council needs to accept they are there to be responsive to their community needs.
- Ageing demographic – in the future volunteers will be a problem – what is Council's strategy to address this issue?

Youth Strategy

- Memorial Hall is underutilised and could be used as a place for youth activities.

Campbell Town

Communication & Engagement Strategy

- Better engagement with community through already established mediums including webpage, Facebook, etc.
- Would not use Facebook to share information.
- Consider 'mail drops' in the local area rather than relying of electronic means.

 Consultation Report – Local Community Strategies

- There is no local newsletter in Campbell Town except for the Health Centre Newsletter – but that is just health focussed.

Health and Wellbeing Strategy

- Limited community spaces available.
- Add support for the inclusion of a 24/7 gym at the Sports Precinct.
- The Campbell Town Swimming Pool has heating but Council installed solar and has now switched off the electric heating – early morning swimmers find the water is far too cold and when asked to turn the heaters back on the blunt answer was 'no'.

Ross

Arts and Culture Strategy

- Question around the future of the Ross Uniting Church and what Council can do to assist in keeping it for community benefit.

Economic Development Strategy

- There is a need for a greater presence of a business network in Campbell Town and Ross.

Longford

Communication & Engagement Strategy

- What is lacking is communication between the District Committee and the community.
- Consultations are held at times not suitable to people that work.
- No community leaders are attending – (i.e. doctors, lawyers, teachers, shop owners, etc).
- Local District Committee meetings should be held in the Town Hall.
- Schools and community services should be invited to participate in consultation processes.
- All the engagement methods used by the Council need refinement/improvement.
- The website is out-of-date and not interactive.
- Community is looking for greater dialogue with 'two-way' communication (i.e more Town Hall meetings).
- Council still does not have 'live streaming' of their meetings.

Arts and Culture Strategy

- There is no mention of education and indigenous culture in the strategy.
- Access to public liability is a barrier.

 Consultation Report – Local Community Strategies

- There needs to be a community notice board in Longford – have been trying to get one for 6 years to no avail.

Economic Development Strategy

- Education re: FOGO, recycling, etc is needed.
- FOGO is not available to businesses – does not make sense.
- There is no separation of waste at the primary school.

Health and Wellbeing Strategy

- There needs to be good footpaths and safe crossings to encourage walking (Sticky Beaks Corner mentioned numerous times).

Local District Committees

Local District Committee members were invited to attend a facilitated discussion on the draft strategies.

Date	Town	Number of Attendees
8 May	Perth	-
	Evandale	4
9 May	Campbell Town	3
	Ross	2
10 May	Avoca	-
	Cressy	6
	Longford	5
Total Local District Committee Participants		20

Attendees were asked how they thought they were adding value to the Council and its decision-making processes.

Evandale

- At times the Committee feels completely left out – leaves them questioning ‘what is their purpose’?
- Their role is to relay concerns from the community to the Council. When there are big issues, they regularly get push back and comments like ‘that is not the Committees responsibility’.
- There is not a lot of communication provided to the Committee by the Council.
- Left wondering – what is our purpose?
- Appears the only interest from Council is in the ‘little things’.
- Things have improved with the new minute taker.
- There have been resignations from the Committee because they felt they were getting nowhere.

 Consultation Report – Local Community Strategies

- District Committees can add value to Council decision making by providing diverse views (both for and against).
- No-one from Council has been able to explain why the Evandale Plan is being overlooked.
- There has been no discussion with the District Committee around local government reform.
- The Committee at times feel like their role is just so Council can 'tick a box'.
- District Committees need to be setting the agenda but don't necessarily feel empowered to do so.

Campbell Town

- There has been some improvement with communication in recent times.
- The Committee set their own agenda and hope that the Council takes notice of their views.
- Formal motions seem to get a bit more feedback.
- Councillors appear to be more engaged than previously.
- Community at large believe District Committees are a 'closed group' and they have more power than they do.
- Meeting times are not convenient – although members recognise they can change times if they want.
- Unclear of the process of appointments to Local District Committee – dealt with through Closed Council processes.
- Feedback from Council is at times mixed and could be improved.
- The Town Hall sale was not canvassed with the Committee – it should have been.
- Having an action sheet would be a good way of keeping track of decisions and progress.

Ross

- The idea to have Local District Committees is good.
- Don't fully understand why the Committee was set up and what its purpose is.
- Can be a 'punching bag' for certain members of the community.
- Can be treated like a 'complaints office'.
- Council Reps participate well.
- The Committee does its own secretarial role so they can have a small amount of money for community projects.

 Consultation Report – Local Community Strategies

- Timing of meetings may preclude some people from getting involved.
- Currently have a good Chairman – someone who is very active.
- Recognise that Council cannot do everything.
- Council officers at times can be slow in responding.
- No acknowledgement of emails etc.
- There is a disconnect between Council – District Committee – Sports Committee.
- Feedback can be limited on budget bids suggested by the Committee.
- The local community newsletter is used to promote the Committee and its work.
- Overall communication is the key.

Cressy

- The Council may listen to the Committee's views but do not engage as much as the Committee would like.
- A councillor usually attends Committee meetings.
- Little things get done pretty quick.
- Dump point requested 12-13 years ago – still no real action.
- The Committee provides its own secretarial support so there is a small amount of money for projects.
- The Local District Committee (and its purpose) link to Council is not obvious.
- There is a feeling 'we are out there and left to our own devices'.
- Lack of communication is the biggest issue.
- Issues can be referred to Council and 'go into the ether'.
- Recent changes in staff at Council has been a hinderance.
- No Council officer attends Committee meetings.
- A feeling that the Council does not fight for local issues raised (i.e. speed limit through Main Street area).
- The Council seems to be seeking advice less often now – usually the Committee gets advised after decisions have been made.

Longford

- This is the fourth time in 10 years the Committee has been asked to work with consultants on 'strategy'.
- Motions regularly get 'noted' and then placed in the 'too hard basket'.

 Consultation Report – Local Community Strategies

- Limited opportunity for open dialogue with the actual Council.
- District Committees are seen as ‘better than nothing’ – occasional small wins add up.
- The MOU places restrictions on how the Committee operates.
- There was no consultation with the Committee regarding recent changes to the MOU.
- Consultation with District Committee on significant issues is often too late or non-existent.
- Longford continues to grow without adequate infrastructure to support the growth.
- Local District Committees should be working with the Council – not against it.
- There can be ‘road blocks’ at the administration level.

Views on the Draft Strategies

Perth

- The wording of some of the strategies is a bit ‘hi-brow’ and it would be worth reviewing them to make them less bureaucratic.

Evandale

Communication & Engagement Strategy

- How does Council plan to improve their communication with the community?
- Mayor is good at getting around the community.
- The Information Centre is the hub for the Evandale community.
- Neighbourhood Watch is a strong group and should be used to disseminate information.
- Better use of the Evandale Facebook page could be considered.
- Better promotion of Council information on the community notice board.
- Have a feeling the Northern Midlands Council does not what the information to get out.
- Use of acronyms needs to be removed.
- Why should Northern Midlands Council be an advocate for a developer?

Arts and Culture Strategy

- Historical flood markers to be reinstated. A better understanding of flood study required.
- Where is the economic development plan?
- What is the land use and development strategy and why is it included under the Arts and Culture Strategy?

 Consultation Report – Local Community Strategies

- Media marketing of what?
- The linkage between the Youth Strategy and the Arts and Culture Strategy should be clarified.
- The list of projects as an 'advocate' is appropriate.
- Include a master plan for Pioneer Park.
- Strategic review of significant trees to be included.
- Appears the strategies are 'picking winners' – what about other things not on the list?
- Consider changing to 'outcome focus' rather than a defined list as presented.

Economic Development Strategy

- Why is Northern Midlands Council facilitating private developments (i.e. Barclay Subdivision, Ridgeside Lane)?
- There is inconsistency across the strategies in relation to REASSIGN.
- There does not appear to be a link in the strategic plan about respecting the past in planning for the future.
- As a tourist town where is there recognition of future electric car charging opportunity.
- How will outcomes be measured?
- Development is not strategically planned – Council appears focussed on development 'at all costs'.
- Cultural heritage in Evandale needs to be maintained above all else.
- Previously Evandale was identified as a place to be preserved – but this seems to have disappeared.

Health and Wellbeing Strategy

- There is no dump point in Evandale for freedom campers since the one was removed from the football ground.
- Enforcement/compliance of campers at Honeysuckle does not appear to happen.

Youth Strategy

- Focus appears to be around sporting activities.
- Playground in Pioneer Park was a 'quick and dirty'.
- There are no social activities for youth in Evandale.
- Opportunity for a mothers group.

Campbell Town

Communication & Engagement Strategy

- Community do not get enough feedback from the Council.
- Better use of 'local social media' could be considered.
- Broader literacy issue may impact how community engages digitally with the Council.
- High level strategies which lack detail of what they may look like on the ground.
- Overall the sentiment of the strategy is positive.

Arts and Culture Strategy

- Committee would appreciate the ability to review the plan for the Main Street.
- There is no plan for what will happen to the museum collection once the Town Hall is sold.
- Understanding and respecting cultural history is important.
- Concern expressed regarding the banners which celebrate Governor Macquarie.

Economic Development Strategy

- Where is the feedback to the community on Campbell Town tourism plans.
- Having an augmented reality experience developed in Campbell Town.
- More protection of heritage (i.e. building facades) needed in Campbell Town.
- Is the Woolworth's truck the best visual image for the strategy?

Health and Wellbeing Strategy

- Lack of GP services in Campbell Town.
- Promotion of health and exercise a priority.
- The heating issue with the local pool.
- Community gym not proceeding as planned in the recreation building.

Youth Strategy

- Development of a pump track in Campbell Town.
- There needs to be more provided to keep the kids occupied.
- Include someone from the school on the District Committee.

Ross

Communication & Engagement Strategy

- Ross generally has a negative view of the broader Northern Midlands area.

 Consultation Report – Local Community Strategies

- Ross has never had a 'local councillor' elected.
- Overall Council do a pretty good job.
- Things are reasonably well maintained.
- Older community members do not cope with change.
- The Mayor is a regular visitor to Ross.
- Councillors are approachable.

Arts and Culture Strategy

- Council does look after the heritage assets of Ross.
- Like to see more artist events supported by Council in Ross.
- Having Ten-Days on the Island events in Ross is a positive.
- There would be benefit in more interpretation panels on the history of Ross.
- Village Greens plans shown and supported by the District Committee did not reflect the final outcome.
- Sports Master Plan is not being followed – no-one knows what is happening.
- Town Centre sign needs updating.

Economic Development Strategy

- Council should be more proactive in getting usage of their vacant properties.
- Subdivision of land in Ross has resulted in blocks being created which are too small and not in keeping with the rural nature of the area.

Health and Wellbeing Strategy

- Programs at Sports Centre are of a passive nature.
- The development of the MOU with the Veterans Cricket Club was secretive.
- Lack of GP services at Campbell Town impacts the Ross community.

Cressy

Communication & Engagement Strategy

- When requests are submitted there can be no feedback.
- The Council's page in the Courier is only the positive things which are happening.
- There is no communication (newsletter) provided to Local District Committees or the community.
- Local District Committee Minutes are not being uploaded to the Council's website regularly.

Consultation Report – Local Community Strategies

- People did not know about the Australia Day event as it was only promoted on the Council's Facebook page.
- Improvements to the website and social media platforms must be a priority.
- Having an online engagement hub seen as a positive.

Arts and Culture Strategy

- Include Cressy Trout Expo.
- All acronyms need to be explained.

Economic Development Strategy

- As an example, an item included 'Brumby's Kayakers White Water/Slalom Park has not been raised with the Committee.

Health and Wellbeing Strategy

- Transport for youth.
- Limited open space provided for in Cressy.

Youth Strategy

- Limited youth facilities available in the community.
- Potential to provide a life-saving training program at the Cressy Pool.
- Reduce the level of compliance for volunteerism.
- Streamline the onerous induction processes.

Longford

Communication & Engagement Strategy

- Lack of notice to District Committee is an example of poor communication practices of the Council.

Arts and Culture Strategy

- Concerns surrounding heritage advice which is provided to the Council.
- There appears to be a lack of respect for heritage in Longford.
- There should be a focus on built heritage.
- Heritage is being spoilt by changes occurring in 'space and lighting'.
- There is a lack of respect for the heritage buildings surrounding the Memorial Hall redevelopment.
- Culture focus for new overseas residents and itinerant workers.

Economic Development Strategy

- There needs to be protection for the Longford Village Green.

Health and Wellbeing Strategy

- A Neighbourhood House is required in Longford.
- More diversified sporting facilities required in Longford.

5. CONSULTATION SUMMARY

Although the number of people who participated in the consultation, either in person or via the online surveys was low, it is clear from those who did that the consistent message was the Council has a problem in relation to the way in which it communicates with its community.

The reason for the consultation was to understand the views and priorities of the community in relation to the five strategies, Communication and Engagement, Arts and Culture, Economic Development, Health and Wellbeing, and Youth. What happened at the face-to-face sessions were those who participated wanted a chance to raise their concerns in relation to how the Northern Midlands Council is currently failing in their opinion to satisfactorily communicate and engage with the community.

In all face-to-face sessions, both with community members and Local District Committees, it was a similar story. The participants felt that Council fails to listen to them, and most engagement is only being done to 'tick a box' and is therefore somewhat disingenuous.

Having identified these concerns and turning the focus to the purpose of the sessions, the draft strategies, most of the discussion was focussed on the Communication and Engagement Strategy.

As outlined in the report, there is a genuine desire by the community for more active engagement with its Council. Local District Committees also expressed similar views with the majority believing at present there is little to no genuine engagement and the Committees are not being used to their full potential.

Trying to further elicit responses would not materially alter the outcome as the level of interest in the actual strategies was low. Council's energy would be better expended in addressing how it plans to improve its future communication and engagement with both the community and the Local District Committees.

The following provides a summary of the survey responses in relation to the 'schedule of strategic projects' outlined.

Consultation Report – Local Community Strategies

Communications and Engagement Strategy

Council's Role

Responses	Provider	Facilitator	Advocate	All	None
Community	1	3	0	19	-
Local District Committee	4	1	1	11	-
Total	5	4	1	30	

Interest in the Strategy

Responses	Yes	No
Community	23	12
Local District Committees	14	4
Total	37	16
Percentage	70%	30%

New Projects Suggestions (top 5)

1	Provider - Set up an online engagement hub to make it easier for people to join council-decision making processes and update our intranet (22)
2	Provider - Continually review communication methods to ensure they are cost effective and meet community needs (19)
3	Provider - Continue to develop our website and social media platforms to provide a better user experience, search, and accessibility, and grow our online community (17)
4	Provider - Undertake an audit and improve our brand identity and communication methods, to help people understand who we are, what we do and why (17)
5	Provider - Review/update our community engagement, customer service and communication guidelines and policies. A new toolkit will help ensure Council works within best practice standards in a coordinated way (16)

Arts and Culture Strategy

Council's Role

Responses	Provider	Facilitator	Advocate	All	None
Community	1	5	7	12	-
Local District Committee	1	2	2	7	-
Total	2	7	9	19	-

Interest in the Strategy

Responses	Yes	No
Community	20	15
Local District Committees	11	7
Total	31	22
Percentage	58%	42%

Consultation Report – Local Community Strategies

New Projects Suggestions (top 5)

1	Provider - Dedicated space(s) to exhibit temporary art – indoors and outdoors (20)
2	Advocate - Pop-Up Shops - Cultural Displays/ Activities (13)
3	Advocate - Public Arts Programs – Seniors Week, NAIDOC Week, Intergenerational Arts (8)
4	Advocate - Norfolk Plains Convict/Colonial Festival (11)
5	Advocate - Local Produce Showcasing Market/ Festival (11) Advocate - Public Arts Programs – Seniors Week, NAIDOC Week, Intergenerational Arts (11)

Economic Development Strategy

Council's Role

Responses	Provider	Facilitator	Advocate	All	None
Community	4	3	3	8	1
Local District Committee	3	3	3	8	-
Total	7	6	6	16	1

Interest in the Strategy

Responses	Yes	No
Community	16	19
Local District Committees	11	7
Total	27	26
Percentage	51%	49%

New Projects Suggestions (top 5)

1	Provider - Improvement/ Expansion of Road Infrastructure (19)
2	Provider - Regional Towns Security Camera Project (11)
3	Advocate - Mobile Voice and Data Blackspots (11)
4	Advocate - Access to Affordable Housing (11)
5	Advocate - New High School integrated with Perth Primary School (8)

Health and Wellbeing Strategy

Council's Role

Responses	Provider	Facilitator	Advocate	All	None
Community	4	6	2	13	-
Local District Committee	3	3	1	9	1
Total	7	9	3	22	1

Consultation Report – Local Community Strategies

Interest in the Strategy

Responses	Yes	No
Community	22	13
Local District Committees	14	4
Total	36	17
Percentage	68%	32%

New Projects Suggestions (top 5)

1	Provider - Accessible places, spaces and programs (20)
2	Facilitator - Youth & adult mental health (15)
3	Provider - Develop a Public Open Space strategy (15)
4	Facilitator - Responsible Dog Ownership Initiatives (10)
5	Facilitator - Northern Midlands Community Gardens (9)

Youth Strategy

Council's Role

Responses	Provider	Facilitator	Advocate	All	None
Community	3	5	1	11	-
Local District Committee	3	2	1	8	-
Total	6	7	2	19	-

Interest in the Strategy

Responses	Yes	No
Community	16	19
Local District Committees	11	7
Total	27	26
Percentage	51%	49%

New Projects Suggestions (top 5)

1	Provider - Support new infrastructure that is aimed at young people (outdoor rec spaces- bike and pump tracks, basketball hoops, youth appropriate spaces) (21)
2	Facilitator -Engage with young people about developing outdoor areas to be more youth friendly (artwork etc) (17)
3	Facilitator -Work in collaboration with the wider community, Police and service providers to identify and support the needs of young people (16)
4	Facilitator -Source grants for youth projects (15)
5	Provider - Review and develop better communication methods to support young people (14)

6. ISSUES AND THEMES IDENTIFIED

Based on the consultation there appears to be an urgent need for the Council to review and consider improvements in relation to how it communicates and engages with both the community and its Local District Committees.

The draft Communication and Engagement Strategy includes several current and proposed projects/actions which may potentially address several of the issues raised.

Consistent themes/issues raised through the consultation are listed below under each strategy.

Communication and Engagement Strategy

- Communication and engagement methods do not meet the needs/desires of the community.
- Letters/emails go unanswered for extended periods.
- Regularly there is no acknowledgement of receipt of letters/emails.
- Facebook page is static and is not actively followed.
- Webpage needs to be more interactive and fluid.
- Consultation should occur earlier.
- Local District Committees feel undervalued.
- Closed Council decision making with no advice provided as to what was discussed/decided.
- Council/councillors being more accessible to the community.
- Rotate the location of Council meetings allowing more participation for those who live outside of Longford. (It is noted that this issue has recently been considered by the Council who determined that it was not a priority for Council at this time.)
- Introduce community consultative committees.
- Allow more time/access for people to ask questions at Council meetings.
- Develop KPI's under each strategy – monitor and report.
- Improve the communication with Local District Committees.
- Develop a Social Media Policy.

Arts and Culture Strategy

- Need to cherish, celebrate, and recognise the Northern Midlands past culture and heritage.
- More consideration of the traditional owners of the area.

 Consultation Report – Local Community Strategies

- Consider that art transcends the whole community and can be an enabler.
- Introduce programs to promote the heritage in Campbell Town, Ross, Evandale, and Longford.
- Reduce compliance restrictions for volunteering.
- Street art installations.
- Cultural awareness and acceptance of those people residing in the area from a non-English speaking background.

Economic Development Strategy

- Lack of support for small businesses.
- Lack of understanding as to what the Northern Midlands Business Association does.
- Impact on infrastructure because of developments.
- Council referring to specific developments in the strategy document.
- Lack of support for small business.
- The loss of the heritage values of towns due to inappropriate development.
- Encourage the utilisation of Council owned heritage buildings.
- Advocate for missing tourism infrastructure in the area.
- Strategy needs to be linked to the Planning Scheme.
- EV charging stations.
- What does Circular Economy mean in the context of Economic Development?
- Suspicion around developers and their motives and the support being provided to them by the Council.

Health and Wellbeing Strategy

- Perth is not receiving its fair share of programs/projects and yet it is where much of the growth in the Northern Midlands is occurring.
- More passive recreational areas (i.e. walking trails, bike tracks, etc).
- Medical services (lack of GP's).
- Support lifelong learning programs.
- Improve Perth's riverbank area.
- Facilitate new support groups (i.e. mothers group, playgroups, etc).
- Ready access to information on other services available in the community or where people can go to find assistance.

- Cycling infrastructure in the towns.
- Emphasis on inclusion and accessibility.
- Make better use of current facilities.

Youth Strategy

- There needs to be more facilities made available for youth.
- Mountain bike tracks – pump track – innovative playgrounds – indoor swimming pools.
- Engage more with the schools.
- Consider introducing a Youth Council.
- Youth drop-in centres/opportunities.

7. RECOMMENDATIONS

General Recommendations across all Strategies

1. Simplify the language used in all the draft strategies.

There were comments that the strategies were not written in plain English and therefore not easily comprehended by the average reader.

2. Avoid the use of acronyms.

The use of acronyms should be avoided wherever possible. If they are used, then a footnote should be provided to explain what they stand for.

3. Consolidate the strategic context and plan information included on pages 1 and 2 into a single page.

If the intent is to maintain the documents to a maximum of 4 pages this will allow a greater focus to be placed on the future strategies rather than the strategic context.

4. Provide an introduction as to the background/purpose of including the strategic outcomes (current page 3) in each of the strategies.

There were views expressed that the average reader did not appreciate the background/purpose of the strategic outcomes page provided in each of the documents. By providing an introduction this will assist in clarifying the background/purpose of the strategies.

5. Retitle the strategies to reflect the year as 2023.

Minor change to reflect the finalisation of the strategies.

6. Determine the projects to be pursued and include detail on the actions and timelines to achieve them.

The focus of the strategies should be on the projects the Council will be pursuing to meet its strategic objectives. At present the document provides equal rating to: 'Projects from the Strategic Plan'; 'Projects in Progress'; and 'New Projects Suggested

for Consideration’. The Projects from the Strategic Plan and Projects in Progress could be included in the restructured Strategic Outcomes page allowing for greater detail for the new projects proposed including timelines and actions required to achieve them.

7. **Outline in each Strategy the monitoring and reporting processes to be used to ensure the community is kept informed of progress.**

Questions were asked about how the Council was proposing to keep the community informed of the progress of new projects. There was comment that there is already a significant number of projects from the ‘strategic plan’ and/or ‘in progress’ included in the documents which there is no understanding from a community perspective as to their progress. Having clear monitoring and reporting processes included in the strategies would help to clarify for the community Council’s intent in delivering on its commitments.

Individual Strategy Recommendations

Communications and Engagement Strategy

8. **Develop a Social Media Policy as a priority.**
9. **Establish improved relationships between the Council and the Local District Committees, including further reviewing of their terms of reference in consultation with the Committees.**
10. **Refresh the Council’s Facebook and Website presence to be more engaging and interactive.**
11. **Introduce an automatic acknowledgement system across Council for all inwards correspondence/emails.**

Arts and Culture Strategy

12. **Be more descriptive as to how the Council intends to protect the cultural heritage values of the Northern Midlands.**

Economic Development Strategy

13. **Identify in the Strategy how the Council will assist business development opportunities.**
14. **The importance of the provision of health services (i.e. GP services) in having prosperous and vibrant towns/communities.**
15. **Be less specific around naming up individual developments as projects.**

Health and Wellbeing Strategy

16. **Name up the need to advocate/facilitate for improved GP services in the Northern Midlands.**
17. **Advocate/Facilitate (as a high priority) the establishment of a Neighbourhood House presence in the Northern Midlands.**
18. **Consider opportunities to assist the community’s desire for ‘lifelong learning’.**

Youth Strategy

19. Consider the benefits of introducing a Northern Midlands Youth Council.
20. Consider how facilities can be made more accessible for youth related activities.



PROPOSED PLANTING SCHEDULE

Botanical Name	Common Name	H x W
Trees		
Acer species	Maple	12 x 8m
Alnus species	Almond	8 x 5m
Berula species	Wild Rose	10 x 8m
Eucalyptus species	Eucalyptus	5 x 5m
Oak species	Oak	15 x 15m
Prunus species	Ornamental Pear	8 x 4m
Juniperus species	Juniper	10 x 10m
Syringa species	Deutzia	10 x 8m
Callistemon species	Bottlebrush	4 x 3m
Correa species	Correa	1 x 2m
Leptospermum species	Tea Tree	3 x 3m
Dianella species	Native Flax lily	4 x 7m
Diuris bicolor	Spotted Orchid	1 x 1m
Gonolobus species	Gonolobus	1 x 1m
Lomatium species	Sage	1 x 1m

- NUMBER LEGEND**
- 1 Pathway connections with adjoining streets.
 - 2 Structure trees to highlight every pathway connection to adjoining streets.
 - 3 Screen planting along property boundary to consist of native trees, shrubs, tussocks, and groundcovers.
 - 4 Large ornamental trees within open lawn areas to provide seasonal interest and shade in summer.
 - 5 1800mm (w) exposed concrete footpaths to form a network throughout the park.
 - 6 Informal path along the top of the prepared detention basin inboard.
 - 7 Slopes greater than 1:4 shall be mass stabilised with geotextiles to provide mechanical moving restrictions.
 - 8 Planting buffer between the property boundary and pathway to consist of hardy narrow shrubs and tussocks.
 - 9 Large evergreen shade trees along Napoleon Street frontage to provide shade and visual interest to the open space.
 - 10 Proposed sewer and stormwater services as per engineer's drawings.
 - 11 Future inclusive single cycle lane facility.
 - 12 Picnic shelter (5 x 5m), over an accessible picnic table and coloured concrete pavement.
 - 13 Shelter (4 x 2m), over an inclusive electric path to envelop the play space and to link to the adjoining shelters with a 1500mm (w) concrete path.
 - 14 Five large ornamental trees to provide seasonal interest as well as shade in summer. Four access trees to overlook the play space.
 - 15 Large Oak tree centrally placed provides a focal point as well as shade in summer and solar access in winter.
 - 16 Three baby swing consisting of a basket seat with a rubber floor provides all-weather access to the play equipment.
 - 17 Large natural hardwood timber logs and tree stump stumps together with various sized stone elements to provide a variety of play and quiet play opportunities.
 - 18 Surfacing within the play space shall consist of organic mulch with areas of wet pour rubber surfait to provide inclusive access to all play elements.
 - 19 Multi-play structure for a variety of age groups and challenges.
 - 20 Three large natural hardwood timber logs and tree stump stumps to provide play and quiet play opportunities.
 - 21 1800mm (w) exposed concrete paths connect the play space with the network paths throughout the park.
 - 22 Open lawn area for run-around space close to the play space.



NAPOLEON STREET PARK
 Napoleon Street Tasmania
 Perth

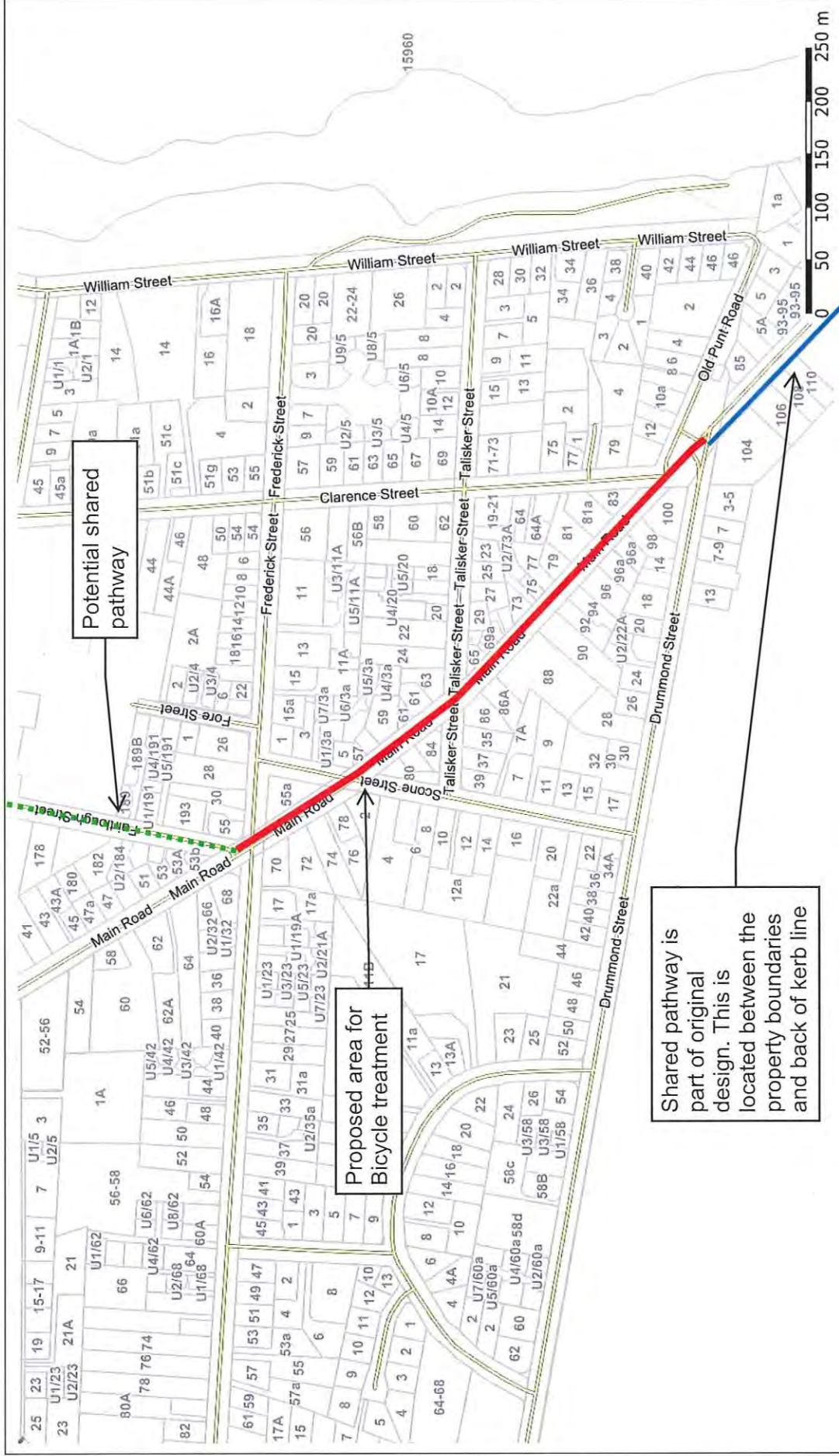
Landscape Concept Plan


Attachment 13.2.1 Napoleon Street Concept Plan April 2023

0 5 10m
 20 January 2023
 Issue A

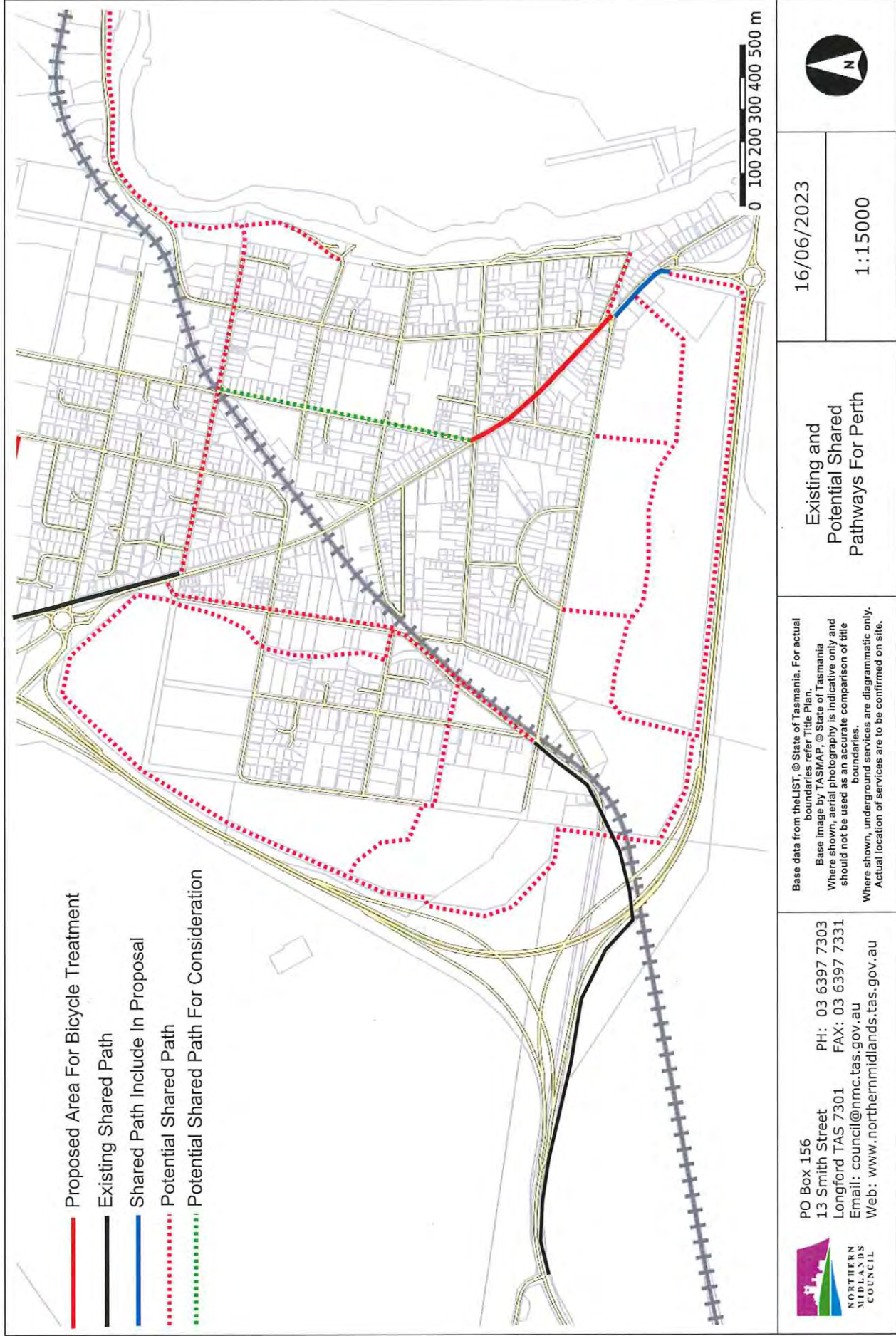
LANGE design
 landscape architects
 Page 10/23

NORTHERN MIDLANDS COUNCIL



 <p>NORTHERN MIDLANDS COUNCIL</p>	<p>PO Box 156 13 Smith Street Longford TAS 7301 Email: council@nmc.tas.gov.au Web: www.northernmidlands.tas.gov.au</p> <p>PH: 03 6397 7303 FAX: 03 6397 7331</p>	<p>Base data from the LIST, © State of Tasmania. For actual boundaries refer Title Plan. Base image by TASMAR, © State of Tasmania Where shown, aerial photography is indicative only and should not be used as an accurate comparison of title boundaries. Where shown, underground services are diagrammatic only. Actual location of services are to be confirmed on site.</p>	<p>15/06/2023</p>	<p>Proposed Bicycle Treatment Area For The Perth Streetscape Development</p>	<p>1:5000</p>
--	---	---	-------------------	--	---------------

Attachment 13.4.1 Proposed Bicycle Treatment Area Plan For The Perth Streetscape Development



Signed by AustLII



Citation:	A McCullagh v Northern Midlands Council [2022] TASCAT 24	
Division:	General	
Stream:	Resource & Planning	
Parties:	Andrew McCullagh (Appellant)	
	Northern Midlands Council (Respondent)	
Hearing Date(s):	25 February 2022	
Hearing Location:	Hobart	
Date of Orders:	9 March 2022	
Date Reasons Issued:	9 March 2022	
Panel:	R Grueber, Senior Member	
Orders Made:	<p>a) Pursuant to s178B of the Local Government Act 1993, the Tribunal confirms the decision of the Council to dispose of the land at 75-77 High Street, Campbell Town; and</p> <p>b) Parties to apply for costs within 21 days.</p>	
Catchwords:	Disposal of public land by council - Appeal pursuant to s178A <i>Local Government Act 1993</i> – identification of community - whether undue hardship might be suffered – whether similar facility available	
Legislation Cited:	<i>Local Government Act 1993; Tasmanian Civil & Administrative Tribunal Act 2020; Resource Management & Planning Appeal Tribunal Act 1993</i>	
Cases Cited:	<i>A McCullagh v Northern Midlands Council [2022] TASCAT 2, A Donley and Ors v Huon Valley Council [2019] TASRMPAT 2, Insight (Tas) Pty Ltd v Latrobe Council [2021] TASCAT 5, G Neilsen v George Town Council [2020] TASRMPAT 17</i>	
Representation:	<i>Appellant:</i>	Self-represented
	<i>Respondent:</i>	N Street, Simmons Wolfhagen
File No:	140/21SOL	
Publication Restriction:	Nil	

Signed by AustLII

REASONS FOR DECISION

Introduction

1. On 19 June 2021, the Northern Midlands Council (the Council) resolved to sell the Campbell Town Town Hall (the Town Hall). The Town Hall is situated at 75-77 High Street in Campbell Town and it is common ground that it is public land within the meaning of s177A(1) of the *Local Government Act 1993* (the Act). The sale of public land by the Council is regulated by Division 1 of Part 12 of the Act.
2. Section 178 of the Act required the Council to advertise its intention to dispose of the land. The Council did so and the Appellant, Andrew McCullagh, lodged an objection to the disposal of the land. On 18 October 2021, the Council resolved to proceed with the sale. On 4 November 2021, the Appellant lodged a notice of appeal in respect to the proposed disposal with the Resource Management & Planning Appeal Tribunal.
3. Section 152 of the *Tasmanian Civil & Administrative Tribunal Act 2020* (the TASCAT Act) applies to the appeal because it was instituted before 5 November 2021. Pursuant to that section, the appeal is to be heard and determined by the Tasmanian Civil & Administrative Tribunal (the Tribunal) established under the TASCAT Act, notwithstanding that the appeal was lodged with the Resource Management & Planning Appeal Tribunal. Pursuant to s152(4) of the TASCAT Act, the Tribunal may perform and exercise all the functions and powers that the Resource Management & Planning Appeal Tribunal had prior to the commencement of the Tribunal, and the provisions of the Act prior to the commencement of the Tribunal will apply.
4. No issues of standing or jurisdiction were raised by the parties to the appeal.
5. The right of appeal arises under s178A of the Act. The permissible grounds of appeal are limited by s178A(3):
 - (3) *An appeal may only be made on the ground that the decision of the council is not in the public interest in that –*
 - (a) *the community may suffer undue hardship due to the loss of access to, and the use of, the public land; or*
 - (b) *there is no similar facility available to the users of that facility.*
6. S178B of the Act was repealed by s245 of the *Tasmanian Civil & Administrative Tribunal (Consequential Amendments) Act 2021* but will apply to the appeal by the operation of s152 of the TASCAT Act. Section 178B provided:

S178B. Determination of appeal

In hearing an appeal against a decision of a council, the Appeal Tribunal may –

 - (a) *confirm that decision; or*
 - (b) *set aside that decision; or*
 - (c) *set aside that decision and –*
 - (i) *substitute another decision; or*

Signed by AustLII

- (ii) remit the matter to the council for reconsideration.

The appeal

7. The grounds of appeal were subject to an application by the Council to strike out parts. Following the determination of the Tribunal in *A McCullagh v Northern Midlands Council*¹, the grounds of appeal were revised to the following terms:

“Amended grounds for Appeal

1) **YOU DONT SELL TOWN HALLS.**

Investigations seem to point towards the Hall is actually owned by the people of Campbell Town. Evidence suggests that the land was donated by a Mrs Leake and the Hall itself was constructed through funds raised by the Community NOT the Council. In addition the clock tower was built in similar fashion.

Definition: By definition alone there is no similar facility available to a Town Hall. Tradition and history dictates the Town Hall as being the centrally based facility free for use by all the Community. No other building can replicate or replace the definition or what a Town Hall is or the historical use of this facility. By default it fulfils clause 178A(3)(b) of the Act and in turn triggers clause 178A(3)(a) of the Act were such to me taken away. This is a facility intrinsic the the fabric and structure of any community.

2) **Undue hardship caused to the Community.**

1. **Lack of alternative facilities.**

The current town Hall offers a community purpose based facility that is located in the ideal position in town, as with any Hall that was purpose built for the local community. It is and remains core and central to the won and the local community.

Additionally it is a “Town Facility” that has an abundant of uses that cannot be filled elsewhere in the town both logistically, on a financially competitive basis and with the same geographical location.

The Hall is home to a picture theatre and stage (no other facilities exist) and can host any number of events catering for locals, as a single use “venue”. It holds no fear of competing with other uses.

Were the “Recreation Oval Multipurpose” facility to be considered the alternative, it not only fails on the above criteria, but also would have locals competing with many other users and uses and fails on numerous other fronts. The Hall has hosted Prime Ministers and Royalty and that alone make the facility unique.

2. **Costs and financial implications:**

In a report by the Northern Midlands Council attached, the Council themselves identified a shortfall in running costs of around \$40k per annum of the new Multipurpose facility.

¹ [2022] TASCAT 2.

Signed by AustLII

The Town Hall currently has a loss of just \$4k.

As such and by default, this factor alone MUST CREATE UNDUE HARDSHIP to the community, either by way of increased costs, or competing use driven by financial needs, or limitations of use in the new facility.

To highlight the “undue hardship provision” even further, a further Northern Midlands Council initiated report, conducted by Pitt and Sherry, showed Campbell Town the town that can least afford increases in Community costs and facilities. The Table below shows this extremely clearly. So they are removing affordable purpose build facilities, with unaffordable new facilities that fail financially to the least affluent community in the Municipality.

Town	Median Weekly Family Income
Cressy	\$919
Evandale	\$1,048
Perth	\$1,054
Campbell Town	\$677
Longford	\$887
Launceston	\$1,013
Tasmania	\$1,032

pittsherry ref: UM9201001 CT PlanDev JIP Re-02.docx/1A/as

3. Competing needs:

The final point of concern is competing needs and financial discrimination for locals against larger established clubs and out of town organisations.

The Council multi-purpose facility proposed to be the “alternative” to Town Hall fails on numerous fronts to offer a proper alternative and all of a sudden finds community needs competing against statewide bodies, football clubs, cricket clubs and a swimming pool for usage. How possibly cold [sic] a chess club, book club or film night compete with at almost any level against sporting clubs. The existing Hall provides a suitable alternative to large scale sporting facilities.”

Strike Out Application

8. On 16 February 2022, the Council filed an application seeking the dismissal of the appeal on the basis that the Appellant failed to comply with directions in respect to the filing and service of statements of evidence. The relevant history includes the following:

- On 17 November 2021, directions were made requiring the Appellant to file and serve all material on which he relied by 5 pm on 28 January 2022. He did not do so.
- Following correspondence from the Tribunal, the Appellant filed documents on 9 and 10 February 2022. Neither document was recognisable as a statement of evidence, nor were they in compliance with the Tribunal’s Practice Directions.
- The Tribunal further directed the Appellant to file any statement of evidence in accordance with Practice Directions by 9 am on 15 February 2022. The Appellant failed to comply with that direction and the Council filed the application to dismiss on 16 February.

Signed by AustLII

- As a result, a directions hearing was convened on 17 February 2022. The Appellant was directed to file any evidence and any response to the application to strike out by 4 pm on 22 February 2022. The Appellant practically complied with those directions.
- The Council maintained its application to dismiss the appeal.

The application was dealt with as a preliminary matter at the hearing of the appeal on 25 February 2022. The application to dismiss was refused and *ex-tempore* reasons were given in the following terms:

"On 16 February 2022 the Respondent submitted an application for summary dismissal of the appeal.

The application was based not on the Appellant's case being frivolous or vexatious but on the Appellant's failure to comply with directions in respect to filing and serving statements of evidence.

Mr Street has set out in his submissions the history of non-compliance, a history which is not disputed by the Appellant.

Mr Street cites the oft quoted passage of French CJ in Aon Risk Services Australia Limited v Australian National University [2009] HCA 27 at [30]:

"It might be thought a truism that "case management principles" should not supplant the objective of doing justice between the parties according to law. Accepting that proposition, J L Holdings cannot be taken as authority for the view that waste of public resources and undue delay, with the concomitant strain and uncertainty imposed on litigants, should not be taken into account in the exercise of interlocutory discretions of the kind conferred by r 502. [of the Court Procedures Rules 2006 (ACT) relating to leave to amend pleadings]."

Mr Street also referred to Keane J in Rozenblit v Vainer [2018] HCA 23 [41], an appeal from a stay order by the Vic SC where his honour said:

"The decision of this Court in Aon Risk Services Australia Ltd v Australian National University was a reminder that inefficiency or incompetence in the conduct of litigation may unjustly burden the other parties to the litigation, and the administration of justice itself. That decision made it clear, to the extent that clarity was necessary, that orders for costs will not always be sufficient to prevent injustice occasioned by inefficiency or incompetence in the conduct of litigation. The broader point for which Aon Risk is presently relevant is that injustice in the conduct of litigation cannot be justified by invoking the interests of justice."

His Honour went on to observe at [44] that

"...the potentially serious consequences of the exercise of the discretion to make an order under r 63.03(3) against an impecunious plaintiff mean that a stay should be granted as the "only practical way to ensure justice between the parties."

Kiefel CJ and Bell at [10]-[11] and Gordon and Edelman JJ at [113] all referred to the seriousness of the making of a stay order that prevents a party from pursuing acclaim honestly made unless it is the only fair and practical way to ensure justice between the parties. As Bowen LJ observed in Cropper v. Smith [1884] 26 ChD 700 at 710 that

Signed by AustLLI

“Courts do not exist for the sake of discipline, but for the sake of deciding matters in controversy”. Case management principles have developed greatly since 1884 but the fundamental purpose of courts and tribunals remains to exercise jurisdiction properly invoked by a party.

I have taken into account:

- *The appeal has been properly instituted and raises justiciable issues and it would be a serious step for the Tribunal to dismiss it without determining the Appellant's claims at hearing;*
- *Against that the Respondent, s Mr Street has detailed in his submissions, is entitled to procedural fairness including proper notice of the evidence the Appellant intends to lead;*
- *The Appellant as a self represented litigant is at a disadvantage and fairness dictates that he should receive some indulgence;*
- *The evidence eventually filed by the Appellant is largely documentary and the gist will not have taken the Respondent by surprise given the material previously filed by the Appellant;*
- *The hearing date has been maintained;*
- *There has been no prejudice to the Tribunal or other litigants arising from case management issues;*
- *The carrot of adjournment was danged in front of the Respondent at the last directions hearing, but, to the Respondent's credit was not taken up.*

Balancing these factors, the application to dismiss is refused.”

The evidence

9. The Appellant's evidence included a brief statement with a number of photographs and documents annexed. The Appellant's evidence was that no buildings of a similar nature to the Town Hall existed for the community. The Town Hall has a purpose-built picture theatre and a high span roof which are not present in the local alternatives. The Appellant also referred to the uniqueness of the Town Hall as a town hall, the associated intangible qualities, such as history and unique cultural and aesthetic characteristics. He included a list of activities that are currently undertaken in the Town Hall (indoor market and museum), a list of activities that have been undertaken in the Town Hall in the past (theatre productions, film screenings, local dances/ balls, line dancing / barn dancing) and activities which could be undertaken in the Town Hall but in respect of which there was no evidence that the Town Hall was used for those activities (basketball, volleyball, badminton, trampolining, indoor netball, roller skating, indoor cricket, boxing, gymnastics, table tennis, indoor climbing, indoor futsal, concerts, indoor bowls and wheelchair sports). The documents annexed to his evidence included an article from the 28 October 1939 edition of The Mercury newspaper stating that, at that time, the main hall could accommodate 500 persons. The documents also included financial information in respect to the operation of the Town Hall and of the War Memorial Oval Multi-Use Centre, which is one of the identified alternatives available to the community. The Appellant was critical of financial management by the Council and asserted that it created undue hardship, but those matters were irrelevant to the issues arising under

Signed by AustLII

s178A as the relevant hardship must arise in connection with loss of access to and use of the public land.

10. The Council relied on evidence from Mr Neil Shephard, a planning expert. Mr Shephard noted that since the incorporation of the Campbell Town Municipal Council into the significantly larger Northern Midlands Council the Town Hall no longer has a government administrative significance. Notwithstanding this, he considered that the location remained strategically significant because of its location within the town and its high visibility on the Midland Highway. He observed that the Town Hall was currently used by Service Tasmania, by a museum and visitor information centre, for monthly community markets and as a public venue available for hire.
11. In terms of the broader Northern Midlands community, Mr Shephard observed that there were 15 other halls or community centres in the municipality that provided halls, meeting rooms and associated amenities. More narrowly, in Campbell Town there is a recently constructed recreational ground multi-purpose complex, and the King Street Guide Hall. In cross-examination, Mr Shephard also referred to gym facilities at the local high school. Mr Shephard referred to a review into the usage of the Town Hall prepared by Watershed Solutions, which was also included in the Appellant's evidence. Mr Shephard observed that while the Town Hall is a valued community asset, its toilets and kitchens no longer meet an acceptable standard and a mezzanine level in the Town Hall is closed due to structural issues. The use of the Town Hall has been affected by the new multi-purpose facility and is not significant enough to be a driver of visitation and community connection into the future. Its usage has been inconsistent and underutilised.
12. Mr Shephard considered that the relevant community for the purposes of s178A(3)(a) is the residents in and immediately surrounding Campbell Town. He reached this conclusion on the basis that: the Town Hall municipal administrative role had been relocated to Longford; the Town Hall is no longer a driver of visitation and broader community connection into the future; the Watershed Solutions report indicated that although the community had a social investment in the Town Hall, there was no broader community connection with it; and there are comparable public facilities serving the balance of the Northern Midlands municipal area beyond the immediate Campbell Town area.
13. In respect to alternative facilities, Mr Shephard identified the newly constructed multi-purpose recreation ground complex at the Campbell Town War Memorial Oval which includes a function centre, meeting rooms, kitchen, toilets and change rooms. The King Street Guide Hall provides a hall, kitchens and toilets. The Guide Hall space is larger than the Town Hall but does not include a stage or changing rooms. Mr Shephard considered that the Guide Hall would be quite capable of holding the limited number of public functions that are currently conducted in the Town Hall, being markets, venue hire, polling booths and meetings. He also observed that there were private meeting venues at Campbell Town. Other than the use by Service Tasmania, the use and activities currently occurring in the Town Hall are not unique to the building and either occur or are easily capable of occurring elsewhere. Mr Shephard considered that the Service Tasmania function was not reliant on its location in the Town Hall and could relocate to another venue in Campbell Town or another town.
14. Mr Shephard's inquiries determined the capacity of the Town Hall as 76 persons, with a further capacity for 30 people in an upstairs meeting room and 20 people in a downstairs supper room. In response to The Mercury article cited by the Appellant, Mr Shephard noted that the Town Hall had undergone significant internal structural changes since 1939 and that relevant occupational health and safety requirements had also changed in the interim. The multi-purpose complex at the recreation ground has a function room with a capacity for 66 persons, a meeting room with a capacity for 30 persons, and a further meeting room with a capacity for four. The Guide Hall has a hall capacity of 50 persons.

Signed by AustLII

S178A(3) of the Act

15. The Tribunal made the following observations in respect to s178A(3) in *A Donley and Ors v Huon Valley Council*²:

"15. The test in s178A(3) restricts grounds of appeal and the Tribunal is only entitled to have regard to those matters set out in the subsection. The only grounds that may be considered are that the sale is not in the public interest in that either the community may suffer undue hardship due to the loss of access to, and the use of, the public land, or there is no similar facility available to the users of that facility.

16. *The grounds establish a public interest test. Defining what the public interest is can be notoriously difficult. In Right to Life Association (NSW) Inc v Secretary, Department of Human Services and Health*³, Lockhart J said:

"The public interest is a concept of wide meaning and not readily limited to precise boundaries. Opinions have differed, do differ and doubtless always will differ as to what is, or is not, in the public interest."

*The expression directs attention to the interests or welfare of the public in general rather than individual interests. In Director of Public Prosecutions v Smith*⁴, the Appeal Division of the Supreme Court of Victoria said:

"The public interest is a term embracing matters, among others, of standards of human conduct and of the functioning of Government and Government instrumentalities, tacitly accepted and acknowledged to be for the good order of society and for the wellbeing of its members. The interest is therefore the interest of the public as distinct from the interest of an individual or individuals..."

17. *The consideration of public interest is limited by s178A(3) to the two specified criteria in subsection (3)(a) and (b). It does not permit separate consideration of broader matters which might otherwise invite consideration of public interest, including the motivation for sale or the financial benefit or detriment the Council has experienced when running the Medical Centre.*

Will the community suffer undue hardship due to the loss of access to, and the use of, the public land?

18. *S178A(3)(a) does not require a determination that the community will suffer undue hardship, rather that it may suffer undue hardship. The use of may expresses consideration of possibility rather than certainty or probability. It will require consideration of real possibility not merely conjectural possibility.*

19. *The first consideration is what the community is for the purposes of the section. The Statement of Agreed Facts & Contentions filed by the parties agrees that the community means the residents of the Huon Valley, presumably the municipality. This reflects the determination of the Tribunal in P & S Seabourne v Huon Valley Council*⁵, where it said:

² [2019] TASRMPAT 20 at [15] to [20].

³ (1995) 128 ALR 238.

⁴ [1991] 1 VR 63 at [75].

⁵ [2005] TASRMPAT 293.

Signed by AustLII

The Act does not define what is meant by the 'community'. In the statutory context it can reasonably be taken to mean the inhabitants of the municipality in which the public land lies.

20. The section uses the word community rather than some form of description of the whole municipal area. In *Swanton v Resource Management & Planning Appeal Tribunal*⁶, Pearce J considered an appeal in respect to s178A(3)(a) and said:

In the course of hearing and determining the appeal, it will be necessary for the Tribunal to interpret and apply the terms of the section according to its terms, examine the context and the purpose and policy of the provision, to attribute meanings to the terms 'community' and 'undue hardship' and determine whether the relevant undue hardship is 'due to the loss of access to, and the use of, the public land.' It will also be for the Tribunal to attribute meaning and purpose to the term 'public interest'. Those tasks cannot be undertaken by this Court. It will be for the Tribunal to do so, based on evidence before it and its findings of fact.

His Honour gave some direction in respect to this:

It seems to me that what constitutes the 'community' may vary according to the circumstances of each case. Determination of the question is a matter for the Tribunal and is likely to depend on findings of fact based on evidence. Without intending to bind that Tribunal's determination, I think that the relevant facts may include the nature and location of the land, the use to which it has been or may be put, the class of persons who may be affected by the loss of access to, or use of, the land and the nature of the effect it may have on them."

Consideration

What is the community?

16. The first step in considering s178A(3) is to identify the relevant community. The Act does not define 'community'. Having regard to the guidance given by Pearce J referred to in *Donley* above, the nature and location of the land on which the Town Hall is situated, the evidence in respect to use to which it has been or might be put, and the population that uses or might use the land and be affected by its loss, the Tribunal accepts Mr Shephard's evidence as to the extent of the 'community' for the purposes of s178A(3) of the Act. That is, the relevant community is comprised by the residents in and immediately surrounding Campbell Town. It is not necessary to precisely identify a geographic area.

Might the community suffer undue hardship?

17. The next step is to determine whether that community might suffer undue hardship as a result of the loss of access to, and the use of, the Town Hall. 'Undue hardship' is not defined in the Act. In *Insight (Tas) Pty Ltd v Latrobe Council*⁷, the Tribunal applied the Macquarie Dictionary definition of 'hardship' in the following terms:

"A 'hardship' is a condition that "bears hard upon one; severe toil, trial, oppression or need" and 'undue hardship' is one that is "not justified"."

⁶ [2015] TASSC 6.

⁷ [2021] TASCAT 15 at [20].

Signed by AustLII

In *Donley*, the Tribunal said that⁸:

"The natural meaning of hardship is severe suffering or the loss or absence of something that is usually present... whether the hardship is undue will depend on all the circumstances of the case."

18. Section 178A(3)(a) requires consideration of hardship arising from loss of access to and the use of the Town Hall. There was no direct evidence of hardship that will arise from loss of access and use. The evidence provided by the Appellant was conjectural. He did not give evidence of his own use or access to the Town Hall. He did not identify with specificity any other person or group of persons who had access to or use of the Town Hall. The Appellant's evidence was essentially a bare assertion of hardship with no detail as to its extent. He did not make clear how the intangible characteristics identified by him would be lost or how that loss would be connected to loss of access to and use of the Town Hall by users. He did not identify how it would constitute undue hardship. Accepting that the current users will have to utilise other venues, that alone will not amount to hardship on the evidence before the Tribunal, let alone undue hardship. The Tribunal is not satisfied that the decision of the Council to dispose of the Town Hall is not in the public interest on the basis that the community may suffer undue hardship due to the loss of access to and use of the Town Hall.
19. Tribunal does not find that the decision of the Council is not in the public interest under s178A(3)(a).

Is there no similar facility?

20. The next step is to consider whether the decision of the Council to dispose of the land is not in the public interest because there no similar facility available to the users of the Town Hall. 'Facility' is not defined in the Act. In *Donley*, the Tribunal said:⁹

"The usual meaning of 'facility' is a place provided for a particular purpose... the consideration under s178A(3)(b) is not by reference to the community, but by reference to users of the facility."

Section 178A(3)(b) concerns existing use rather than future use.¹⁰

21. The existing users of the Town Hall are those persons who use the museum and visitor information centre, who attend the monthly community markets, who hire the public space and who attend Service Tasmania. Once again, there was no direct evidence of any particular user, or the extent of their use or the extent and nature of the facility insofar as it was used for those specific purposes. The Appellant identified other forms of use, but those uses were potential or theoretical uses and, not surprisingly, no users were identified. Mr Shephard's evidence was that except in respect to Service Tasmania, the use and activities occurring in the Town Hall are not unique to the building and either occur or can occur elsewhere. In respect to Service Tasmania, he considered that the function is not reliant on location in the Town Hall, and it could relocate locally. Mr Shephard identified alternative facilities which could accommodate the existing users and uses. The evidence does not establish that any existing use will cease to be available to its users as a result of the sale of the Town Hall.
22. The Tribunal does not find that the decision of the Council is not in the public interest under s178A(3)(b).

⁸ At [24].

⁹ At [26].

¹⁰ *G Neilsen v George Town Council* [2020] TASRMPAT 17 at [24].

Signed by AustLII

Conclusion in respect to the grounds of appeal

23. The grounds of appeal are largely in narrative form, however, as assessed against the narrow specific grounds available under s178A(3), the appeal is not made out and is dismissed.

Determination

24. Pursuant to s178B of the *Local Government Act 1993*, the Tribunal confirms the decision of the Council to dispose of the land at 75-77 High Street, Campbell Town.
25. The Tribunal will entertain any application for an order for costs if made to the Tribunal in writing with supporting submissions within the next 21 days. If requested, the Tribunal may reconvene to hear any evidence in respect of any matter bearing upon an order for costs. In the absence of any such application for an order for costs, the order of the Tribunal is that each party bear its own costs.

Signed by AustLII



Citation:	A McCullagh v Northern Midlands Council [2022] TASCAT 2	
Division:	General	
Stream:	Resource & Planning	
Parties:	Andrew McCullagh (Appellant)	
	Northern Midlands Council (Respondent)	
Hearing Date(s):	Submissions were made and responded to in writing	
Hearing Location:	Hobart	
Date of Orders:	12 January 2022	
Date Reasons Issued:	12 January 2022	
Panel:	R Grueber, Senior Member	
Orders Made:	As per paragraph [23] hereof.	
Catchwords:	Planning Appeal - sale of public land – application to strike out grounds of appeal	
Legislation Cited:	<i>Local Government Act 1993; Tasmanian Civil & Administrative Tribunal Act 2020; Resource Management & Planning Appeal Tribunal Act 1993,</i>	
Cases Cited:	<i>P & S Seabourne v Huon Valley Council [2005] TASRMPAT 293, A Donley & Ors v Huon Valley Council [2019] TASRMPAT 20, General Steel Industries Inc v Commissioner for Railways (NSW) (1964) 112 CLR 125, G Neilsen v George Town Council [2020] TASRMPAT 11, Hanson-Young v Leyonhjelm [2018] FCA 1688</i>	
Representation:	<i>Appellant:</i>	Self-represented
	<i>Respondent:</i>	N Street, Simmons Wolfhagen
File No:	140/21SOL	
Publication Restriction:	Nil	

Retrieved from AustLII on 15 June 2023 at 10:13:55

[Verify version](#)

Signed by AustLII

REASONS FOR DECISION

Introduction

1. On 19 July 2021 the Respondent, the Northern Midlands Council (the Council), passed a motion to sell the town hall at 75 -77 High Street in Campbell Town, in accordance with Division I of Part 12 of the *Local Government Act 1993* (the Act). The town hall site is public land within the meaning of s178A of the Act.
2. S178 of the Act provides that a council may dispose of land and sets out obligations in respect to giving notice of an intended sale. The Council is required to consider objections to the proposed sale. Section 178A provides a limited right of appeal to any person who has lodged an objection. The appellant was a person who lodged an objection, giving him standing to appeal. The appellant filed a notice of appeal on 4 November 2021. On 17 November 2021 directions were made by the Tribunal requiring the Appellant to provide further particulars of the grounds of appeal.
3. On 1 December 2021, the Appellant filed amended grounds of appeal, as annexed to this decision and marked "Annexure A".
4. Section 152 of the *Tasmanian Civil & Administrative Tribunal Act 2020* (the TASCAT Act) applies to this appeal as the appeal was instituted before 5 November 2021. Pursuant to s152 of the TASCAT Act this appeal is to be heard and determined by the Tasmanian Civil & Administrative Tribunal (the Tribunal) established under the TASCAT Act. Pursuant to s152(4)(a) and (b) of the TASCAT Act, the provisions of the *Resource Management & Planning Appeal Tribunal Act 1993* (the RMPAT Act) continue to apply and the Tribunal may perform and exercise all the functions of the Resource Management & Planning Appeal Tribunal with respect to this appeal.

The Council's Application

5. On 16 December 2021, the Council filed an application seeking orders striking out parts of the amended grounds of appeal, and to extend the time for filing of a statement of facts and contentions.
6. The application identifies the parts of the amended grounds of appeal that the Council says should be struck out as:
 - a. *the sentence "The Council has failed to engage in appropriate Community consultation and discussions, which includes but is not limited to:" in its entirety;*
 - b. *paragraphs numbered 1, 2 and 3 in their entirety;*
 - c. *in respect of paragraph number 4: (i) subparagraph 1; the final sentence;*
 - i) *subparagraph 2: sentences 2, 3 (save for the words "The Town Hall currently has a loss of just \$4k"), 4, 6 – 18; and*
 - ii) *subparagraph 3: sentences 5 – 10 in their entirety, and the photograph referred to in the final sentence; and*
 - d. *the Summary in its entirety.*

The discretion to strike out

Signed by AustLII

7. Counsel for the Council, Mr Street, set out a summary of the law relevant to the application in the following terms:

"In determining the appeal the Tribunal may only have regard to the matters set out in section 178A(3) of the Act. [Mr Street cites by footnote: P & S Seabourne v Huon Valley Council [2005] TASRMPAT 293 at [7] and A Donley & Ors v Huon Valley Council [2019] TASRMPAT 20 at [15]]

The only matters that may be considered are that the sale is not in the public interest in that either: the community may suffer undue hardship due to the loss of access to, and the use of, the Town Hall; or, there is no similar facility available to the users of that facility. [Mr Street cites by footnote A Donley & Ors v Huon Valley Council] The Tribunal does not have jurisdiction to determine the appeal on any other basis.

The principles to be applied the Tribunal in determining whether to strike out a pleading are as stated by Barwick CJ in General Steel Industries Inc v Commissioner for Railways (NSW) (1964) 112 CLR 125 at 128-130, where his Honour stated:

...The test to be applied has been variously expressed; 'so obviously untenable that it cannot possibly succeed'; 'manifestly groundless'; 'so manifestly faulty that it does not admit of argument'; 'discloses a case which the Court is satisfied cannot succeed'; 'under no possibility can there be a good cause of action'; 'be manifest that to allow them' (the pleadings) 'to stand would involve useless expense'.

At times the test has been put as high as saying that the case must be so plain and obvious that the court can say at once that the statement of claim, even if proved, cannot succeed; or 'so manifest on the view of the pleadings, merely reading through them, that it is a case that does not admit of reasonable argument'; 'so to speak apparent at a glance'.

That approach has been consistently applied in the State of Tasmania.

In determining the Application to strike out parts of the Amended Grounds of Appeal, it is submitted that the Tribunal can confidently adopt what was said in G Neilsen v George Town Council [2020] TASRMPAT 11. That decision of the Tribunal concerned similar facts to the current proceedings; namely, the sale of public land and an appeal pursuant to section 178A of the Act.

At paragraph [7] of the decision, on determining an application to strike out grounds of appeal, the Tribunal stated:

"The fundamental purpose of particulars in any legal proceedings is to 'disclose sufficiently the case which the opposing party must meet at trial'. The issues before the tribunal on the appeal are not defined or limited by pleadings, and the Tribunal should not take an overly technical or pedantic approach. The duty of the Tribunal is to ensure that the proceedings are conducted fairly and in accordance with the law. The entitlement to fairness applies equally to both parties. The Appellant is a self-represented litigant and should be accorded some latitude in respect to compliance with procedures. However, the Council should not be put to the trouble and expense of responding, or preparing a response, to matters that do not fall within the defined ground or grounds that may be considered by the Tribunal under s 178A."

In that passage, the Tribunal refers to White J in Hanson-Young v Leyonhjelm [[2018] FCA 1688], where his Honour said [at [17]]:

Signed by AustLII

“The Court is more concerned with whether respondents are sufficiently informed of the case they have to meet than with the niceties of the form by which that is achieved. Technical objections to pleadings on the ground of alleged want of form are generally received with less enthusiasm than was the case in times past, providing that the pleadings, including the particulars, disclose sufficiently the case which the opposing party must meet at trial and disclose a reasonable cause of action.”

8. The Tribunal accepts Mr Street’s summary as correctly setting out the law. The Appellant’s submissions in response to the Council’s application can fairly be read as including a contention that the decisions of the former Resource Management and Planning Appeal Tribunal cited by the Council in *G Neilsen v George Town Council*¹ and *A Donley & Others v Huon Valley Council*² can be distinguished on their facts. While that might be so, the general principles of law extracted from those cases and relied on by the Council do not rely on the particular facts of those cases.
9. It is not uncommon for applications under s178A of the Act to be brought by appellants in person without legal representation. Such Appellants are often passionately engaged by what they see as the best interests of their community. The objections raised to the sale of public land are also not uncommonly based on a broad range of public interest, commercial and emotional reasons. The Tribunal is a creature of statute and its powers are limited to those granted by statute. It must ensure that parties are afforded procedural fairness, but it does not have inherent powers to determine matters based on fairness or equality in the absence of statutory authority. If the grounds asserted by the Appellant do not fall within the ambit of s178A(3) of the Act, then the Tribunal has no power to consider them. That subsection provides:
 - (3) *An appeal may only be made on the ground that the decision of the council is not in the public interest in that –*
 - (a) *the community may suffer undue hardship due to the loss of access to, and the use of, the public land; or*
 - (b) *there is no similar facility available to the users of that facility.*

Preamble to the Grounds of Appeal and Grounds 1 and 2

10. The grounds for appeal commence with a sentence asserting that the Council failed to engage in appropriate community consultation and discussions. It should be read in the context of Grounds 1 and 2, which go to asserted failures of the Council to engage in a range of suggested forms of consultation.
11. These paragraphs do not go to any issues within s178A(3). They might, at first blush, assert a failure to comply with the obligations on Council in respect to publication and display in s178(4).³ A failure to comply with s178(4) might give rise to an action in another jurisdiction, for example, under the *Judicial Review Act 2000*, but it might also ground the formulation of argument relating to the Tribunal’s jurisdiction. The preamble however does not allege failure to comply with s178(4) and the assertions in Grounds 1 and 2 do not refer to or apparently relate to the requirements in s178(4).

¹ [2020] TASRMPAT 11.

² [2019] TASRMPAT 20.

³ (4) *If a council intends to sell, lease, donate, exchange or otherwise dispose of public land, the general manager is to—*
 (a) *publish that intention on at least 2 separate occasions in a daily newspaper circulating in the municipal area; and*
 (ab) *display a copy of the notice on any boundary of the public land that abuts a highway; and*
 (b) *notify the public that objection to the proposed sale, lease, donation, exchange or disposal may be made to the general manager within 21 days of the date of the first publication.*

Signed by AustLII

12. Accordingly, the preamble and grounds 1 and 2 do not give rise to justiciable issues and should be struck out.

Ground 3

13. Ground 3 raises the question of whether the hall is owned by the Council, having been constructed through funds raised by the community. It potentially creates an issue relating to beneficial ownership that might well be pursued in another jurisdiction, but might also ground an argument in respect to the Tribunal's jurisdiction.
14. The second of part of Ground 3 does not appear to relate to the first part of Ground 3, but asserts a lack of any similar facility under s178A(3)(b). The Council contends that the elements that the Appellant has raised in respect to the nature of the facility cannot fall within the meaning of facility in the subsection. That might well be correct, but the Appellant should be permitted to formulate an argument that they do.
15. Ground 3 should not be struck out.

Ground 4

16. The Council acknowledges that the Ground 4 raises the issue of undue hardship to the community. It is divided into three particularised parts.
17. In respect to Ground 4.1, the Council contends that with reference to the hall having hosted prime ministers and royalty, which makes the facility unique in some historical or cultural way, should be struck out, as patronage of the town hall is not relevant under s178A(3). That submission has merit, but on balance, on the same considerations as in respect to the potential formulation of an argument based on uniqueness of a facility in Ground 3, the reference should not be struck out.
18. In respect to Ground 4.2, the Council says that the paragraphs should be struck out except for:
- the first sentence commencing with "Costs and financial implications: In a report by...";
 - the words "The town hall currently has a loss of just \$4K" in the third sentence;
 - the fifth sentence commencing "As such and by default..."; and
 - the final three sentences, commencing with "To highlight "the undue hardship provision"..." and ending "...in the Municipality.", and the following table.

The impugned sentences variously relate to the Council's motivation for selling the town hall; alternative options available to the Council other than selling the town hall; arrangements between the Council and the local football club; a report relating to the development of Campbell Town; failure of the Council to keep promises and resultant loss of community trust with the Council; and alleged bureaucratic bungling and financial mismanagement of the Council. These matters are raised in a rambling and discursive format. They do not apparently bear any relation to the permissible grounds of appeal in s178A(3) and do not raised any issues of jurisdiction. On that point alone they should be struck out. Even if they did raise justiciable issues, the grounds are formatted in a manner that includes vague and general assertions of wrong-doing and motive that would be both difficult and embarrassing (in the sense of hampering or impeding rather than mortifying) for the Council to be required to respond to.

Signed by AustLII

19. In respect to Ground 4.3, the Council contends that the part commencing “There is [sic] also questions...” should be struck out. That part asserts failures of the Council in respect to other facilities and child safety which have no apparent relationship to the town hall, let alone the permissible grounds of appeal under s178A(3) and should be struck out.

Ground referred to as Summary

20. The grounds of appeal conclude with several paragraphs under the heading *Summary*. The summary is in the nature of argument and submission, criticism of financial mismanagement by the Council, comment on the general nature of the town halls and general criticism of the Council. The final sentence is, with due respect to the appellant, unintelligible. The summary includes a photograph that is in the nature of evidence, not particulars of the ground.
21. The entirety of the part under the heading *Summary* should be struck out.

Variation of the Timetable

22. The Council’s application to vary the timetable with respect to the date for filing a statement of facts and contentions is reasonable in the circumstances. The Council could not reasonably be expected to prepare a statement of facts and conditions responsive to the grounds of appeal until those grounds have been determined. The Appellant did not submit otherwise.

Determination

23. The Tribunal orders that:
- A) The following parts of the amended grounds of appeal are struck out:
- a) The words “The Council has failed to engage appropriate community consultation and discussions, which includes, but is not limited to:”
 - b) The paragraph numbered 1;
 - c) The paragraph numbered 2;
 - d) The paragraph numbered 4.2 except the following words and table:
 - i. Costs and financial implications:

In a report by the Northern Midlands Council themselves identified a shortfall in running costs of around \$40K annum of the new Multipurpose facility.
 - ii. The town hall currently has a loss of just \$4K.
 - iii. As such, and by default, this factor must alone **MUST CREATE UNDUE HARDSHIP** to the community, either by way of increased costs, or competing use driven by financial needs, or limitations of use in the new facility.
 - iv. To highlight the “undue hardship provision” even further, a further Northern Midlands Council initiated report, conducted by Pitt and Sherry, showed Campbell Town the town that can least afford increases in Community costs and facilities. The Table below shows this extremely clearly. So they are removing affordable purpose build facilities, with unaffordable new facilities that fail financially to the lesst [sic] affluent community in the Municipality.

Signed by AustLII

Town	Median Weekly Family Income
Cressy	\$919
Evandale	\$1,048
Perth	\$1,054
Campbell Town	\$677
Longford	\$887
Launceston	\$1,013
Tasmania	\$1,032

pitt@sherry ref: LN09203L001 CT PlanDev 31P Rev02.docx/IA/as

e) Paragraph 4.3 except the words:

The final point of concern is competing needs and financial discrimination for locals against larger established clubs and out of town organisations. The Council multi-purpose facility proposed to be the "alternative" to Town Hall fails on numerous fronts to offer a proper alternative and all of a sudden finds community needs competing against statewide bodies, football clubs, cricket clubs and a swimming pool for usage. How possibly cold [sic] a chess club, book club or film night compete with at almost any level against sporting clubs. The existing Hall provides a suitable alternative to large scale sporting facilities.

f) The heading *Summary* and the paragraphs and photograph under the heading.

- B) The Appellant is directed to file and serve settled amended grounds of appeal in accordance with this determination within 5 business days from the date of publication of the determination. The Appellant is given leave to correct errors of spelling and grammar.
- C) The time for the Respondent to file a Statement of Facts and Contentions as directed on 17 November 2021 is extended until 7 days after compliance with paragraph 23(B) of this order.

Signed by AustLII

Annexure "A"

SALE: Campbell Town Hall

Amended grounds for Appeal

The Council has failed to engage in appropriate Community consultation and discussions, which includes but is not limited to:

- 1) Calling an open community meeting after the secondary application for all was filed. There have been no open community consultations I am aware of, to this process where Council has actively engaged in a community forum around this sale. None have certainly been conducted in the past 12 months, which one would consider an logical timeframe for community consults. The Council should be required to go back and perform a proper community consultation to this proposal.
- 2) Meeting and discussing alternative options during the community consultation stage. There are reasonable grounds to suggest a properly orchestrated committee or lessee would provide a financially viable solution to the the Northern Midlands Councils grounds for sale. An offer has been made to take the lease of the property which would a) eliminate any financial loss to the Council, and b) would ensure remaining it as a telly affordable community facility for the purpose it was designed. The Council have refused to discuss or consider the alternative available options.
- 3) YOU DONT SELL TOWN HALLS.

Investigations seem to point towards the Hall is actually owned by the people of Campbell Town. Evidence suggests that the land was donated by a Mrs Leake and the Hall itself was constructed through funds raised by the Community NOT the Council. In addition the clock tower was built in similar fashion.

Definition: By definition alone there is no similar facility available to a Town Hall.

Tradition and history dictates the Town Hall as being the centrally based facility free for use by all the Community. No other building can replicate or replace the definition or what a Town Hall is or the historical use of this facility. By default it fulfils clause clause 178A(3) (b) of the Act and in turn triggers clause 178A(3)(a) of the Act were such to me taken away.

This is a facility intrinsic the the fabric and structure of any community.

- 4) Undue hardship caused to the Community.

- I. Lack of alternative facilities.

The current town Hall offers a community purpose based facility that is located in the ideal position in town, as with any Hall that was purpose built for the local community.

It is and remains core and central to the won and the local community.

Additionally it is a "Town Facility" that has an abundant of uses that cannot be filled elsewhere in the town both logistically, on a financially competitive basis and with the same geographical location.

The Hall is home to a picture theatre and stage (no other facilities exist) and can host any number of events catering for locals, as a single use "venue". It holds no fear of competing with other uses.

Signed by AustLII

Were the "Recreation Oval Multipurpose" facility to be considered the alternative, it not only fails on the above criteria, but also would have locals competing with many other users and uses and fails on numerous other fronts. The Hall has hosted Prime Ministers and Royalty and that alone make the facility unique.

2. Costs and financial implications:

In a report by the Northern Midlands Council attached, the Council themselves identified a shortfall in running costs of around \$40k per annum of the new Multipurpose facility.

They state they are endeavouring to sell the Hall because it loses just \$4k a year, despite one facility being the Masterpiece and the the other now supposedly being the 'problem child' and in neglect.

The Town Hall currently has a loss of just \$4k and this could be overcome easily were an external committee or organisation appointed or "allowed" to administer the facility. The Council refuse to enter into discussions around this in any capacity.

As such and by default, this factor alone MUST CREATE UNDUE HARDSHIP to the community, either by way of increased costs, or competing use driven by financial needs, or limitations of use in the new facility.

Were you to doubt this claim, the local Campbell Town Football Club have already been on the receiving end of the UNDUE HARDSHIP provision in that the Council tried to "double their rent" immediately the new facility was available for use.

Long winded negotiation were required to overcome this issue yet still rent was increased way beyond any reasonable expectation. This point alone provides sufficient evidence to the Commission, it is more than reasonable to expect the general community would be exposed to the same financial ramifications and severely compromised usage.

This single point alone triggers emphatically the undue hardship clause the Town is set to experience, should the Hall be sold.

While the Football Club don't have direct relations to then Hall, it shows that the Council MUST AND ALREADY HAVE been driven by the financial constraints of the new facility, impacting local organisations.

Further to this point, the initial report supplied by Council suggested a purpose built gymnasium for the Town. Federal funding was provided on that basis. This has never come to fruition, again due to the financial failings of the new facility.

In addition that same report stated "Campbell Town has a growing number of privately owned meeting and function facilities. Council needs to compliment, not compete with these businesses when developing public facilities"

Despite that Mantra being stated, due to the shortfall in revenue, the Council have actively promoted the facility for a meeting facility, at expense of both the Gymnasium and many other business in Community now forced to compete with Council.

This evidences strongly suggests that undue Hardship both by financial cost and a compromised community facility for locals is without question, and not only raises considerably, the matter of Trust of the Council and its agendas, but demonstrates ongoing failures of failed community promises.

Signed by AustLII

All these decisions were made full well knowing the financial and community implications and yet were still executed. One must question how and why, but further why should the remainder of the community suffer due to bureaucratic failure and bungling and financial mismanagement.

To highlight the “undue hardship provision” even further, a further Northern Midlands Council initiated report, conducted by Pitt and Sherry, showed Campbell Town the town that can least afford increases in Community costs and facilities. The Table below shows this extremely clearly. So they are removing affordable purpose build facilities, with unaffordable new facilities that fail financially to the least affluent community in the Municipality.

Town	Median Weekly Family Income
Cressy	\$919
Evandale	\$1,048
Perth	\$1,054
Campbell Town	\$677
Longford	\$887
Launceston	\$1,013
Tasmania	\$1,032

pitt&sherry ref: LN09203L001 CT PlanDev 31P Rev02.docx/IA/as

3. Competing needs:

The final point of concern is competing needs and financial discrimination for locals against larger established clubs and out of town organisations.

The Council multi-purpose facility proposed to be the “alternative” to Town Hall fails on numerous fronts to offer a proper alternative and all of a sudden finds community needs competing against statewide bodies, football clubs, cricket clubs and a swimming pool for usage. How possibly could a chess club, book club or film night compete with at almost any level against sporting clubs. The existing Hall provides a suitable alternative to large scale sporting facilities.

There is also questions that have evolved over the use of toilets in the Multipurpose facility after the councils failure to fully connect the new facilities to the Swimming Pool facility, yet removing the old toilet facilities without a suitable alternative in place.

Again unequivocally showing yet another challenge and cause why undue hardship is in play. Undue hardship I suggest can take many forms.

Signed by AustLII

Child safety been first and foremost and apparently compromised with the current arrangements. A recent photo may account add support to this problem. Attached below.

SUMMARY

It is simply impractical and without a proper or logical thought process that a Multipurpose facility, which is host to local sporting clubs, a swimming pool and financially compromised, can replace or provide a facility that the local community call their own, and can readily access and are not financially constrained by cost.

The Council have only themselves to blame for all aspects of the financial loss, planning failures and overspends. It should not be for the Council to impose hsrdship to to the community through their failings and general poor administration.

A Town Hall was and has always been unique facility to any town, that both by history and definition ensures no similar facility can replace it.

There are certainly aspects and parts that could be explored as part replacement, but given the numerous points in play with this proposal, the Commission can, and should, understand that this decision is not in line with anything except Council failures, process and reasoning, and do not meet a standard expected to embark on the sale of such an iconic and important building withiut severely impacting the commnity.

And while the scope is extremely narrow, the reasons provided to reject this sale, not only meet the criteria for the appeal being successful, but given that narrow scope, seem to enhance the reasons for rejecting the Councils proposition.



Signed by AustLII



Citation:	A McCullagh v Northern Midlands Council (No.3) [2023] TASCAT 22
Division:	General
Stream:	Resource & Planning
Parties:	Andrew McCullagh (Appellant) Northern Midlands Council (Respondent)
Hearing Date(s):	Submissions were made and responded to in writing
Hearing Location:	Hobart
Date of Orders:	9 February 2023
Date Reasons Issued:	9 February 2023
Panel:	R Grueber, Deputy President
Orders Made:	<ol style="list-style-type: none"> 1. The appellant is pay the respondent's costs and disbursements of and incidental to the appeal. 2. The costs are to be calculated at 90% of the scale of fees in Part I of Schedule I of the Supreme Court Rules 2000 as at the date the relevant work was undertaken and are to be agreed or in the absence of agreement taxed by the Principal Registrar of the Tribunal or his nominee. 3. Subject to any further order by the Tribunal, the costs are to be paid within 28 days of agreement or if not agreed then within 28 days of the issue of a certificate of taxation. 4. Liberty is granted to apply in the event of any dispute as to the application or effect of these orders.
Catchwords:	Disposal of public land by council – Appeal – Costs
Legislation Cited:	<i>Tasmanian Civil and Administrative Tribunal Act 2020; Resource Management and Planning Appeal Tribunal Act 1993; Local Government Act 1993</i>
Cases Cited:	<i>A McCulloch v Northern Midlands Council [2022] TASCAT 24; A McCulloch v Northern Midlands Council [2022] TASCAT 2; A Donley v Huon Valley Council [2019] TASRMPAT 20; G Nielsen v George Town Council [2020] TASRMPAT 23; Insight (Tas) Pty Ltd v Latrobe Council [2021] TASCAT 15; Mudie v Gainriver Pty Ltd [2002] QCA 546; JA & RL Suttcliffe v Devonport City Council and J & D Collins [2021] TASRMPAT 17; Loughhead & Ors v Hobart City Council [2015] TASRMPAT 64B; Oshlack v Richmond River Council [1998] HCA 11</i>

Signed by AustLII

Representation:

Appellant:
Respondent:

J O'Farrell, Dobson Mitchell Allport
N Street, Simmons Wolfhagen

File No:

140/21SOL

Signed by AustLII

REASONS FOR DECISION

Background

1. In *A McCulloch v Northern Midlands Council* [2022] TASCAT 24 (the decision) I dismissed an appeal by the appellant in respect to a decision by the respondent Northern Midlands Council (the Council) to dispose of land, and confirmed that decision pursuant to s178B of the *Local Government Act 1993*.
2. The Council has sought an order that the respondent pay its costs of and incidental to the appeal.

Jurisdiction and the discretion to award costs

3. The appeal was instituted with the former Resource Management and Planning Appeal Tribunal (RMPAT) prior to the establishment of the Tasmanian Civil and Administrative Tribunal by the *Tasmanian Civil and Administrative Tribunal Act 2020* (the TASCAT Act). Pursuant to s152 of the TASCAT Act this appeal is to be heard and determined by the Tribunal in accordance with the provisions of the *Resource Management and Planning Appeal Tribunal Act 1993* (the RMPAT Act), and the Tribunal may perform and exercise all the functions of RMPAT in respect to the appeal. In addition, the provisions of the RMPAT Act that applied to the appeal prior to the commencement of the TASCAT Act will continue to apply to the appeal.
4. The Tribunal's jurisdiction to award costs in respect to this matter is set out in s28 of the RMPAT Act. The relevant provisions of s28 are:

28. Costs

- (1) Each party to an appeal is to pay its own costs.
- (2) However, the Appeal Tribunal may order a party to proceedings to pay all or part of the costs of another party to the proceedings if the Appeal Tribunal is satisfied that it is fair and reasonable to do so.
- (3) For the purposes of subsection (2), the Appeal Tribunal may take into account any of the following matters:
 - (a) whether the proceedings appear to the Appeal Tribunal to have been instituted merely to delay or obstruct;
 - (b) whether in the Appeal Tribunal's opinion a party has raised frivolous or vexatious issues;
 - (c) the relative merits of the claims made by each of the parties;
 - (d) whether in the Appeal Tribunal's opinion a party has unnecessarily or unreasonably prolonged the proceedings or increased the costs of them;
 - (e) whether a party has failed to comply with a direction or order of the Appeal Tribunal without reasonable excuse;
 - (f) whether a party has failed to comply with any relevant law or planning scheme;
 - (g) the nature, complexity and outcome of the proceedings;
 - (h) the capacity of the parties to meet an order for costs;
 - (i) any other matter the Appeal Tribunal considers relevant.

Signed by AustLII

5. In *Acton View Tas Pty Ltd v Clarence City Council* [2021] TASRMPAT 9 at [15] RMPAT said (with the footnoted authorities added):

15) Section 28(1) establishes a general rule that each party should pay its own costs. Section 28(2) provides an exception to that rule empowering the Tribunal to make an order for costs where it is satisfied that it is fair and reasonable to do so. In determining whether it is fair and reasonable to make a costs order, the Tribunal may take into account such of the matters listed in s28(3) as may be relevant. The Tribunal must consider not only whether any single matter is sufficient on its own to activate the Tribunal's discretion, but also consider the collective weight of the relevant matters (*9 Sandy Bay Road Pty Ltd v Hobart City Council* [2019] TASRMPAT 59B at [27]). The section confers a wide discretion on the Tribunal, and if the Tribunal is satisfied that it is fair and reasonable to do so, it has a broad discretion to make such order as it sees fit (*State of Tasmania v Anti-Discrimination Tribunal* [2008] TASSC 23 at [13] and 1[17]-[20]). The discretion must be exercised judicially and not arbitrarily or capriciously (*Summers v Repatriation Commission (No.2)* [2015] FCAFC 64 at [13-14]).

Consideration

6. The appellant was unrepresented during the appeal but instructed solicitors in respect to the costs application.
7. The Council's submissions address Clause 12 of Part 8 of Schedule 2 of the TASCAT Act. The provisions of Clause 12 are a restatement of the provisions of s28 of the RMPAT Act. As there is no material difference between the provisions, nothing turns on this and I have considered the Council's submissions and if they refer to the equivalent parts of s28.
8. The Council relies on s28(3)(a), (b), (c), (e) and (g).
9. In respect to (a) the Council points to the interlocutory history of the appeal, which included a substantially successful strike out application in respect to grounds of the appeal, in *A McCullagh v Northern Midlands Council* [2023] TASCAT 2 (the strike-out decision). The grounds of appeal were prolix and included non-justiciable issues and irrelevant criticisms of the Council. The Council also points to the initial failure of the appellant to comply with practice directions in respect to the form of the filed evidence. When the appellant filed a 217 page statement of evidence that complied with the practice directions the statement contained in it did not address the relevant issues on the appeal. The Council also observes that the appellant failed to comply with directions made by the Tribunal. The Council contends that these matters combined show that the appellant's conduct in filing the appeal was merely to obstruct the Council's decision to sell the property.
10. In respect to paragraph (b) the Council contends that the appellant's original grounds raised multiple issues which were frivolous, as exemplified by the Council's successful application to strike out aspects of the grounds on the basis that they raised no justiciable matter or, where they asserted a properly justiciable issue, the accompanying particulars did not relate to that justiciable issue. The Council contends that the appellant's raising of frivolous issues caused the Council to incur additional costs in respect to the application to strike out. The Council contends that the strike out application was necessary to avoid the potential for irrelevant matters being raised at the hearing. The Council refers to s120(4) of the TASCAT Act, which provides a general rule that costs follow the event when an appeal is struck out. While acknowledging that that section does not apply to this proceeding, the Council contends that it indicates a policy that it is generally appropriate for an adverse costs order to follow the successful striking out of proceedings, or parts of a proceeding.
11. In respect to (c) the Council contends that the disparity in the merits of the appeal were obvious from the outset, particularly given the limited grounds of appeal available under s178A(3) of the

Signed by AustLII

Local Government Act. The Council says that the relative merits of the appeal heavily favoured the respondent.

12. In respect to (e) the Council says that the appellant repeatedly failed to comply with practice directions having regard to the form of the grounds of appeal as filed and revised, and the appellant's repeated failure to file evidence in support of the appeal. The Council refers to its application to strike out the appeal and contends that, even though the appeal was not summarily dismissed, the appellant had paid little or no regard to the repeated directions of the Tribunal, and it was only as a result of the application for summary dismissal that the appellant making any effort to comply with the directions of the Tribunal. The Council also points out that the evidence of the appellant was filed only 3 days prior to the hearing.
13. In respect to (g), the Council says that the appeal should have been limited to the available grounds of appeal in s178A(3) of the *Local Government Act*. The grounds did not do that. The Council contends that the evidence filed by the appellant was only marginally relevant and provided little assistance to the Tribunal in reaching the correct and preferable decision. Each ground of appeal was found not to be made out. The Council describes the appellant's case as a comprehensive failure.
14. The appellant opposes the application and says that each party should bear its own costs. In the alternative, the appellant contends that if an order for costs is made it should be limited to costs thrown away as a result of the amendments to the grounds of appeal arising from the strike-out decision.
15. The appellant points out that he was a self-represented litigant and says that he was acting in the public interest. The appellant notes that an appeal under s178A would normally be bought by a person who has no commercial personal interest in a Council's decision to sell public land. The appellant contends that it is a significant burden on an individual appellant to pursue the public interest, that the cost of legal representation would add to that burden and consequently it is often the case that an appellant would be self-represented in such an appeal. The appellant contends that he should be given some latitude, particularly given the objectives in the RMPAT Act to encourage public involvement and the sharing of responsibility in resource management and planning.
16. In respect to paragraph (a), the appellant agrees that the purpose of the appeal was to prevent the disposal of the public property but says that that does not mean that the conduct was obstructive. He says that the appeal was not an attempt to merely delay or obstruct what might be inevitable but rather a genuine attempt to stop the sale of a significant public asset.
17. In respect to paragraph (b), the appellant notes that at the core of the proceeding there was a genuine justiciable issue, and that that issue remained notwithstanding the strike-out decision.
18. As to paragraph (c), the appellant contends that the parts of the appeal which were struck out should not be taken into consideration in respect to the relative merits of the parties claims. The appellant contends that having a weak case is not in itself sufficient to justify an order for costs, but that a high level of weakness is required.
19. In respect to paragraph (e), the appellant explains his failure to comply with directions on the basis that he was a self-represented litigant, and as such can be expected to make errors in the conduct of litigation. It is reasonable to expect that they may need some indulgence from the Tribunal in correctly drafting and filing documents. In respect to the late filing of the evidence the appellant notes that the Council declined the offer of an adjournment. The appellant notes that the hearing was disposed of within a relatively short timeframe.

Signed by AustLII

20. In respect to paragraph (g), the appellant says that the fact that an appeal fails is not in itself sufficient to justify a costs order.
21. In respect to paragraph (h), the appellant contends that any assertion that the appellant has the capacity to meet an order for costs is not a factor which the Tribunal ought to consider. The appellant does not submit that he does not have the capacity to meet an order for costs, but points out that he is an individual who mounted a case to defend the disposal of public asset and should not have to bear the responsibility for the associated costs.
22. The Council asserts that the appellant has been involved in litigation in a number of matters in a personal capacity or as a director of companies before the Tribunal, the Magistrates Court and the Supreme Court, and so is not unfamiliar with litigation. The Council points out that the appellant was aware the issues that arose on a s178A matter by reason of the reference to a previous decision of the Tribunal in the decision on the strike-out decision.
23. In respect to paragraph (a), clearly the appeal was lodged to challenge the Council's decision to sell public land. Paragraph (a) contemplates some ulterior or unreasonable motive for delay or obstruction. If not then any appeal, no matter how meritorious, would satisfy the paragraph. There is insufficient evidence to establish that the appellant had any motive other than his expressed desire to preserve a public asset.
24. In respect to paragraph (b), the appellant did raise frivolous issues in the appeal, including the issues identified in the strike-out decision. In addition, he advanced matters at the hearing that were not relevant to the grounds of appeal, including allegations of financial mismanagement by the Council. In *Mudie v Gainriver Pty Ltd* [2002] QCA 546 the Queensland Court of Appeal considered the meaning of frivolous in the context of a costs application under legislation where the usual rule is that parties bear their own costs. In a joint judgment McMurdo P and Atkinson J said:¹

[35] The words "frivolous or vexatious" are not defined in the Act and should be given their ordinary meaning, unfettered by their meaning in the very different context of striking out or staying proceedings for an abuse of process. By the time an application for costs is made, the court knows the issues which have been litigated whilst a interlocutory applications, the court must to some extent speculate and must necessarily be cautious to ensure a deserving claimant is not unjustly deprived of the opportunity of a trial of the action. The Macquarie Dictionary defines "frivolous" as "of little or no weight, worth or importance; not worthy of serious notice: a frivolous objection. 2. characterised by lack of seriousness or sense: *frivolous conduct* ..." and "vexatious" as "1. causing vexation; vexing; annoying ...".

[36] Unquestionably, something much more than lack of success needs to be shown before a party's proceedings are frivolous or vexatious.

Much of the evidence the appellant put before the Tribunal did not address the limited grounds available under s178A(3) and was of little or no weight and of no importance in determining the appeal. It should have been clear to the appellant that in determining the appeal the Tribunal may only have regard to the matters set out in s178A(3). Further, the appellant was alert to the decisions in *G Neilsen v George Town Council* [2020] TASRMPAT 11 and *A Donley & Other v Huon Valley Council* [2019] TASRMPAT 20 which set out the ambit of relevant matters. Those cases are referred to in the strike-out decision and the appellant made submissions in respect to them in respect to the strike-out application.

¹ At [35] to [36]

Signed by AustLII

25. In respect to paragraph (c), a real disparity in the relative merits of the competing claims of the parties is required in order to justify an order for costs.² The issues raised for determination on the appeal were: what was the relevant community for the purposes of s178A(3); whether that community might suffer undue hardship; and whether there was no similar facility available for users. The appellant did not address the extent of the community and I accepted the Council's expert's evidence in that respect. The appellant led no direct evidence of hardship and relied on conjecture. He did not even give evidence of his own use of the relevant property, did not identify other users and essentially made a bare assertion of hardship with nothing to support it other than intangible characteristics of the property. The appellant's case on this point was hopeless. In respect to whether there was any similar facility available for users, the appellant provided no direct evidence of any particular user or the extent of contemporary use of the property. He identified forms of use which were merely potential or theoretical uses. Once again, the appellant's case in respect to establishing that an existing use would cease to be available to users as a result of the sale was hopeless. There was a real disparity in the relative merits of the competing cases.
26. In respect to paragraph (e), the history of the appellant's failure to comply with directions in respect to the filing and service of statements of evidence is set out in the decision and need not be repeated. Suffice to say, that history gave rise to an application by the Council to dismiss the appeal for non-compliance with directions. That application was dismissed at the commencement of the hearing. The extempore reasons given are set out in the decision. The non-compliance by the appellant did not result in dismissal of the appeal, and given the ruling it is not a matter which in itself would give rise to an exercise of the discretion, but it is a matter relevant to the conduct or the appeal by the appellant to be taken into account along with all the other matters in respect to the costs discretion.
27. In respect to paragraph (g), the issues on the appeal were not complex. The nature of this type of proceeding has been identified in cases such as *A Donley v Huon Valley Council*, *G Nielsen v George Town Council* and *Insight (Tas) Pty Ltd v Latrobe Council* [2021] TASCAT 15. The appellant was un-represented but was articulate and clearly capable of understanding the issues that were relevant on the appeal, particularly given that the relevant issues were identified well before the hearing. The issues in the proceedings were not particularly complex and would have been well within the Appellant's capacity to understand.
28. In respect to (h), the capacity of the Appellant to pay is relevant as a consideration only if the appellant lacks capacity to meet an order for costs. The fact that the appellant may have capacity will not in itself warrant exercise of the discretion. In this case there is no evidence of a lack of capacity to pay and this issue is a neutral one.
29. Although the appellant was un-represented and may be seen to have been testing the Council's decision for the benefit of the public his case paid lip service to the issues arising under s178A(3) and his evidence barely addressed the relevant issues. He raised frivolous matters. He raised justiciable issues, but failed to advance evidence or argument that had any reasonable prospect of success in a matter that was not particularly complex. The fact that the appellant considered that he was bringing the appeal for some public interest rather than a private interest should not deprive the Council of its costs.
30. I am satisfied that it is fair and reasonable in all the circumstances to make a costs order.

² *JA & RL Sutcliffe v Devonport City Council and J & D Collins* [2021] TASRMPAT 17, citing *Loughead & Ors v Hobart City Council* [2015] TASRMPAT 64B at [36].

Signed by AustLII

31. I have considered whether to limit the costs order to the period following delivery of the Council's expert witness's proof of evidence, at which stage the hopeless nature of the case should have been apparent to the appellant. An award of costs is compensatory rather than to punish an unsuccessful party, although the conduct of a party can be relevant to how the discretion is exercised.³ Given that he was unrepresented, and noting that costs are, I may have done so but for the prolix and discursive grounds of appeal as filed, the successful strike out application and the appellant's dilatory approach to compliance with the practice directions and the interlocutory directions made by the Tribunal. In all the circumstances, the Council should have its costs of the strike-out application. It would be arbitrary to determine some point following the filing of the appeal at which the liability for costs should commence.

Determination

32. I am satisfied that is fair and reasonable that the appellant pay the Council's costs of and incidental to the appeal. The usual order for costs in the planning stream is that professional fees be assessed at 90% of the Supreme Court scale, given the nature of hearings. I see no reason to apply a different rate.
33. The Council has sought an order that the provisions of Division 3 of Part 34 of the Supreme Court Rules 2000 be applied to taxation of any award of costs. In the absence of submissions in respect to my power to make such an order I am not satisfied that it is necessary or appropriate to do so.
34. The following orders are made:
1. The appellant is pay the respondent's costs and disbursements of and incidental to the appeal.
 2. The costs are to be calculated at 90% of the scale of fees in Part I of Schedule I of the Supreme Court Rules 2000 as at the date the relevant work was undertaken and are to be agreed or in the absence of agreement taxed by the Principal Registrar of the Tribunal or his nominee.
 3. Subject to any further order by the Tribunal, the costs are to be paid within 28 days of agreement or if not agreed then within 28 days of the issue of a certificate of taxation.
 4. Liberty is granted to apply in the event of any dispute as to the application or effect of these orders.

³ *Oshlack v Richmond River Council* [1998] HCA 11 [44]

North-East Community Catchment Information Pack

Review Stage 3 – May 2023

Let's All Shape the Future
of Local Government.

**The future
of local
government
review**



This information pack has been prepared by the Local Government Board with the assistance of the Tasmanian Policy Exchange at the University of Tasmania and the Department of State Growth.

It draws on ABS Census, council, and the Office of the Valuer General data.

The Local Government Board prepared this information pack as a data source and conversation starter for the upcoming Stage 3 consultation.

Contents

1. Introduction	2
2. An overview of the North-East Community Catchment	5
North-East: Scenario 1	9
North-East: Scenario 2	17
North-East: Scenario 3	25
3. Comparison of proposed councils by scenario	32
4. Implications for neighbouring Community Catchments	35
5. Appendix	36

1. Introduction

During Stage 3 of the Review, the Board will be engaging with communities to look at how we might reshape Tasmania's councils to increase scale and capability so they can better serve Tasmanian communities. The goal is to design local government in Tasmania in a way that allows all councils to develop and maintain the capability that communities need, while delivering services locally, keeping local jobs, and ensuring that all Tasmanians have a strong voice in decisions being made on their behalf.

This information pack provides detailed insights into the North-East Community Catchment, outlining three possible structural reform scenarios. **These scenarios are not the only options for reform.** They are designed to prompt a discussion about some of the possible pathways available to deliver a more capable and sustainable system of local government.

Communities and councils may have their own ideas about how local government could be better organised in their catchments. The Board welcomes alternative suggestions as part of the engagement process.

Where have these scenarios come from?

Each of the scenarios in the information pack has been developed using the Board's structural reform principles (see text box on following page) and the following four criteria.

1. **Place and Representation**
2. **Future Needs and Priorities**
3. **Financial Sustainability**
4. **Operational Capability.**

Scenario 1 – Establishing three new councils: A. the existing Break O'Day council area (potentially with Bicheno); B. a council encompassing George Town and Dorset, extending to incorporate Lebrina, and; C. retaining the current Flinders council

Scenario 2 – Establishing two new councils comprising A. the 'mainland' portion of the Community Catchment and B. retaining the current Flinders council

Scenario 3 – Establishing a consolidated North-East council comprising the whole North-East Community Catchment, including Flinders Island

The Board – in collaboration with the University of Tasmania – has identified and applied a range of relevant data sets to assess the scenarios individually and in comparison to one another.

By doing this, we want to test how well the different scenarios meet the criteria. This should promote a conversation about various trade-offs and how these might be managed or addressed. For example, scenarios that propose a larger number of smaller council may be construed as providing higher levels of representation and local connection but would need to be supported by more extensive shared services and partnership arrangements to achieve the operational scale necessary to deliver long-run capability and financial sustainability. On the other hand, scenarios that include council areas taking in much larger areas may require less in the way of service sharing and may be more 'self-sufficient.'

Structural Reform Principles

1. A Focus on Future Community Needs
2. Retaining Jobs and Service Delivery Locally
3. Preserving and Enhancing Local Voice
4. Smoothing Financial Impacts for Communities
5. Dedicated and Appropriate Resourcing for the Transition

The data and analysis presented in this Information Pack has been sourced from a range of authoritative sources, including councils, the Australian Bureau of Statistics, the Office of the Valuer General, the Department of State Growth, and the University of Tasmania. The Pack also presents the results of modelling undertaken to estimate indicative rates for possible council areas presented in the scenarios. Detailed notes on the methods and assumptions used in this modelling are provided in the Supporting Paper (*Methods and Technical Background*).

The scenarios presented in this Information Pack, and the data and analysis that underpins them, are designed to inform community consultation about the future design of local government in Tasmania and are only one of multiple sources of information the Board will be considering when finalising reform options.

What do we want councils and communities to tell us?

For each of the scenarios, we want councils and communities to consider four fundamental questions:

1. **What are the strengths?**
2. **What are the weaknesses or challenges?**
3. **Are there any adjustments that could be made to maximise the strengths and minimise the weaknesses?**
4. **Are there any other entirely different scenarios the Board should consider, which would still deliver against the Board's criteria and structural reform principles?**

Boundary changes are only one part of the equation. We also want councils and communities to think about options for complementary, supporting reforms, such as shared services and partnerships, options to improve local services and keep jobs in local communities, and new models of engagement and representation.

To support this conversation, we have prepared a number of Supporting Papers, which present a range of opportunities for councils and communities to consider. The Papers draw on research on new and evolving approaches in local government elsewhere, as well as the ideas that we have heard from talking with councils, state agencies, and the broader community, including from submissions we have received.

These papers focus on:

- **Supporting strong and empowered local communities (protecting and enhancing local voice and local services);**
- **State government partnership opportunities for local government; and**

- **Potential models, options, and key considerations for shared service opportunities in Tasmania.**

We want people to keep these opportunities in mind as they consider how they might work with or support the operation of new council boundaries and new models of service delivery. Some of the opportunities might only make sense or be effective under some scenarios, while others might work across the board.

At this stage, the Board wants to encourage creative thinking about how we build new council structures that are not just more capable, but which can deliver more equitable outcomes and access to services and technology for all of Tasmania, particularly in our rural and regional communities.

The intent here is consistent with the Board's approach to community centred consolidation - to more flexibly and genuinely reflect and support what communities will want and need into the future. Our aim is to look at how future councils can access the benefits of scale yet remain responsive to local needs. A large part of this is to consider how we reorient representation and services around citizens and the people who access services and build administrative structures that can deliver that flexibility.

Please note: the Supporting Papers also include fact sheets which explain key data sets, data definitions and associated methodology

Navigating the Information Pack

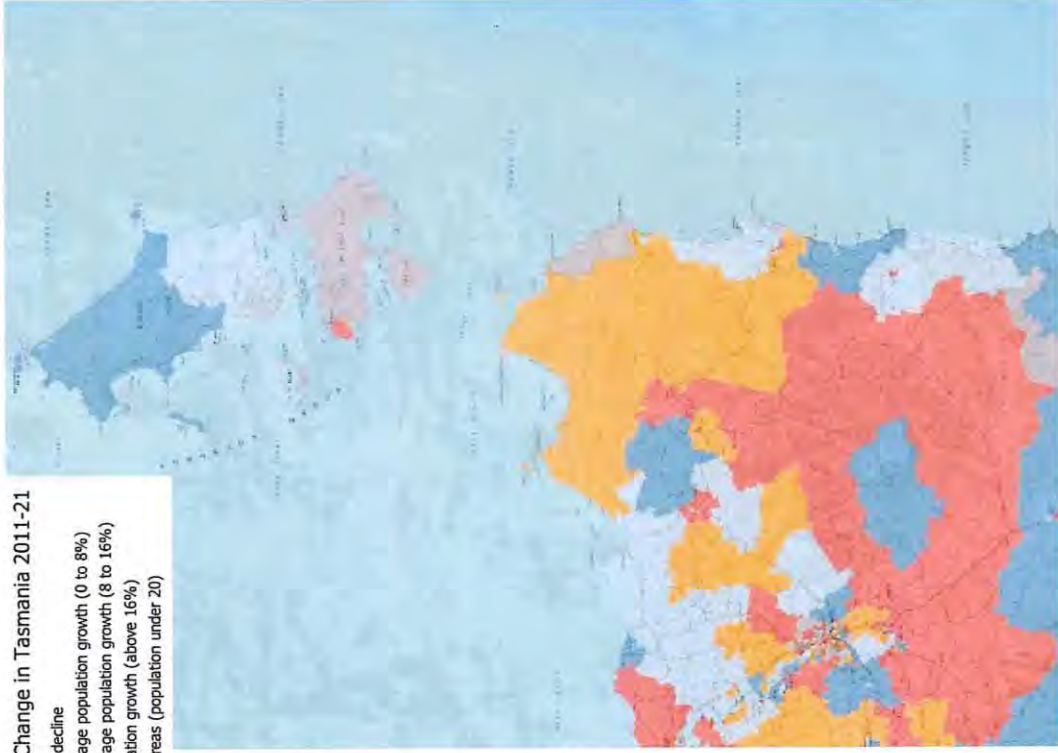
The Information Pack is divided into five main sections:

1. **Introductory information about how to interpret and use the Information Pack (this section);**
2. **An overview of the North-East Catchment, including key demographic, economic, and geographic features;**
3. **An explanation and analysis of each of the individual structural reform scenarios against evaluation criteria data;**
4. **A comparative summary of all the scenarios against the evaluation criteria data; and**
5. **An appendix, which presents analysis of existing councils within (or partially within) the catchment.**

2. An overview of the North-East Community Catchment

Population Change in Tasmania 2011-21

- population decline
- below average population growth (0 to 8%)
- above average population growth (8 to 16%)
- high population growth (above 16%)
- excluded areas (population under 20)



The North-East Community Catchment encompasses Flinders Island and the Furneaux Islands and the north-eastern corner of Tasmania. From the Tamar River in the west, the Catchment area runs roughly south-east to Freycinet Peninsula, capturing the existing LGAs of Dorset, Flinders, Break O’Day and George Town, and a small portion of Glamorgan Spring-Bay. Cape Barren Island is managed under the trust of the Aboriginal Land Council of Tasmania (ALCT), and is part of the Flinders LGA.

Economically, the area is dominated by agriculture and tourism with the Blue Derby and St Helens Mountain bike trails, the Bay of Fires, and numerous coastal holiday/tourist towns particular attractions. This Community Catchment has the second highest percentage (24.8%) of vacant properties in Tasmania, reflecting the prevalence of holiday homes in north-eastern Tasmania.

While the sparsely populated, regional nature of the Catchment LGAs mean that their commuting connections are not as strong as for urban regions, the data clearly show they are more closely connected to one other than to any other existing council areas. This relative isolation and shared geography also link these areas into a broader community of interest. While resident movement and community connections are not as strong between Flinders Island and Cape Barren Island and the mainland parts of this Catchment, the importance of Bridport as a freight and transit link means they are nevertheless important contributors to the North-East Tasmania consultation group.

This region faces a range of economic and demographic challenges as well as important emerging opportunities. Like many of the State’s more rural areas, these include population ageing (median age in the catchment is 49.4) and below average population growth (5.3% over the last decade), as

well as population decline in some of the more rural areas. The number of people with disability is relatively high in the region - 32.4% of people in Break O'Day LGA have a disability - so service needs in the future are likely to be high. Individual councils are grappling with how to entice young people to stay in the area and are working to translate increased visitor numbers and other emerging industries into long-term benefits for local communities. As with the rest of Tasmania, there are acute housing shortages in some parts of the Catchment, and access to healthcare, education and training as well as workforce shortages present challenges. The seasonality of key industries compounds these issues. The area has experienced extreme weather events in recent years with, for instance, heavy rains and flash flooding events damaging important transport links and impacting crop yields. Such events are expected to increase in frequency and intensity because of climate change.

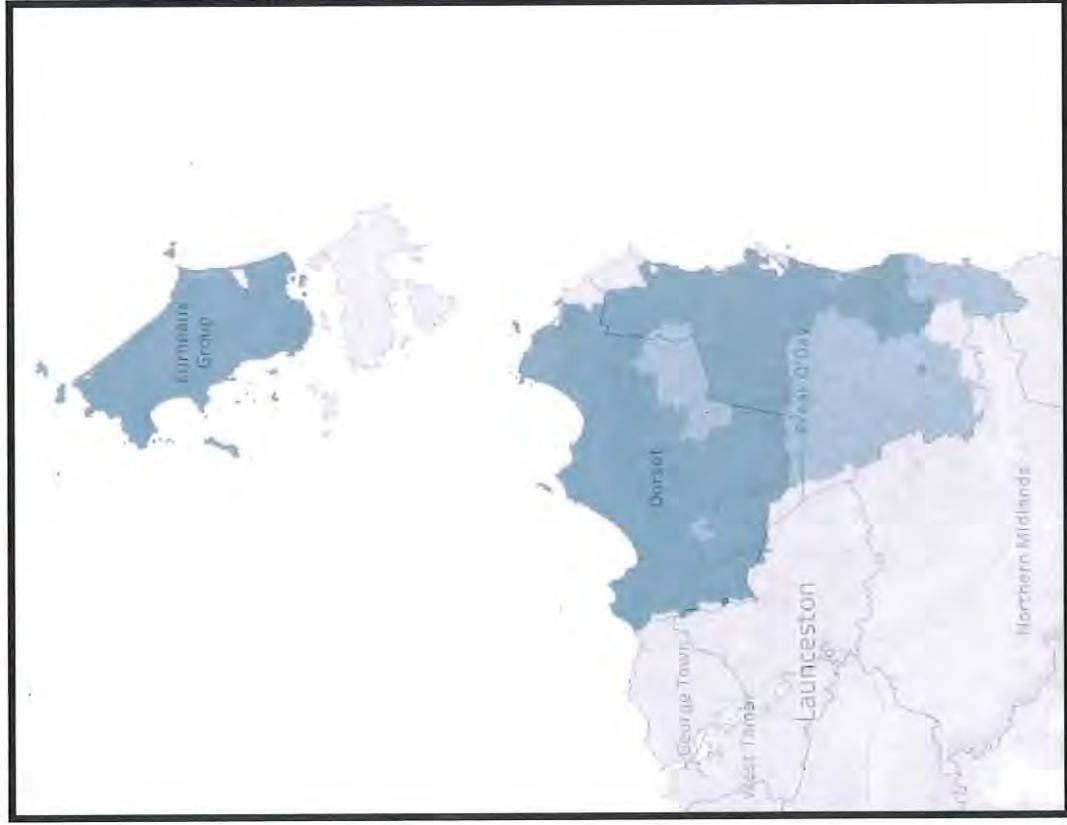
Waste management is also an issue for this region. Increased environmental compliance requirements can place a strain on small local governments, particularly for a remote community such as Flinders Island, but also for the other areas of north-east Tasmania. Neither Break O'Day nor Dorset have active landfills, meaning waste must be transported over significant distances and at considerable expense.

These issues pose clear - but not insurmountable - challenges to the region's economic sustainability. They are compounded, as we have noted, in many places by workforce shortages and high service provision costs arising from the relatively small and dispersed nature of the region's population. Existing councils partly address these challenges by participating in shared service arrangements with councils in the Northern region.

In this catchment, the Board is seeking to establish a system of local government that can:

- fulfil all council planning and development functions that will contribute to councils' role in improving housing supply
- advocate effectively to the State and Commonwealth Governments to play their respective parts in providing infrastructure and to partner on economic development and job creation opportunities
- maximise the community benefit arising from the energy and tourism industries in the region
- deliver to residents and businesses the range of regulatory services expected of all councils
- provide services to both older and younger residents, given the concentrations of both young families and retirees.

Commuting into the North-East Community Catchment.



Tasmania’s changing community dynamics

Tasmanians are much more mobile than a generation ago and a growing number of residents cross at least one local government boundary every day in the course of their normal lives. One widely accepted way of defining a ‘community of interest’ that provides insights into the appropriate scale for local government is to identify the areas in which most residents live, work and use government services (Productivity Commission 2017). Reflecting this approach, the Board has produced a series of maps and tables that illustrate commuting to major employment centres as a tool to help inform community discussions around boundary consolidation options.

Another measure of the extent to which potential future council areas align with communities of interest is the proportion of workers in a council area who also live in that area – the local workforce ratio.

The existing Break O’Day and Dorset council areas have very similar local workforce ratios – at 76.5% and 77.5% respectively. Flinders, given its relative isolation, ranks highly at 99.5%. Both Break O’Day and Dorset have some connections to George Town and Launceston but are more connected to each other than to any other LGA.

Key

- Unshaded** – SAs where fewer than 30 workers (less than 13 %) work within the Community Catchment
- Light blue** – between 30 and 100 (13%-40%) workers work within the Community Catchment
- Dark blue** – more than 100 (40%) workers work within the Community Catchment

As a result, the local workforce ratio for these three areas combined is very high at 95.6%, highlighting how the North-East Catchment as a whole is a distinct regional community. However, given that these LGAs are already highly representative of their residents' daily patterns of movement, the rationale for consolidating them in any of the combinations discussed below will likely hinge more on scale and the sustainability of councils rather than analysis of commuting patterns.

Consideration must be given in this catchment to whether the southern eastern boundary of this council area should extend to Bicheno. While some commuting connections are evident between St Helens-Scamander and Bicheno, they are not especially strong and do not extend to other parts of the region.

Place of usual residence	Place of work					(*Areas based on ASGS SA2)	
	St Helens-Scamander	Scottsdale-Bridport	Flinders Island	Bicheno	George Town	Launceston	
St Helens-Scamander	1790	38	0	54	10	78	
Scottsdale-Bridport	7	2227	0	3	100	222	
Flinders Island	0	0	421	0	0	3	
Bicheno	15	4	0	1568	0	21	
George Town	6	34	0	0	1434	731	
<u>Local workforce ratio</u>	92%	86.6%	94.8%	83.8%	50.2%	-	

North-East Scenario 1

North-East: Scenario 1



Overview

Scenario 1 would establish three council areas for the Catchment.

Council A comprises the existing Break O’Day potentially incorporating Bicheno, subject to further council and community discussion. Council B combines the current George Town and Dorset and extends to include Lebrina. Council C is the existing Flinders LGA.

Under this scenario, the three councils have been established based on communities of interest and geography. The Community Catchment is grouped into an island community, and two mainland LGAs along different coastlines, with similar economic and demographic profiles. In Council B, Dorset and George Town are combined, reflecting the similarities and connections between George Town’s hinterland and the coastal and rural communities further east. This also creates one council of moderate scale which would increase capability in the region.

Council B is primarily characterised by agriculture, tourism and manufacturing and industries and Council C by agriculture and tourism, but with issues specific to its remote island geography. Council A is also characterised by tourism in the coastal towns with agriculture in its hinterland and the Fingal Valley.

Council Area	2021 Population	% Growth 2011-21
Area A	6,749	9.1%
Area B	14,303	3.4%
Area C	914	18.4%

North-East Scenario 1

Existing customer service, works, and administrative hubs could be maintained under this model. Shared service and/or a cross-LGA coordination mechanism as well as broader regional and state-level partnerships and collaborations would be necessary to meet future community needs. This scenario also deliberately invites community discussion about two specific boundary issues, which require further investigation and discussion. The first concerns whether the Bicheno community (population 1,050) is oriented more to the north or south of the east coast. If north, this would establish the southern boundary of Council A.

The second concerns George Town. The current George Town LGA has also been included in scenarios in the Tamar Community Catchment Information Pack. The Board is interested in views on whether George Town is better aligned with communities in the Tamar, or communities in the North-East Catchment.

Rationale and evidence

This scenario involves the consolidation of the existing George Town and Dorset Councils, recognition of Flinders Island's highly distinctive needs and identity, and the potential for Bicheno to be incorporated into Council A.

This configuration aligns with existing and future communities of interest by retaining a council to represent the Furneaux Islands (Council C); establishing a council each to represent the manufacturing, agricultural and coastal communities of the northern coastal area (Council B) and the coastal and agricultural communities of the northern east coast (Council A).

Creating a larger northern coastal council (B), with a population of approximately 14,300 would build some additional scale and capability required to help meet future community needs, relative to the status quo. However, under this scenario all councils within the Catchment would likely

need to increase resource and service sharing. There are already sharing arrangements in place with councils in the Tamar Valley, and these may need to be continued or enhanced. This is especially true for Council C given its remoteness, size, and the important role of local government in the island community. Given this challenge, it will be important for councils and communities in the Catchment and beyond to consider innovative models and governance arrangements for supporting Council C and its community in the future. Options for representing and providing services to remote communities are discussed in the Supporting Paper on '*Strong and empowered local communities*'.

Alignment with the principles for successful structural reform

Focus on future community needs: Councils A and B established under this scenario include significant regional towns and smaller dispersed communities. Council C comprises the Furneaux Islands, with the main (but still small) centre of Whitemark on Flinders Island. In Council A, 66% of residents would be within a 30-minute drive of the likely service hub of St Helens; in Council B, 90% within 30 minutes of George Town or Scottsdale, and in Council C, 83% within 30 minutes of Whitemark. This figure is higher than in Scenarios 2 and 3, reflecting the smaller council areas of this model. The trade-off which the community will have to consider is whether a three-council model is the most effective and sustainable model for balancing representation with service quality and ongoing sustainability.

This scenario recognises the common interests and the relatively high local workforce ratios in all three areas that would be covered by the new councils: 73%, 77% and 99% respectively. All three areas have experienced different levels of population growth and ageing over the last decade and with Council areas A and C now reporting a median age of over 50 (51.7 and 58 respectively).

North-East Scenario 1

Under this scenario, all three councils would need to embrace regional approaches to issues such as planning and regulatory services, climate change, and waste management. This may be able to be achieved by building on the considerable service sharing arrangements in place with Tamar Valley councils and other regional initiatives. Inevitably Council C is very likely to remain an order of magnitude smaller than its neighbouring councils and will become increasingly dependent on shared services and partnerships at a local or regional scale.

Retain local jobs and services: There is significant scope to retain existing council administrative and operations hubs in the townships of George Town, Scottsdale and St Helens. This would maintain local employment and support local engagement and service delivery. Given the relatively small size of Councils A and C (serving populations of around 6,700 and 900 respectively), and the recent experience of most of the councils, there will be ongoing challenges recruiting and retaining staff, particularly those with technical skills and specialisations. Access service sharing arrangements, either at regional or state level, are likely to be necessary.

The integration of centralised or standardised corporate 'back-office' systems or services for council finance and administration could benefit all councils to varying degrees, depending on their particular capabilities and needs. This may reduce staff time spent on repetitive transactional tasks, allowing them to focus on improving services to council staff and communities (see *Supporting Paper on Shared Services models*). The fact that Council B in particular will have a larger workforce to improve economies of scope in service delivery. There is also the potential for partnerships with State Government services and bodies, such as Service Tasmania, to provide combined customer service centres, to enhance service delivery (see the *State Government partnership opportunities for Local Government* supporting paper).

Preserve and enhance local voice: Council B in particular should have increased capacity to invest in new and more systematic approaches to community engagement to ensure all communities within the larger council areas are heard and represented. Councils A and C are not radically changed from existing arrangements and would not benefit from increased scale but would be supported to enhance community engagement methods (see Supporting Paper on *Supporting Strong and Empowered Local Communities*).

Additionally, for Council C there may be merit in developing new models of representation and advocacy such as establishing an island commissioner or similar position responsible for coordinating service provision and integration between the council and other levels of government and representing and advocating for the needs of the island, again, as discussed further in the *Supporting Strong and Empowered Local Communities Supporting Paper*.

Fair funding models: Applying existing rates and funding models to the new council areas, their total rates revenue in 2021 dollars would be an estimated \$7.7 million for council A, \$15 million for Council B, and \$2.1 million for Council C, highlighting that Council's significant ongoing reliance on funding support through grants and transfers.

While Council B would have access to rates revenue from a relatively well-balanced mix of residential, commercial, and industrial land, George Town Council's higher rates for commercial and industrial property, and locally targeted residential rate structure, would need to be considered carefully to create a fair and sustainable rating system across the new council.

Two of the current councils in this Catchment have averaged deficits over the last 10 years, suggesting that new and innovative funding arrangements

North-East Scenario 1

will need to be considered councils in the region to ensure their financial sustainability in the long term.

Appropriate resourcing for transition: As well as considering rating issues, transition arrangements for this scenario would need to consider how services provided by the Northern Tasmania Development Corporation (NTDC) and the Northern Tasmanian Waste Management Group, both to member councils and other councils across the broader region, would be undertaken under the new arrangements.

Community data and alignment with reform criteria

The table below presents demographic, household, employment and operational council data for hypothetical councils established under each of the consultation scenarios. These data have been produced by modelling ABS Census at the SA1 level and other relevant data sets to align with the hypothetical boundaries under each scenario.

As we have indicated, these data are indicative and are designed to inform community discussions about the merits of different structural reform options. Structural reforms adopted by the Tasmanian Government based on the Board's recommendations will likely be subject to a detailed technical review and implementation plan. While every effort has been made to ensure consistency and accuracy, variation between SA1 and LGA boundaries may mean that some of the figures below may differ slightly from existing council statistics. Detailed methodological notes are presented in the Methods and Technical Background Supporting Paper.

North-East Scenario 1

Summary Data – Scenario 1

Category		Measure	Council A	Council B	Council C
Overview	Demographics	Population	6,749	14,303	914
		Median age	55.5	47.7	56.9
		SEIFA (decile) ¹	2	1	5
		Total dwellings	3,005	5,792	415
Housing	Housing	No. of single person households	1,075 (35.7%)	1,804 (31.2%)	157 (37.8%)
		% dwellings vacant	29.7	17.8	25.9
		Indicator			
1. Place and Representation	Alignment with local communities of interest	% area workforce residing locally	73%	77.6%	99.5%
	Established administrative, commercial and service hub/s	% of population within 30 mins of administrative hub	66%	90%	83%
	Urbanisation	% of population in urban areas of population 10,000 or greater	0%	0%	0%

¹ 'SEIFA', or 'Socio-Economic Indexes for Areas', is an index developed by the Australian Bureau of Statistics which ranks areas in Australia according to relative socio-economic advantage or disadvantage.

North-East Scenario 1

Category		Measure	Council A	Council B	Council C
	Mobility/Migration	% of population living at a different address 5 years ago	33.5%	29.9%	36.1%
	Population growth	Population change 2011-21	563 (9.1%)	474 (3.4%)	142 (18.4%)
	Housing supply and infrastructure demand	Change in total dwelling numbers (2011-21)	430	335	66
		% change in total dwelling numbers (2011-21)	16.7%	6.1%	18.9%
2. Future Needs and Priorities	Employment growth	Change in labour force 2011-21 by place of residence	12%	4%	13%
	Older/ageing communities	% Population over 65	22%	18%	22%
	Younger communities	% Population under 15	17%	20%	14%
3. Financial Sustainability	Value of rateable land	Value of rateable land - residential	\$1,930,400,000	\$2,844,400,000	\$192,000,000

North-East Scenario 1

Category	Measure	Council A	Council B	Council C
	Value of rateable land - primary production	\$451,600,000	\$1,660,400,000	\$242,300,000
	Value of rateable land - industrial	\$18,400,000	\$154,000,000	\$2,500,000
	Value of rateable land - commercial	\$150,300,000	\$187,900,000	\$20,400,000
	Value of rateable land – vacant	\$263,000,000	\$ 245,300,000	\$51,600,000
	Value of rateable land - other	\$365,800,000	\$562,300,000	\$88,300,000
	Value of rateable land – total	\$3,179,500,000	\$5,654,300,000	\$597,000,000
Estimation of theoretical rate revenue applying current rates ²	Estimated rate revenue - residential	\$4,500,000	\$7,100,000	\$800,000
	Estimated rate revenue - commercial	\$600,000	\$1,100,000	\$80,000

² There are limitations involved with this analysis, and it is acknowledged that the modelled revenues underestimate actual council revenues in some instances. The modelled revenues are a superior measure of relative fiscal capacity between council scenarios, and caution is advised for any comparison between modelled revenues for scenarios and existing councils. More information on revenue and value of rateable land is provided in the Methods and Technical Background Supporting Paper.

North-East Scenario 1

Category	Measure	Council A	Council B	Council C
	Estimated rate revenue - industrial	\$100,000	\$1,700,000	\$8,000
	Estimated rate revenue - primary production	\$1,400,000	\$3,600,000	\$900,000
	Estimated rate revenue - vacant	\$900,000	\$1,100,000	\$300,000
	Estimated rate revenue - other	\$70,000	\$500,000	\$20,000
	Estimated rate revenue - total	\$7,700,000	\$15,000,000	\$2,100,000
Road Infrastructure	Km of council roads - sealed	204.2	447.2	72.5
	Km of council roads - unsealed	274.1	557.8	273.7
4. Operational Sustainability	<ul style="list-style-type: none"> The three councils would be operating at different scales and so would have different capabilities. Shared service arrangements between them, and/or with regional or state-wide entities, would be needed to ensure all councils have access to the range of capabilities they need. All councils would benefit from participating in state-wide service-sharing arrangements for 'back-office' services such as IT systems, accounting, and procurement. Many of the current service sharing agreements would need to continue or be enhanced to enable collaboration between the three councils, and to continue the benefits they derive from other councils outside this area. 			

North-East Scenario 2

North-East: Scenario 2



Overview

Scenario 2 would establish a single north east council area and one island-based council area: (A) combining the existing Dorset and Break O’Day LGAs; (B) retaining the existing Flinders council area. This scenario excludes the existing George Town LGA from consideration.

This scenario recognises the distinctive nature and needs of the Flinders community (Council B). Council A reflects similar communities of interest, demographic profile and geography, but significantly increases scale opportunities by consolidating the three councils in north-eastern Tasmania.

The economies of both Council areas in this scenario are dominated by agriculture and tourism, with Council B also facing the specific issues associated with its remote island geography.

Existing customer service, works, and administrative hubs in Whitemark, Scottsdale and St Helens could be maintained under this model. As in Scenario 1, Council B would require significant support from shared service arrangements, either from the Council A or from other regional or state-wide bodies.

Council Area	2021 Population	% Growth 2011-21
Area A	13,929	4.6%
Area B	914	18.4%

This scenario does not include George Town Council, which is included under the Tamar Valley Community Catchment.

North-East Scenario 2

Rationale and evidence

This scenario involves the consolidation of Dorset and Break O'Day Councils, with Flinders maintained as a separate LGA. This arrangement balances scale capability opportunities across mainland councils, while recognising the distinctive needs of the Flinders community.

It builds on some existing collaborations, including Dorset and Break O'Day's collaboration to develop a popular network of mountain bike trails and associated tourism attraction. Despite some scale benefits arising from the creation of Council A, all councils within the Catchment would need to increase resource and service sharing at a regional or state-wide scale, particularly Flinders Council given its remoteness, size and the central and important role of local government to the island community. Given the island community's challenge it will be important for councils and communities in the Catchment and beyond to consider innovative models for supporting the Flinders community in the future (See Supporting Paper *Supporting Strong and Empowered Local Communities*).

A further consideration under this scenario would include Bicheno as part of Council A. The Board is interested in feedback on whether the southern boundary of Council A should be extended to include Bicheno, and whether this coastal town sees itself as more socially and economically connected to the north or south of the east coast.

Alignment with the principles for successful structural reform

Focus on future community needs:

The two councils established under this Scenario include significant regional towns and their rural hinterlands. 74% of residents would be

within a 30-minute drive of the major service and administrative hubs of Scottsdale, St Helens and, for Whitemark, 83%.

Communities will have to consider whether a two-council model is the most effective and sustainable one for providing local representation and services to the North-East region, and whether Flinders would be best served as its own council or part of a larger council entity (potentially with some form of additional supporting governance arrangements recognising its unique needs). Given the geography of the region, Council B will remain smaller than its neighbouring councils and will have to share services on a local or regional scale.

For the communities of the existing Dorset and Break O'Day LGAs, consolidation would provide opportunities to enhance collaboration between the areas, work more closely with State Government agencies and have a larger platform from which to advocate. Both councils are currently grappling with how to provide infrastructure and translate increased visitor numbers into long-term benefits for their communities. Consolidation would enhance the capabilities of Council A in areas such as strategic planning, development, and environmental health assessment. Despite this increased scale, this new council would still likely need to rely on service sharing and partnerships, such as existing arrangements with Tamar Valley councils, to access the capability needed in these areas.

Retain local jobs and services: There is significant scope to retain existing council administrative and operations hubs in the regional townships of Whitemark, Scottsdale, and St Helens to maintain local employment and to support local engagement and service delivery. Given the very small size of Council B (serving a population of only 922), models of sharing specialist and technical staff on a regional or state-wide scale will be required.

North-East Scenario 2

The integration of centralised or standardised corporate 'back-office' systems or services for council finance and administration would benefit both councils to varying degrees, but with Council B more likely to benefit from access to a wide range of services. This may reduce staff time spent on repetitive transactional tasks, allowing them to focus on improving services to council staff and communities (see *Supporting Paper on Shared Services models*). Co-location or increased collaboration with State Government agencies such as Service Tasmania (as already occurs in customer service centres in Beaconsfield, Oatlands, and Currie) are potential options to be further considered for both councils (see *Supporting Paper on State Government Partnership Opportunities*).

Preserve and enhance local voice: Both councils would have opportunities to enhance local voice, although at different scales. The new, larger Council A would have the capacity to invest in new and more systematic approaches to community engagement to ensure all communities within the larger council areas are heard and represented.

If required, there would also be scope to introduce community advisory panels regularly consulted by council to ensure constituents enjoy enhanced formal representation and direct influence in the decision-making process, including community budget priorities. Operations hubs could also be used for a program of scheduled regional council meetings in different areas of the municipality. Council B, although not benefiting from increased scale, would be supported to enhance community engagement methods through specific reforms recommended by the Review.

For Council B, there may be merit in establishing an island commissioner or similar position responsible for coordinating service provision and integration between the council and other levels of government and representing and advocating for the needs of the island (as discussed in the *Supporting Paper on Supporting Strong and Empowered Local Communities*).

Fair funding models: Applying existing rates and funding models to the new council areas, their total rate revenues in 2021 dollars would be an estimated \$14.8 million for Council A, and \$2.1 million for Council B, highlighting how the latter council area is an order of magnitude smaller than Council A and would continue to rely heavily on funding support from grants and transfers.

Two of the current councils in this Catchment have averaged deficits over the last 10 years, suggesting that new and innovative funding arrangements will need to be considered councils in the region to be financially sustainable in the long term.

Appropriate resourcing for transition: Transition arrangements for this scenario would need to consider how existing regional partnerships and services, such as East Coast Tourism and Break O' Day Employment Connect would be continued and potentially expanded under the proposed structure.

North-East Scenario 2

Community data and alignment with reform criteria

The table below presents demographic, household, employment and operational council data for hypothetical councils established under each of the potential council areas under Scenario 2. These data have been produced by modelling 2021 Census data at the SA1 level and other relevant data sets to align with the hypothetical boundaries under each scenario.

As we have indicated, these data are indicative and are designed to inform community discussions about the merits of different

structural reform options. Structural reforms adopted by the Tasmanian Government based on the Board's recommendations will likely be subject to a detailed technical review and implementation plan. While every effort has been made to ensure consistency and accuracy, variation between SA1 and LGA boundaries may mean that some of the figures below may differ slightly from existing council statistics. Detailed methodological notes are presented in the *Methods and Technical Background Supporting Paper*.

North-East Scenario 2

Summary Data – Scenario 2

Category		Measure	Council A	Council B
Overview	Demographics	Population	13,929	914
		Median age	51.6	56.9
		SEIFA (decile) ³	2	5
Housing	Housing	Total dwellings	5,871	415
		No. of single person households	1,964 (33.5%)	157 (37.8%)
		% dwellings vacant	24.8	25.9
Indicator				
1. Place and Representation	Alignment with local communities of interest	% area workforce residing locally	73%	99.5%
	Established administrative, commercial and service hub/s	% of population within 30 mins of administrative hub	74%	83%
	Urbanisation	% of population in urban areas of population 10,000 or greater	0%	0%
	Mobility/Migration	% of population living at a different address 5 years ago	31.0	36.1

³ 'SEIFA', or 'Socio-Economic Indexes for Areas', is an index developed by the Australian Bureau of Statistics which ranks areas in Australia according to relative socio-economic advantage or disadvantage.

North-East Scenario 2

Category	Measure	Council A	Council B	
2. Future Needs and Priorities	Population growth	610 (4.6%)	142 (18.4%)	
	Housing supply and infrastructure demand	Change in total dwelling numbers (2011-21)	469	66
		% Change in total dwelling numbers (2011-21)	8.7%	18.9%
	Employment growth	7%	13%	
	Older/aging communities	20%	22%	
	Younger communities	18%	14%	
	3. Financial Sustainability	Value of rateable land - residential	\$3,387,900,000	\$192,000,000
		Value of rateable land - primary production	\$1,787,500,000	\$242,300,000
		Value of rateable land - industrial	\$48,400,000	\$2,500,000
		Value of rateable land - commercial	\$291,000,000	\$20,400,000
Value of rateable land - vacant		\$377,800,000	\$51,600,000	

North-East Scenario 2

Category	Measure	Council A	Council B
	Value of rateable land - other	\$715,300,000	\$88,300,000
	Value of rateable land - total	\$6,607,900,000	\$597,000,000
	Estimated rate revenue - residential	\$7,300,000	\$800,000
	Estimated rate revenue - commercial	\$1,500,000	\$80,000
	Estimated rate revenue - industrial	\$200,000	\$8,000
Estimation of theoretical rate revenue applying current rates ⁴	Estimated rate revenue – primary production	\$4,200,000	\$900,000
	Estimated rate revenue - vacant	\$1,200,000	\$300,000
	Estimated rate revenue - other	\$500,000	\$20,000
	Estimated rate revenue - total	\$14,800,000	\$2,100,000
Road Infrastructure	Km of council roads - sealed	467.2	72.5
	Km of council roads - unsealed	735.3	273.7

⁴ There are limitations involved with this analysis, and it is acknowledged that the modelled revenues underestimate actual council revenues in some instances. The modelled revenues are a superior measure of relative fiscal capacity between council scenarios, and caution is advised for any comparison between modelled revenues for scenarios and existing councils. More information on revenue and value of rateable land is provided in the Methods and Technical Background Supporting Paper.

North-East Scenario 2

Category	Measure	Council A	Council B
<p>4. Operational Sustainability</p>	<ul style="list-style-type: none"> The two councils would be operating at very different scales and so would have markedly different capabilities. Council B would need to establish service sharing arrangements to supplement its capacity, and Flinders Council currently does this with both North-East and Tamar Valley councils. All councils may benefit from participating in centralised -sharing arrangements for 'back-office' services such as IT systems, accounting, and procurement. 		

North-East Scenario 3



North-East: Scenario 3

Overview

Scenario 3 creates one new council area for the North-East Community Catchment, consisting of the existing Dorset, Break O’Day, and Flinders LGAs.

Under this scenario, the entire community catchment becomes one LGA, recognising the interconnections (for example, through work, travel, service delivery) between communities, common economic and demographic profile, and the natural geography of this region. This proposal maximises possible scale capabilities for the catchment, and the scope for strategic coordination across the area.

This scenario has the potential to host a number of administration and service centres plus supporting works and service hubs in other locations to maintain regional employment opportunities.

2021 Population	% Growth 2011-21
14,843	5.3%

North-East Scenario 3

Rationale and evidence

This scenario brings together the current Dorset, Break O' Day, and Flinders LGAs. It maximises potential scale capabilities within this Community Catchment and reduces the need for shared service arrangements across north-eastern Tasmania.

The area has significant shared interests, opportunities, and needs. While the sparse population and physical size of these LGAs mean that their commuting connections are not as strong as for urban regions, the data clearly show that they are more closely connected to each other than to any other council areas. This relative isolation and shared geography also link these areas into a broader community of interest.

Maintaining existing customer service, administration and works hubs would help maintain local employment and service delivery, while increasing the ability of the council to attract and retain critical workers.

While a consolidated council would have greater capability than individual councils currently do, it would still be only a medium sized council in Tasmanian terms. It is likely to still find it difficult to access all specialist technical services and will need to source some services from outside the region.

The other challenge for the single council model will be ensuring local representation, employment, and service delivery across the entire North-East Tasmania Community Catchment (particularly for Flinders Island), although the consolidated council would have the resources (hypothetical revenue of \$17.2 million) to invest in community engagement, expanded services and establishing administrative and service delivery hubs across the community.

While resident movement and connections are not as strong between Flinders and Cape Barren Islands and the mainland parts of this region, Bridport is an important connection for freight and transit links. Passenger air services for the islands are primarily through Launceston, which is an important hub for medical and other services.

Recognising the common community of interest along the east coast, a further consideration under this scenario would be the inclusion of Bicheno as part of the new larger council. The Board is interested in feedback on whether the southern boundary of Council A should be extended to include Bicheno, and whether this coastal town sees itself as more socially and economically connected to the north or south of the east coast.

Alignment with the principles for successful structural reform

Focus on future community needs: The consolidated council established under this scenario would have a population approaching 15,000 and improved resources and capabilities to better respond to emerging community needs. In terms of accessing services, if existing council offices across the Community Catchment were maintained as a part of a network model, then 74% of residents would be within a 30-minute drive of the major service and administrative hubs. The trade-off which the community would have to consider is whether a single council model is the most effective and sustainable one for providing local representation and services across the north-east, particularly in the case of communities on Flinders and Cape Barren Islands.

The area does have solid geographic, economic, and social connections, with employment driven primarily by agriculture and tourism. It faces many shared challenges, such as an ageing population, housing, and

North-East Scenario 3

access to healthcare and educational services. A council of greater scope and with an increased platform for advocacy and supporting strategic partnerships would be better placed to address these issues and future community needs.

Under this model, there would be less need for regional shared services arrangements although, as with Scenario 2, existing regional organisations, and service providers such as East Coast Tourism and the many current links with Tamar Valley councils could potentially expand their operations to a regional scale. A larger council would be well placed to advocate for the north-eastern Tasmanian community and enter strategic partnerships with other tiers of government. It would also be well placed to deliver effective land use and strategic planning, the Northern Tasmania Regional Land Use Strategy (NTRLUS).

Retain local jobs and services: Establishing a single consolidated council to represent the North-East Community Catchment would deliver some scale benefits. Given the geographically dispersed nature of the Catchment, cloud-based services and systems could support regionally-based staff and enhance service delivery (see Supporting Paper – *Shared Services Models*). Retaining existing works and service centres would support local jobs and services.

Flinders Island would benefit from improved access to professional staff by being as part of a much larger council. Despite this, it would likely still be challenging to attract and retain specialist staff for some regulatory matters such as planning, building and environmental health, and regional or state-wide shared service arrangements may still be needed.

There would have to be a clear strategy of retaining jobs and teams across the region to maintain local employment and knowledge.

Co-location or increased collaboration with State Government agencies such as Service Tasmania are potential options to be further considered. One model for how this could work is provided by Devonport Council and Service Tasmania, which have fully integrated their customer service centres to make it simpler for residents to engage with state and local government services face to face (see Supporting Paper on *State Government Partnership Opportunities*).

Preserve and enhance local voice: The greatest challenge, which requires careful community consideration, is how to ensure that a single regional council preserves and enhances local voice. A single consolidated council would have the capacity to invest in new and more systematic approaches to community engagement to ensure all communities within the larger council areas are heard and represented.

Special consideration would have to be given to representing the needs of the Flinders community given its remoteness, small scale and distinctive needs. Any model would need to be co-designed with these communities. Some options discussed in more detail in *Supporting Strong and Empowered Local Communities* include:

- the creation of community advisory panel/s to ensure communities have formal representation and direct influence over community budget priorities;
- establishing an island commissioner or similar position responsible for coordinating service provision and integration between the council and other levels of government, and representing and advocating for the needs of the island;

North-East Scenario 3

- exploring alternative governance options for the most sparsely populated areas, such as 'unincorporated area' models used in other jurisdictions; and
- Operations hubs could also be used for a program of scheduled regional council meetings in different areas of the municipality.

Fair funding models: Applying existing rates and funding models to the new council area there would be total rates revenue in 2021 dollars of an estimated \$17.2 million. The consolidated council would have access to a larger rate base drawn from a mix of residential, commercial, and agricultural land. As noted above, the fact that Dorset Council applies lower residential rates than Break O'Day and Flinders would have to be managed in any transition.

Two of the current councils in this Catchment have averaged deficits over the last 10 years, suggesting that new and innovative funding arrangements will need to be considered councils in the region to be financially sustainable in the long term.

Appropriate resourcing for transition: Transition arrangements would have to consider the need for existing regional structures and how best to adapt and integrate the systems across the existing councils into an integrated framework to meet the future needs of the North-East Tasmanian community. Existing regional partnerships and services, such as East Coast Tourism and Break O'Day Employment Connect could be maintained and expanded under the proposed structure.

Community data and alignment with reform criteria

The table below presents demographic, household, employment and operational council data for the hypothetical council established under Scenario 3. These data have been produced modelling ABS Census at the SA1 level and other relevant data sets to align with the hypothetical boundaries under each scenario.

As we have indicated, these data are indicative and are designed to inform community discussions about the merits of different structural reform options. Structural reforms adopted by the Tasmanian Government based on the Board's recommendations will likely be subject to a detailed technical review and implementation plan. While every effort has been made to ensure consistency and accuracy, variation between SA1 and LGA boundaries may mean that some of the figures below may differ slightly from existing council statistics. Detailed methodological notes are presented in the *Methods and Technical Background* Supporting Paper.

North-East Scenario 3

Summary Data – Scenario 3

Category		Measure	Council A
Overview	Demographics	Population	14,843
		Median age	51.9
	Income and Employment	Local workforce ratio	95.6%
		SEIFA (decile) ⁵	2
	Housing	Total dwellings	6,286
		No. of single person households	2,121 (33.7%)
		% dwellings vacant	24.8
Indicator			
1. Place and Representation	Alignment with local communities of interest	% area workforce residing locally	81%
	Established administrative, commercial and service hub/s	% of population within 30 mins of administrative hub	74%
	Urbanisation	% of population in urban areas of population 10,000 or greater	0%
	Mobility/Migration	% of population living at a different address 5 years ago	31.4

⁵ 'SEIFA', or 'Socio-Economic Indexes for Areas', is an index developed by the Australian Bureau of Statistics which ranks areas in Australia according to relative socio-economic advantage or disadvantage.

North-East Scenario 3

Category		Measure	Council A
2. Future Needs and Priorities	Population growth	Population change 2011-21	752 (5.3%)
	Housing supply and infrastructure demand	Change in total dwelling numbers (2011-21)	535
		% Change in total dwelling numbers (2011-21)	9.3%
	Employment growth	Change in labour force 2011-21 by place of residence	7%
	Older/aging communities	% Population over 65	20%
	Younger communities	% Population under 15	18%
3. Financial Sustainability	Value of rateable land	Value of rateable land - residential	\$3,580,000,000
		Value of rateable land - primary production	\$2,029,800,000
		Value of rateable land - industrial	\$50,900,000
		Value of rateable land - commercial	\$311,300,000
		Value of rateable land – vacant	\$429,500,000
		Value of rateable land – other	\$803,600,000
		Value of rateable land - total	\$7,204,900,000

North-East Scenario 3

Category	Measure	Council A
Estimation of theoretical rate revenue applying current rates ⁶	Estimated rate revenue - residential	\$8,100,000
	Estimated rate revenue - commercial	\$1,600,000
	Estimated rate revenue - industrial	\$200,000
	Estimated rate revenue - primary production	\$5,200,000
	Estimated rate revenue - vacant	\$1,500,000
	Estimated rate revenue - other	\$500,000
	Estimated rate revenue - total	\$17,200,000
	Km of council roads - sealed	539.7
Road Infrastructure	Km of council roads - unsealed	1,009.1
	<ul style="list-style-type: none"> The council would be operating at a very different scale from current councils, having greater capabilities to support its communities. The council may benefit from participating centralised sharing arrangements for 'back-office' services such as IT systems, accounting, and procurement. It may also benefit from regional service sharing arrangements with the more populous councils in the Tamar Valley. 	
4. Operational Sustainability		

⁶ There are limitations involved with this analysis, and it is acknowledged that the modelled revenues underestimate actual council revenues in some instances. The modelled revenues are a superior measure of relative fiscal capacity between council scenarios, and caution is advised for any comparison between modelled revenues for scenarios and existing councils. More information on revenue and value of rateable land is provided in the Methods and Technical Background Supporting Paper.

3. Comparison of proposed councils by scenario

Criteria and Indicator	Metric					
	Scenario 1 Council A	Scenario 1 Council B	Scenario 1 Council C	Scenario 2 Council A	Scenario 2 Council B	Scenario 3
Place and Representation						
Alignment with local communities of interest % area workforce residing locally	73%	77.6%	99.5%	73%	99.5%	81%
Established administrative, commercial and service hub/s	66%	90%	83%	74%	83%	74%
% of population within 30 mins of administrative hub						
Urbanisation % of population in urban areas of population 10,000 or greater	0%	0%	0%	0%	0%	0%
Mobility/Migration % of population who are living at a different address 5 years ago	33.5%	29.9%	36.1%	31%	36.1%	31.4%
Future Needs and Priorities (Note – population projections are not available at SA1 level)						
Population growth 2011-21 % growth and absolute number	563 (9.1%)	474 (3.4%)	142 (18.4%)	610 (4.6%)	142 (18.4%)	752 (5.3%)

Criteria and Indicator	Metric					
	Scenario 1 Council A	Scenario 1 Council B	Scenario 1 Council C	Scenario 2 Council A	Scenario 2 Council B	Scenario 3
<i>Housing supply and infrastructure demand</i>						
<i>Ten-year change (2011-21) in dwelling numbers (absolute and per 1000 pop)</i>	430 (64.2 per 1000)	335 (23.4 per 1000)	66 (73.3 per 1000)	469 (33.7 per 1000)	66 (73.3 per 1000)	535 (36.1 per 1000)
<i>Employment growth</i>						
<i>% Change in labour force 2011-21 by place of residence</i>	12%	4%	13%	7%	13%	7%
<i>Older/ ageing communities</i>						
<i>%Population over 65</i>	22%	18%	22%	20%	22%	20%
<i>% Population under 15</i>	17%	20%	14%	18%	14%	18%
Financial Sustainability						
<i>Value of rateable land</i>						
<i>Total \$ value within region</i>	\$3,179,547,900	\$5,654,347,900	\$596,995,800	\$6,607,940,500	\$596,995,800	\$7,204,936,300
<i>Estimated total rate revenue⁷</i>	\$7,679,200	\$14,996,000	\$2,140,500	\$14,826,000	\$2,140,500	\$17,185,200
<i>Estimated rate revenue as a % of area total rateable property value</i>	.26%	.28%	.39%	.24%	.39%	.25%

⁷There are limitations involved with this analysis, and it is acknowledged that the modelled revenues underestimate actual council revenues in some instances. The modelled revenues are a superior measure of relative fiscal capacity between council scenarios, and caution is advised for any comparison between modelled revenues for scenarios and existing councils. More information is provided in the Methods and Technical Background Supporting Paper.

Criteria and Indicator	Metric					
	Scenario 1 Council A	Scenario 1 Council B	Scenario 1 Council C	Scenario 2 Council A	Scenario 2 Council B	Scenario 3
Road infrastructure						
<i>Length and type of council roads in new region</i>						
<i>Km by type</i>						
Km of council roads - sealed	204.2	447.2	72.5	467.2	72.5	539.7
Km of council roads - unsealed	274.1	557.8	273.7	735.3	273.7	1,009.1
Additional Key Metrics						
Population	6,749	14,303	914	13,929	914	14,843
Median Age	55.5	47.7	56.9	51.6	56.9	51.9
Median household income (or SIEFA)	2	1	5	2	5	2

4. Implications for neighbouring Community Catchments

Community Catchments have been established to facilitate discussions about options for council consolidation at a regional level. We are also mindful that the design of the reforms in one community catchment will have impacts on neighbouring regions and the local government system as a whole. Given this, it is important to note how the design of the North-East Catchment may have implications for neighbouring Community Catchments and councils therein.

Overall, the North-East Catchment is reasonably clearly defined and self-contained, although two specific boundary questions need to be considered:

- Further investigation and community consultation is required to establish whether Bicheno is oriented more to the north or south

of the east coast. If north, this would shift the northern boundary of the existing Glamorgan-Spring Bay LGA.

- Scenario 2 combines the existing George Town and Dorset LGAs and extends to include Lebrina. Lebrina is currently located within the City of Launceston LGA. These inclusions in the North-East Community Catchment (as opposed to the Tamar Valley Community Catchment) require further consideration to establish where these communities fit best.

5. Appendix

Analysis of existing Councils within (or partially within) community catchment⁸

Council	Population	No. of employees	Average Residential Rates & Annual Charges per Residential Property (\$)	Current ratio (10 yr average)	Cash Expense Cover Ratio	Own source revenue coverage ratio (10 yr average)	Underlying surplus ratio (10 yr average)	Debt service cover ratio (8 yr average)	Asset sustainability ratio (7 yr average)
Year	2021	2020-21	2020-21	2011-21	2011-21	2011-21	2011-21	2013-21	2014-21
Break O'Day	6770	52.5	1133.26	3.69	10	74%	-3%	21.5	106%
Dorset	6829	65.25	1111.62	7.79	14	73%	5%	23.9	152%
Flinders	922	19.54	1382.18	9.64	18	48%	-18%	5.1	101%
George Town	7033	40	1152.95	3.47	5	83%	0%	22.3	71%

Council	Asset renewal funding ratio (7 yr average)	Asset consumption ratio (7 yr average)	Cash and investments held (\$'000s)	Net Financial Liabilities Ratio (%)	Interest bearing liabilities (\$'000s)	No. of discretionary development applications received	Value of all development approvals (\$)	No. of councillors
Year	2014-21	2014-21	30-Jun-22	2020-21	30-Jun-22	2020-21	2020-21	2018
Break O'Day	117%	72%	11,813	-1%	6,256	226	52,651,933	9
Dorset	91%	78%	9,432	19%	4,363	109	19,496,922	9
Flinders	92%	79%	9,154	84%	446	36	2,820,004	7
George Town	91%	84%	8,129	13%	4,346	113	40,326,245	9

⁸ Definitions of data items can be found *Existing Council Data Definitions Supporting Paper*.

Tamar Valley Community Catchment Information Pack

Review Stage 3 – May 2023

Let's All Shape the Future
of Local Government.

The future
of local
government
review



This information pack has been prepared by the Local Government Board with the assistance of the Tasmanian Policy Exchange at the University of Tasmania and the Department of State Growth.

It draws on ABS Census, council, and the Office of the Valuer General data.

The Local Government Board prepared this information pack as a data source and conversation starter for the upcoming Stage 3 consultation.

Contents

1. Introduction	4
2. An overview of the Tamar Valley Community Catchment	7
Tamar Valley: Scenario 1	13
Tamar Valley: Scenario 2	19
Tamar Valley: Scenario 3	26
Tamar Valley: Scenario 4	33
3. Comparison of scenarios.....	41
4. Implications for neighbouring Community Catchments	44
5. Appendix	45

1. Introduction

During Stage 3 of the Review, the Board will be engaging with communities to look at how we might reshape Tasmania's local councils to increase scale and capability so they can better serve Tasmanian communities. The goal is to design local government in Tasmania in a way that allows all councils to develop and maintain the capability that communities need, while delivering services locally, keeping local jobs, and ensuring that all Tasmanians have a strong voice in decisions being made on their behalf.

This information pack provides detailed insights into the Tamar Valley Community Catchment, outlining four possible structural reform scenarios. **These scenarios are not the only options for reform.** They are designed to prompt a discussion about some of the possible pathways available to deliver a more capable and sustainable system of local government.

Communities and councils may have their own ideas about how local government could be better organised in their catchments. The Board welcomes alternative suggestions as part of the engagement process.

Where have these scenarios come from?

Each of the scenarios in the information pack has been developed using the Board's structural reform principles (see text box on the following page) and the following four criteria.

1. **Place and Representation**
2. **Future Needs and Priorities**
3. **Financial Sustainability**
4. **Operational Capability.**

Scenario 1 – Establishing one council area that incorporates West Tamar, George Town, and Launceston as well as commuting areas of Prospect Vale and Blackstone Heights.

Scenario 2 – Establishing one council area capturing West Tamar and Launceston but not including Lebrina.

Scenario 3 – Establishing one council area comprising the existing West Tamar, George Town, and Launceston LGAs, extended to include the commuting areas of Hadspen, Carrick, Longford, Perth, Evandale and immediate surrounds.

Scenario 4 – Establishing one council area that incorporates West Tamar, George Town, and Launceston and extends west to Meander Valley (minus south-west SA1 around Lake Rowallan) but excludes the southern commuting towns of Evandale, Perth and Longford.

The Board – in collaboration with the University of Tasmania – has identified and applied a range of relevant data sets to assess the scenarios individually and in comparison to one another.

By doing this, we want to test how well the different scenarios meet the criteria. This should promote a conversation about various trade-offs and how these might be managed or addressed. For example, scenarios that propose a smaller scale council may be construed as providing a higher level of representation and local connection but may need to be supported by more extensive shared services and partnership arrangements to achieve the operational scale necessary to deliver long-run capability and financial sustainability.

On the other hand, scenarios that for larger council areas with larger populations may require less in the way of service sharing and may be more 'self-sufficient'.

Structural Reform Principles

1. A Focus on Future Community Needs
2. Retaining Jobs and Service Delivery Locally
3. Preserving and Enhancing Local Voice
4. Smoothing Financial Impacts for Communities
5. Dedicated and Appropriate Resourcing for the Transition

The data and analysis presented in this Information Pack has been sourced from a range of authoritative sources, including councils, the Australian Bureau of Statistics, the Office of the Valuer General, the Department of State Growth and the University of Tasmania. The Pack also presents the results of modelling undertaken to estimate indicative rates for possible council areas presented in the scenarios. Detailed notes on the methods and assumptions used in this modelling are provided in the Supporting Paper (*Methods and Technical Background*).

The scenarios presented in this Information Pack, and the data and analysis that underpins them, are designed to inform community consultation about the future design of local government in Tasmania and are only one of multiple sources of information the Board will be considering when finalising its reform options.

What do we want councils and communities to tell us?

For each of the scenarios, we want councils and communities to consider four fundamental questions:

1. **What are the strengths?**
2. **What are the weaknesses or challenges?**
3. **Are there any adjustments that could be made to maximise the strengths and minimise the weaknesses?**
4. **Are there any other entirely different scenarios the Board should consider, which would still deliver against the Board's criteria and structural reform principles?**

Boundary changes are only one part of the equation. We also want councils and communities to think about options for complementary, supporting reforms, such as shared services and partnerships, options to improve local services and keep jobs in local communities, and new models of engagement and representation.

To support this conversation, we have prepared a number of *Supporting Papers*, which present a range of opportunities for councils and communities to consider. The Papers draw on research about new and evolving approaches in local government elsewhere, as well as the ideas that we have heard from talking with councils, state agencies, and the broader community, including from submissions we have received.

These papers focus on:

- **Supporting strong and empowered local communities (protecting and enhancing local voice and local services);**
- **State government partnership opportunities for local government; and**

- **Potential models, options, and key considerations for shared service opportunities in Tasmania.**

We want people to keep these opportunities in mind as they consider how they might work with or support the operation of new council boundaries and new models of service delivery. Some of the opportunities might only make sense or be effective under some scenarios, while others might work across the board.

At this stage, the Board wants to encourage creative thinking about how we build new council structures that are not just more capable, but which can deliver more equitable outcomes and access to services and technology for all of Tasmania, particularly in our rural and regional communities.

The intent here is consistent with the Board's approach to community centred consolidation - to more flexibly and genuinely reflect and support what communities will want and need into the future. Our aim is to look at how future councils can access the benefits of scale yet remain responsive to local needs. A large part of this is to consider how we reorient representation and services around citizens and the people who access services and build administrative structures that can deliver that flexibility.

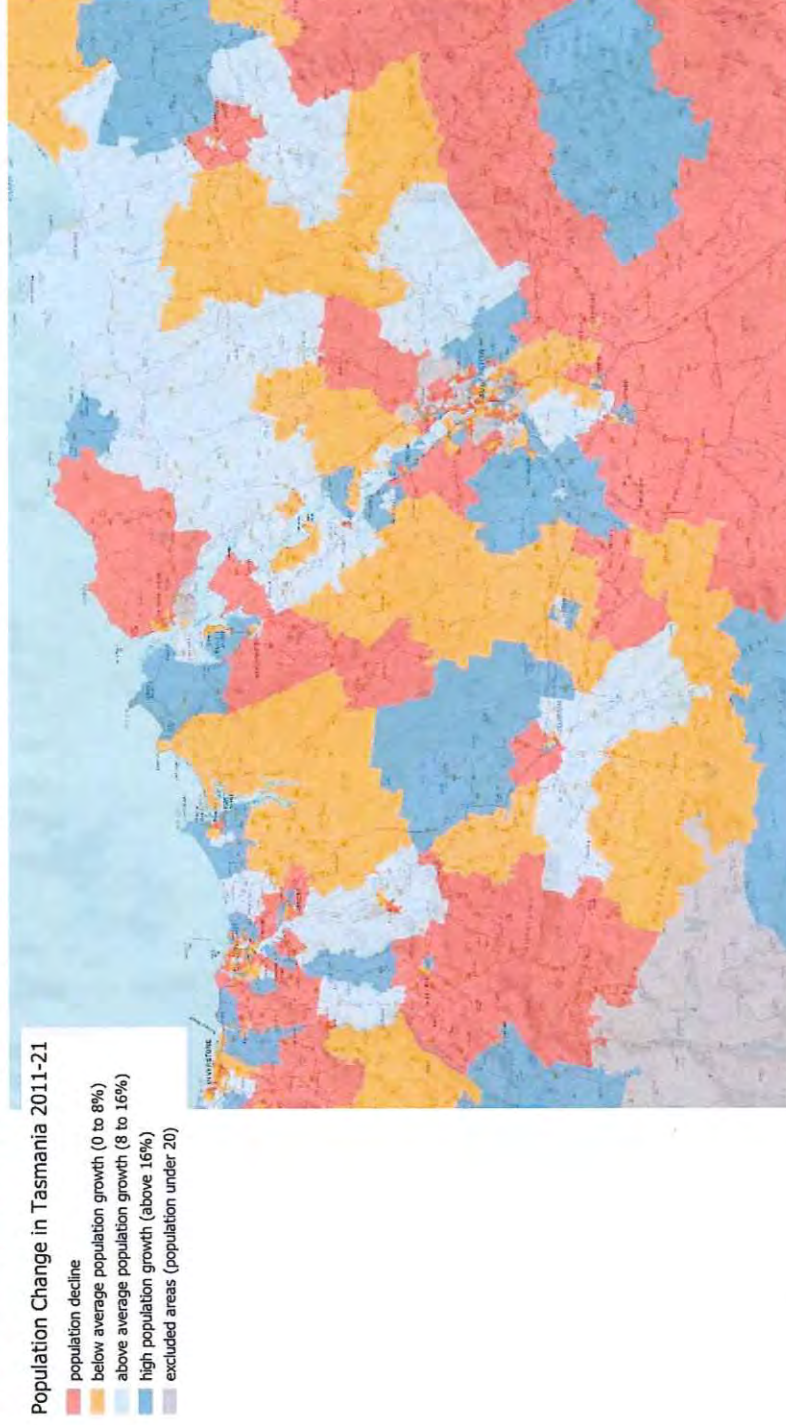
Please note: The Supporting Papers also include fact sheets which explain key data sets, data definitions and associated methodology.

Navigating the Information Pack

The Information Pack is divided into five main sections:

1. **Introductory information about how to interpret and use the Information Pack (this section);**
2. **An overview of the Tamar Valley catchment, including key demographic, economic, and geographic features;**
3. **An explanation and analysis of each of the individual structural reform scenarios against evaluation criteria data;**
4. **A comparative summary of all the scenarios against the evaluation criteria data; and**
5. **An appendix, which presents analysis of existing councils within (or partially within) the catchment.**

2. An overview of the Tamar Valley Community Catchment



This Community Catchment is based on the kanamaluka / Tamar River estuary and its broader catchment zone. It takes in the city of Launceston and the upper reaches of the North and South Esk rivers to the mouth of the estuary, approximately 65km to the north, and its hinterland. Although the Tamar Valley has a reasonably defined geography, there is a

debate to be had about how far this Community Catchment extends into the surrounding farmland to the south and west. The community also needs to consider whether George Town, with its own distinctive industrial base, should be regarded as a separate community of interest and council area (see Scenarios 2 and 3).