

SUBMISSION TO IPART by ROBERT BAGNALL dated 31 July 2015-07-31

INTRODUCTION

As a long term resident ratepayer and active community member of Mosman municipality, I am greatly concerned about any proposed amalgamation of municipal councils if such amalgamations are to be “forced”.

I am particularly concerned that Mosman Council not be “forced” into amalgamating with any other council or councils against the desires of Mosman residents.

Various surveys – and anecdotal evidence - demonstrate that a sizable majority of Mosman residents want Mosman Council to remain independent. That Mosman-specific data is far more reliable as an indicator of the attitudes and desires of Mosman residents on this issue than broader surveys and studies such as that by Associate Professor Roberta Ryan (*Why Local Government Matters*) which covered a large number of councils but with only a relative handful of respondents from each council area.

SUBMISSION

I have read and concur with the Mosman Council submission to IPART titled *Submission: IPART Methodology for Assessment of Council Fit for the Future Proposals*.

I support of that submission I urge you to recognise the following –

A. “Local” government and effective participation by the community

1. Local government is aptly named as it relates to government of local places, not regions or provinces.
2. Local government is the only tier of government which realistically can give the local community and individual residents the opportunity to have their voice heard and acted on by their elected representatives when decisions which will affect them are being made by their local council.
 - a. That opportunity diminishes as electorates increase in size and the link between elector residents and their elected representatives becomes more distant and tenuous.
 - b. That also has implications for good governance – see below
 - c. As such, local government offers residents their best chance to experience and play a part in participatory democracy at the grass roots in local matters which affect them on a daily basis.
3. ‘Local’ government has the potential to be most effective when it is of a scale that relates to an area with identifiable community or commonality of interest, rather than spanning a wider region with a diversity of identities.
 - a. This is most likely with smaller councils, in a way which is difficult if not unrealistic for most citizens in large councils or at the other two tiers of government.
 - b. While this may be seen as a nuisance and impediment to decision making, it is what distinguishes grass roots democracy from autocratic government by those who believe they know best and find irksome the necessity to consult and negotiate.
 - c. It is also the best chance to have government at the local level which is responsive to its constituency, as councillors elected to represent smaller areas are better able to know the issues affecting their electors and more focussed on representing their interests, in a way which councillors of municipalities of 250,000 or more cannot.
4. The sheer number of electors which a councillor of a large council is expected to represent makes it also more likely that, not only will that voter-representative-link be much less but also inevitably involves greater delegation of responsibilities to unelected bureaucrats and council staff who are not directly responsible to the constituency on whose behalf they are acting.

B. Good governance

1. Good governance at all levels of government requires transparency and accountability.
2. Councils as presently conceived are directed by part-time councillors who (unlike their state and federal counterparts) do not have personal staff to assist them inter alia to review reports and recommendations submitted to them for approval by council management.
3. Such a situation can still provide effective oversight and accountability provided that the quantity and complexity of reports etc to be reviewed remain at a manageable level.
4. However, it is unrealistic to expect that part-time councillors on councils of the size and 'scale' proposed would be able to provide adequate time and resources to provide effective oversight for and accountability in respect of the quantity and complexity of the reports etc that would be generated by amalgamated councils of the size and 'scale' proposed.
5. Reports in the media of failures by councils to provide proper oversight and governance indicate that increasing the size and scale of councils does not improve such oversight and accountability.
6. In fact, the opposite – eg, the report in the media of 7 July 2015 that bigger councils in Sydney performed worst, according to the *Your Council* report for 2013-14.

C. Scale

1. It is ridiculous to postulate an arbitrary measure such as 'scale' to which councils are expected to comply when –
 - a. it is coupled with suggested sized mega-councils of 250,000 plus residents
 - b. that 'scale' is –
 - i. undefined
 - ii. arbitrary
 - iii. unsubstantiated
2. It is also ridiculous to propose such an undefined measure when the weight of evidence contradicts the assumptions underlying such proposal – see for instance studies cited in Mosman Council's submission and the *Your Council* report for 2013-14.

D. Financial justification

1. It would appear the proposed amalgamation changes are unsupported by evidence of financial benefit.
2. I understand there is well respected research which discredits the assumptions behind the proposals.
3. Fortuitously, the report in the media of 7 July 2015 that bigger councils in Sydney performed worst, according to the *Your Council* report for 2013-14, undercuts a key rationale for the proposals.
4. The real challenge is not to force amalgamations for doctrinaire reasons but rather to ensure competent management and efficient delivery of services to the relevant council area.
5. Such challenge is feasibly met by cooperative arrangements with other local government areas to procure efficient management and cost-effective provision of services. Practical experience as to how this works effectively is evident in the operations of Mosman Council and other councils and should be taken on board by the enquiry

E. Public perception

1. There is a widely held public perception that the proposals for council amalgamations are a politically driven response to –
 - a. the demands of the property industry to streamline the approvals process for development proposals

- b. the desire of state politicians and bureaucrats for their convenience to ‘streamline’ community consultation at the expense of true and effective community engagement.
2. That perception is reinforced by numerous matters, including –
 - a. the truncated consultation process
 - b. the “reverse onus” approach
 - c. the failure to rule out forced amalgamations, contrary to pre-election promises
 - d. the ill-defined a priori criteria for the so-called ‘fit for the future’ hurdle - in particular, the undefined criterion of “scale”
 - e. the failure to address, let alone account for, substantial evidence contradicting and refuting the supposed justifications for amalgamating municipal councils into mega-councils of the size proposed.
 - f. the perception that the relevant politicians have made up their mind and are determined to ram this through no matter what.
3. The amalgamation proposals and their failure to adequately address the social dimension of local government bring to mind –
 - a. the Thatcherist notion that there is no such thing as society, only an economy, and
 - b. the misconceived notion and slogan of the Greiner government that it was “putting New South Wales first by managing better”.
4. It is all too easy for governments at all levels, in the pursuit of management efficiency, to fall into the trap of giving primacy to the economic and financial over the political and social rights of residents and citizens to have an effective voice in matters that concern them in the messy game of government.
5. The need in a democratic society is to strike a balance between the two. The difficulty in achieving the right balance is no excuse for not trying.
6. The amalgamation proposals fail this test and should be withdrawn.
7. Cynicism about and opposition to the amalgamation proposals can be expected to continue and increase unless and until these issues are properly and satisfactorily addressed.

F. Terms of reference

1. The terms appear arbitrary, doctrinaire, ideological and unsupported by evidence.
2. As such they are defective and need to be rewritten.

G. Conclusion

1. The amalgamation proposals should be taken off the agenda and reconsidered at a fundamental level.
2. After a proper independent and impartial investigation, the amalgamation proposals should be either abandoned altogether or reformulated to take proper account of the evidence and research which contradicts or is inconsistent with the proposals and their underlying assumptions.

Robert Bagnall

31 July 2015

