

# 7

## **Local government in Australia: An overview and strategic directions**

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### **Abstract**

Local government across Australia's state and territory jurisdictions continues to be a dynamic and varied domain of public administration reform. This chapter maps the changing number and types of local government, noting the tendencies for consolidation, regional cooperation and the emerging role of First Nations authorities before focusing on the systems of intergovernmental relations. A comparative portrait of contemporary local government finance is provided before the internal organisation of local authorities and the increasingly salient requirement for community engagement are examined. A strategic view of local government in Australia suggests that while, up until recently, an emboldened view of the role of local authorities was both touted and expected, the resurgence of the sovereign states under the response to the COVID-19 pandemic has seen local authorities returned to their traditional place in Australia's intergovernmental system, with a focus on competence and sustainability and notwithstanding variation across the federation.

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**Keywords:** local government; regional governance; First Nations authorities; intergovernmental relations.

## 1. Introduction: Nature of local governance in Australia

A comparative perspective of local governments in Australia would view them as akin to local authorities in similar federations (e.g. Canada, the US) in that they do not enjoy constitutional status at the federal level yet are nevertheless important institutions of local democracy. However, beneath this broad level of generalisation, the similarities rapidly dissipate. Local governments in Australia are responsible for a fraction of the remit of their Anglosphere cousins in North America and Britain; they are akin only to those of New Zealand in their limited role (Dollery et al. 2008). Moreover, the idea that Australian local governments are wellsprings of local democracy should be tempered by the fact that, historically, in over half the nascent colonies on the Australian continent and its adjacent territories prior to Federation in 1901, local authorities were a form of decentralised colonial authority that in many instances only took the form of partially self-governing communities reluctantly (Grant and Drew 2017a). Arguably, this has created ambivalence at the core of the understanding of what local government is and what it ought to be and varies subtly across Australia's seven local government jurisdictions.

Despite this ambivalence, local governments and their intergovernmental relations are dynamic arenas of public administration reform in the Australian federation. In providing a contemporary overview, this chapter adapts the methodological approach initiated by Garcea and Le Sage (2005). Initially, it provides an account of the structures of local governance, inclusive of (i) multipurpose local authorities, (ii) special purpose local authorities, and (iii) federally initiated regional institutions. Next, echoing recent work by Aroney and Grant (2022), it examines state–local relations by focusing on the principal authorities contained in state governments that exercise oversight of local government. Following the dictum that ‘finance follows function’, the chapter then provides an account of revenue and outlays for local government, comparing jurisdictions on this basis, alongside noting changes to aggregates over time (Grant and Drew 2017a). Penultimately, the chapter examines the internal organisation of local authorities and

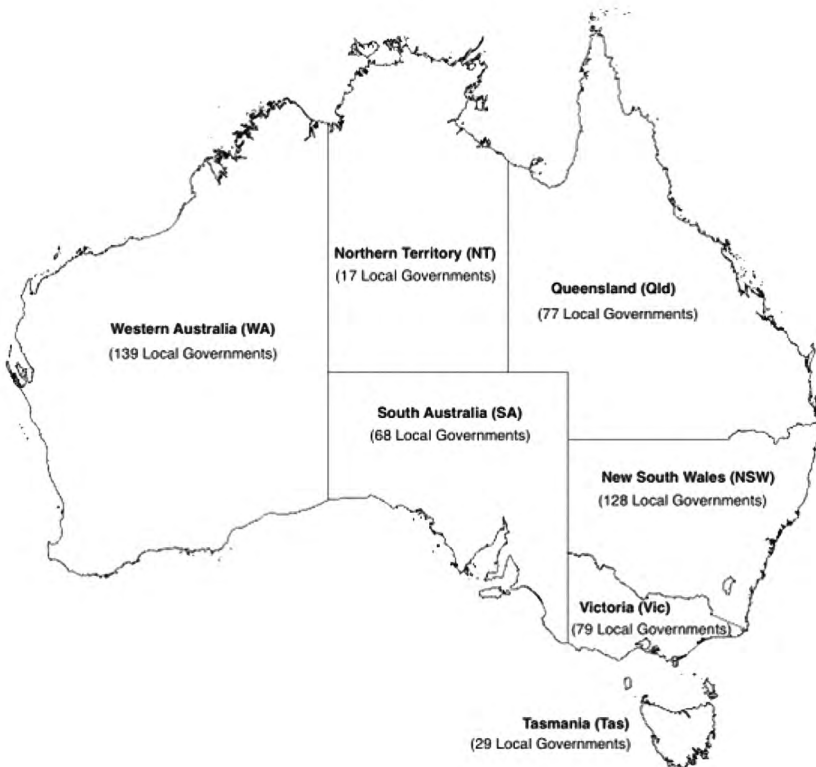
arrangements for community engagement. The chapter concludes by asserting that a ‘maximalist’ view of a stronger role for local government in Australia has been challenged by both the problems encountered by larger local governments and the reassertion of state authority in the face of the COVID-19 pandemic.

## **2. Structure and structural reform of local governance**

### **Multipurpose local authorities**

Garcea and Le Sage (2005:5) offer a three-part definition of the structure of local government, namely (i) the ‘overall configuration’ of the boundaries; and (ii) the number, and (iii) the types of municipal authorities. Regarding (i) the ‘overall configuration’, providing maps of the boundaries for all the individual local governments across the Australian federation—537 in total—would burden the account provided here with no less than seven maps of the individual jurisdictions. This will be foregone, noting that links to maps for the individual jurisdictions are available in an online electronic format at the Australian Local Government Association (ALGA 2021). At a higher spatial and jurisdictional analysis level, Figure 7.1 depicts the number of local governments within the six sovereign states and the Northern Territory (the main other territory, the Australian Capital Territory, does not have any lower-level governments).

The cardinal point about Figure 7.1 is that Australia has seven local government jurisdictions. Like their counterparts in other federal systems (e.g. the US, Canada), local governments in Australia are creatures of state, not Commonwealth (or central), law and, unlike in other polities (e.g. China), the major metropolitan centres or capital cities (e.g. Sydney, Melbourne) are not placed on a plane above their smaller local government counterparts (although both historically and now, as discussed further below, these metropolitan capitals have been constituted under separate legislation at the state level—see Grant and Drew 2017a:15–82).

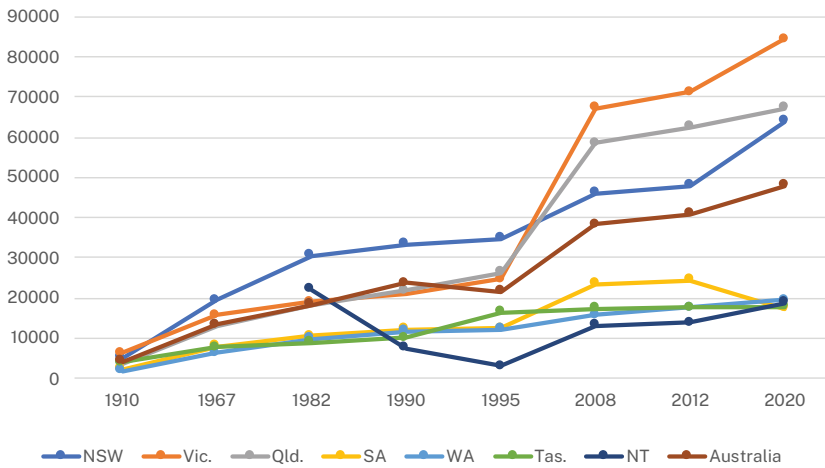


**Figure 7.1: Australia: Local government jurisdictions and number of local governments.**

Source: Adapted from Christensen and McQuestin (2019).

Moreover, across the jurisdictions, there is no consistent relationship between the number of local governments per state/territory jurisdiction on the one hand and the population size of those jurisdictions on the other hand. This is demonstrated in Figure 7.2.

Examining Figure 7.2, the overall trend is one of an increase in the size of the population per local government jurisdiction—in all jurisdictions—from under 10,000 in 1910 to an average of 47,834 in 2020. In essence, local governments are five times larger by population than they were 100 years ago. However, there is a high degree of variability across the jurisdictions: the average population size for the three most populous jurisdictions (NSW, Victoria and Queensland) is 71,499; for the four least populous jurisdictions (South Australia, Western Australia, Tasmania and the Northern Territory) it is 18,287.



**Figure 7.2: Australia: Population per local area by jurisdiction, 1910–2020.**

Source: Adapted from Grant and Drew (2017a:361).

Additionally, the number and size of local governments—measured by both population and geographical area—has historically been a consistent domain of contentious reform processes across the jurisdictions (see, for example, Ryan et al. 2016). Territorially, the increase in size has been introduced by state and territory governments (not local governments themselves, with few exceptions—see Grant et al. 2012; Tiley 2012) through programs of amalgamation, which has been either encouraged or, more commonly, forced upon local governments, usually with some form of financial incentive attached. These episodes of consolidation are so routine that Drew and Dollery (2014:129–30) have provided an ideal-type characterisation of the process:

As a first step, state politicians assert that local authorities are ineffective as a consequence of their sub-optimal population size and that this significantly impedes the economic prospects of the state in question. An ‘independent’ commission is then established in stage two to recommend policy prescription for remedying the situation. Stage three entails the release of its preliminary report with draft findings for public comment, almost invariably calling for compulsory council consolidation, followed by a period of ‘public consultation’, and then a final report. Prescribed forced amalgamations are then executed, often swiftly to minimize opportunities for adversaries to marshal effective opposition. It is noteworthy that no subsequent post-amalgamation assessment of compulsory mergers is ever undertaken.

Prima facie, providing this account of structural reform processes in Australian local government might appear to be delving into too much of the ‘cut and thrust’ of state–local government relations. It is, however, important to emphasise that these programs of structural reform, often engendered by an ‘independent’ commission (see Grant et al. 2015a), have been a perennial and consistent feature of local government and state–local government relations in Australia, the salience of which is difficult to overstate, particularly for those working in and around local government, and even when they only involve the threat of amalgamation (again, see Ryan et al. 2016).

Returning to Garcea and Le Sage’s (2005:5) three-part definition of the structure of local government to consider (iii) the ‘types’ of local government, historically, there have been two main types across all the Australian jurisdictions: municipalities (city or town local governments) and shires for regional and rural areas (akin to counties in the US). Capital cities should be added to these two main types as, historically and now, they have been constituted under their own Acts. They have both a slightly differentiated function (typically, their statutory remits include a greater role for intergovernmental relations) and internal structure (the mayor has more authority).

This historically locatable and relatively simple three-part typology of local government types (i.e. municipalities; shires and cities) has become considerably more complex in the last half-century, principally due to the Commonwealth’s financial assistance grants (FAGs) scheme, legislation for which was initially introduced in 1975 then renewed under the *Local Government (Financial Assistance) Act 1995* (Cth). The federal government has introduced the classificatory system outlined in Table 7.1.

**Table 7.1: Australian Government Department of Infrastructure and Regional Development (DIRD): Australian classification of local governments.**

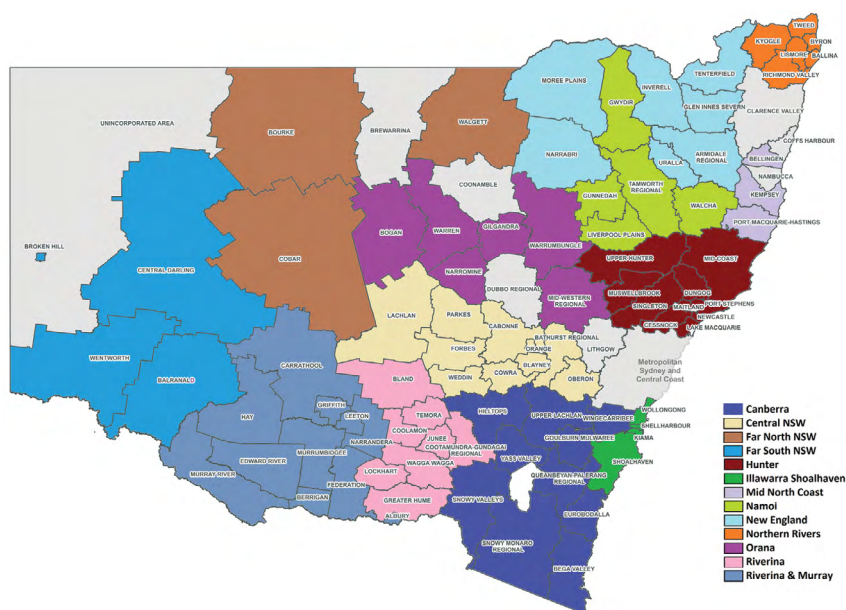
| Step 1   | Step 2  | Step 3  | Identifiers  | Category   |
|--|---|---|--|--|
| <b>URBAN (U)</b>   |   |   |  |  |
| Population more than 20,000<br>OR<br>If population less than 20,000, | CAPITAL CITY (CC)   | Not applicable                                    |  | Urban Capital City (UCC)   |
|  | METROPOLITAN DEVELOPED (D)<br>Part of an urban centre of more than 1,000,000 or population density more than 600 per square kilometre | SMALL<br>MEDIUM<br>LARGE (L)<br>VERY<br>LARGE (V) | up to 30,000<br>30,001–70,000<br>70,001–120,000<br>more than 120,000 | Urban Developed Small (UDS)<br>Urban Developed Medium (UDM)<br>Urban Developed Large (UDL)<br>Urban Developed Very Large (UDV) |

| Step 1  | Step 2  | Step 3  | Identifiers  | Category   |
|---|---|---|--|--|
| <b>EITHER</b>   |   |   |  |  |
| Population density more than 30 persons per square kilometre<br>OR<br>90 per cent or more of the local governing body population is urban | <b>REGIONAL TOWNS/CITY (R)</b><br>Part of an urban centre with population less than 1,000,000 and predominantly urban in nature       | SMALL<br>MEDIUM<br>LARGE (L)<br>VERY<br>LARGE (V) | up to 30,000<br>30,001–70,000<br>70,001–120,000<br>more than 120,000 | Urban Rural Small (URS)<br>Urban Rural Medium (URM)<br>Urban Rural Large (URL)<br>Urban Rural Very Large (URVL)                            |
|   | <b>FRINGE (F)</b><br>A developing LGA on the margin of a developed or regional urban centre   | SMALL<br>MEDIUM<br>LARGE (L)<br>VERY<br>LARGE (V) | up to 30,000<br>30,001–70,000<br>70,001–120,000<br>more than 120,000 | Urban Fringe Small (UFS)<br>Urban Fringe Medium (UFM)<br>Urban Fringe Large (UFL)<br>Urban Fringe Very Large (UFV)                         |
| <b>RURAL (R)</b>  |   |   |  |  |
| A local governing body with population less than 20,000<br>AND  | <b>SIGNIFICANT GROWTH (SG)</b><br>Average annual population growth more than three per cent, population more than 5000 and not remote | Not applicable                                    |  | Regional Significant Growth (RSG)  |
| Population density less than 30 persons per square kilometre<br>AND<br>Less than 90 per cent of local governing body population is urban  | <b>AGRICULTURAL (A)</b>   | SMALL<br>MEDIUM<br>LARGE (L)<br>VERY<br>LARGE (V) | up to 2,000<br>2,001–5,000<br>5,001–10,000<br>10,001–20,000          | Rural Agricultural Small (RAS)<br>Rural Agricultural Medium (RAM)<br>Rural Agricultural Large (RAL)<br>Rural Agricultural Very Large (RAV) |
|   | <b>REMOTE</b>   | EXTRA<br>SMALL(X)<br>SMALL<br>MEDIUM<br>LARGE (L) | up to 400<br>401–1,000<br>1,001–3,000<br>3,001–20,000                | Remote Extra Small (RTX)<br>Remote Small (RTS)<br>Remote Medium (RTM)<br>Remote Large (RTL)  |

Note: LGA = local government area.

Source: Adapted from DIRD (2017:217).

Examining Table 7.1, the fundamental split between ‘urban’ and ‘rural’ (at left) has been maintained; nevertheless, from there (moving right), local government areas (LGAs) are organised around (for instance) whether they are metropolitan or regional urban centres or, in the case of rural councils, whether they are experiencing ‘significant growth’. The result is 22 categories, with account also given to population size, which is a principal metric in the methodology for deciding the moneys the Commonwealth provides to each local government (i.e. on a per capita basis). This complex classification system has been devised by the Commonwealth (i.e. central) government in an attempt to ensure the equitable distribution of FAGs to individual local governments ‘through’ the state and territory governments—under the Australian Constitution, it remains unconstitutional for the federal government to directly fund local governments despite two failed attempts at constitutional reform to address this issue (see Grant and Drew 2017a:102–15). Yet, these grant moneys represent a small proportion of overall local government revenue, albeit a proportion that varies in importance depending on the own-source revenue base of particular local governments. Otherwise stated, the financial link between federal and local governments is small and politically contested (see Grant and Drew 2017a:102–15).



**Figure 7.3: NSW JOs across LGAs.**

Source: OLG (2021a).



Still with Garcea and Le Sage's (2005) 'type' of local governments, but moving to examine additional governance arrangements (i.e. those that are not constituted by direct representational arrangements), local authorities created under state statute have historically cooperated in regional configurations in the form of regional organisations of councils and strategic alliances (SAs) (see Dollery et al. 2012). The current iteration of regional cooperation in NSW—Joint Organisations (JOs)—is depicted in Figure 7.3.

For its part, the NSW Office of Local Government (OLG 2021a) promotes JOs as engendering a refreshed era of inter-municipal regional cooperation aimed at achieving economies of scale through joint service provision and regional identity and belonging. The realities are that, like their predecessors, JOs are only as strong as the councils and individuals involved and will meet with success, or otherwise, accordingly (see Dollery et al. 2012).

For planning purposes (land use, transport, health services), several state jurisdictions have also created metropolitan-wide authorities that are appointed rather than stemming from the democratic authority enjoyed by local government. An example of these types is the Greater Sydney Commission (GSC). Introduced in late 2015, the GSC has both broad and deep planning powers across the Sydney metropolitan region, justified, at least in part, by the rhetoric of pursuing a 'global city' agenda (see Grant and Drew 2017a:383–407). Nevertheless, the introduction of such instruments (again, both historically and now—see Grant et al. 2015b) has always been controversial as they override the authority of local governments (see Vogel et al. 2020:135–36).

## Special purpose authorities

Alongside the multipurpose local authorities, special purpose authorities have had a latent but continued presence as part of Australia's local governance. For instance, the NSW Office of Local Government (OLG 2021b) lists ten 'County Councils' that are in place to manage a specific land use matter (weeds, pest-control) across several adjacent local government jurisdictions. For its part, Western Australia provides for 'regional local governments' or horizontal shared services organised for a specific service, such as waste management or advocacy, of which there are presently nine (see WALGA n.d.). Many of these single-purpose authorities have subsequently been incorporated into multipurpose authorities

through amalgamation processes; however, this is not always the case. For instance—and perhaps the most salient example of a special purpose authority nationally—the Outback Communities Authority (OCA) in South Australia administers the remote communities of that state. The OCA (2014) describes itself as ‘a hybrid between local government and community self-management’.

The second type of special purpose local authority in Australia can be broadly classed as ‘First Nations local authorities’. Since the 1970s, legal recognition of different types of First Nations land ownership has taken place across Australia. This has been most marked in NSW, where the *Aboriginal Land Rights Act 1983* (NSW) provides for Local Aboriginal Land Councils (LALCs); a peak body thereof is the NSW Local Aboriginal Land Council (NSW ALC). This office administers 116 LALCs in NSW (compared with 128 standard local authorities) organised across nine regions (see NSW ALC 2020), as depicted in Figure 7.4.



**Figure 7.4: NSW LALCs and Regional Areas.**

Source: NSW ALC (2021).

The *Aboriginal Land Rights Act 1983* (NSW) specifies that LALCs are organisationally akin to standard local authorities, but with a narrow remit focused on land ownership and management. Specific state legislation for these types of authorities, albeit with a far broader remit, also exists in South Australia (see, for example, the Anangu Pitjantjatjara Yankunytjatjara Land Council (APY 2020)) and in Western Australia (see Ngaanyatjarra Council 2011). In Victoria, these bodies are constituted as ‘Registered Aboriginal Parties’ under the *Aboriginal Heritage Act 2006* (Vic) (see, for instance, Barengi Gadjin Land Council 2020), while in Queensland, Aboriginal Shire Councils, of which there are 12, are incorporated under the *Local Government Act 2009* (Qld) (see LGAQ 2020). First Nations authorities have also been established under Commonwealth legislation, specifically the *Native Title Act 1993* (Cth) and the *Native Title (Amendment) Act 1998*, whereby they are recognised as native title representative bodies (NTRB). In some jurisdictions, particularly Queensland and Western Australia, these NTRBs form a layer of governance over large areas, intersecting with postcolonial local governments. For instance, the North Queensland Aboriginal Land Council (NQLC n.d.) ‘has a representative area of 943,300 km<sup>2</sup> across North Queensland, with approximately 411,164 km<sup>2</sup> of this being land’.

## Federally initiated regionalism

As much as local governments are creatures of their respective states and the Northern Territory, it should be recognised that the federal government has, at various times, sought to intervene in regional issues by placing a layer of administration at the regional level (see Grant and Drew 2017a). The present iteration of this regional intervention is Regional Development Australia (RDA) committees, as depicted in Figure 7.5.

The Rudd Labor Government established RDA committees in 2009 ‘as a collaborative partnership between the Commonwealth, states and territory governments’ (Tiley 2013:23). They comprise 52 region and state-based committees, and the network is funded by the federal Department of Infrastructure, Transport, Regional Development and Communications. RDAs were not abolished following the demise of the Rudd Labor Government in 2013 and survived under successive Coalition (conservative) administrations and the current Labor Government. However, this survival is probably due to their lack of comparative importance. Their funding is shallow, and their principal function is to provide ‘critical intelligence back to the Australian Government’ from the regions (RDA 2020). In October 2020, they received a revived charter (RDA 2020), but the fact that this charter is 153 words in its entirety speaks volumes about the importance of RDAs.



**Figure 7.5: RDA National Network.**

Source: Adapted from RDA (n.d.).

### 3. Intergovernmental relations

One way of examining Australia's main institutional framework for state-local intergovernmental relations is by example. In this instance, NSW has been chosen as the basis for discussion. The principal institutions of state-local relations in NSW are set out in Table 7.2.

Historically, there was a dedicated minister *and* a department of local government in each jurisdiction across all of Australia's local government jurisdictions. However, in the last 30 years, coinciding with almost continual processes of reorganisation of the machinery of government at the state/territory level (usually coinciding with changes in government), this has changed, with ministerial responsibility for local government now frequently housed within a conglomeration or 'umbrella' department. As represented in Table 7.2, Column 1, this is currently the case in NSW, where the Office of Local Government falls under the Department of Planning, Industry and Environment (DPIE). In other jurisdictions, bureaucratic responsibility for local government will, from time to time, fall within a broader planning or associated department—for instance, presently

**Table 7.2: NSW: Principal institutions of state–local relations.**

| Principal ministerial responsibility   | First Nations authority | Authority for boundaries               | Finance authorities  | Audit authority  | Elections                | Investigative/ integrity/complaints authorities  |
|--|-------------------------|--|--|------------------|--------------------------|--|
| Minister for Local Government; Office of Local Government NSW Department of Planning, Industry and Environment | Aboriginal Affairs      | Local Government Boundaries Commission | NSW Local Government Grants Commission; TCorp NSW; Independent Pricing and Regulatory Tribunal | Audit Office NSW | NSW Electoral Commission | Independent Commission Against Corruption; Ombudsman NSW; Information and Privacy Commission |

Sources: Aboriginal Affairs (2020); Audit Office of NSW (n.d.); DPIE (n.d.); ICAC (2019); IPART (n.d.); IPC (n.d.); Local Government Boundaries Commission (2021); Local Government Grants Commission (2021); NSW Electoral Commission (n.d.); OLG (2021c); Ombudsman NSW (n.d.); TCorp (2021).

in South Australia, the Office of Local Government falls within the Department for Infrastructure and Transport (DIT n.d.). Alternatively, responsibility for local government will rest with the Department of Premier and Cabinet, as it currently does in Tasmania (see DPC n.d.). The overall observation here is that there is tension between local government conceived as a political institution on the one hand and an administrative institution on the other (see Grant and Drew 2017a:401–03).

Column 2 of Table 7.2 denotes a feature of local government in NSW that is atypical, namely a department of Aboriginal Affairs that has a strong association with local governance in the form of LALCs, described above. Column 3 denotes the NSW Local Government Boundaries Commission, housed within the Office of Local Government. Generally, all jurisdictions have a boundaries commission. However, in some instances, the relevant functions are incorporated under the respective electoral commissions responsible for administering local government elections (see Column 7). At present, Victoria operates this way (VEC n.d.). Column 4 denotes the finance and regulatory authorities. In NSW, the Local Government Grants Commission is responsible

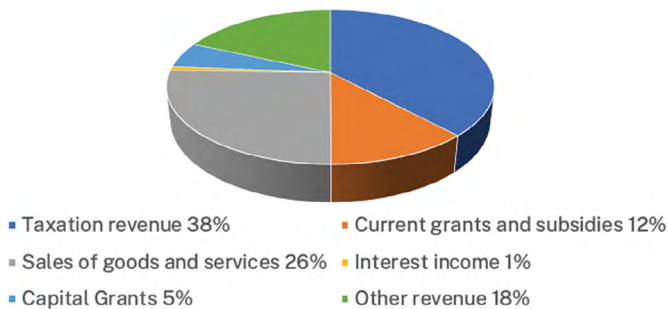
for administering the allocation of FAGs from the federal government under the *Local Government (Financial Assistance) Act 1995* (Cth) (Local Government Grants Commission 2021). While these funds do not make up a large percentage of local government finance, they join a small quantum of funds transferred from the state to local governments and are federally mandated. As such, the other jurisdictions have similar commissions (see, for instance, WALGGC 2020). The other institutions listed in Column 5 of Table 7.2 are TCorp NSW, the arm of NSW Treasury that is responsible for loan finance, investment and market analysis for the NSW Government generally, including local government (TCorp NSW 2021), and the Independent Pricing and Regulatory Tribunal (IPART), which monitors and sets prices for some government services, inclusive of rates (land tax) and forms the primary tax revenue source for local governments (see IPART n.d.). All jurisdictions have a similar finance authority that has interactions with local government (see, for instance, Queensland Treasury Corporation n.d.; Western Australian Treasury Corporation 2021). However, not all jurisdictions have an IPART equivalent; other state ancillary bodies undertake these functions in other jurisdictions.

All jurisdictions have an audit authority, as depicted in Column 5. In some instances, these authorities' responsibilities for local government go beyond financial monitoring. For example, the Victorian Auditor-General's Office (VAGO) undertakes the pricing regulation that IPART does in NSW for rates, and also oversees performance reporting, the regulation of shared services (discussed further below) and the investigation of complaints of sexual harassment (see VAGO 2021). As in most states, investigative functions in NSW are undertaken by bodies dedicated to carrying out such responsibilities across the state, in particular the Independent Commission Against Corruption (ICAC 2019) and the ombudsman (see Ombudsman NSW n.d.).

## 4. Local government finance and function

As noted in the introduction, comparatively, local governments in Australia have enjoyed a very limited remit, akin only to New Zealand when viewed internationally (see Dollery et al. 2008). Finances for local government reflect this. Land tax ('rates' in Australian parlance) is the main source of tax revenue for local government but comprises only 3.6 per cent of all taxes raised by all tiers of government, which is small compared to similar polities

(Dollery et al. 2013). In aggregate, local government raises around 90 per cent of its own revenue through a combination of tax, fees and charges. However, ‘individual councils have differing abilities to raise revenue’ and ‘the differences between urban, rural and remote councils, including population size, rating base and ability to levy user charges affects the ability of a council to raise revenue’ (DIRD 2017:4). In essence, the divide is between urban councils with relatively high populations and population densities wherein demand for land is high, and non-metropolitan councils where population, density and demand are low. This renders the latter type of council heavily reliant on intergovernmental transfers. Aggregate revenues for local government in Australia for 2020–21 are presented in Figure 7.6.



**Figure 7.6: 2020–21 Australian local government revenue (%) by category.**

Note: Percentages rounded.

Source: ABS (2022a).

Local governments accrue 62 per cent of their revenue from sources *other than* taxation—including 26 per cent from sales of goods and services (inclusive of charges for solid waste collection, parking and development contributions for infrastructure, but not charges for water and wastewater, which are classified separately as taxes) and 18 per cent from ‘other revenue’. This points to the fact that local governments are very much ‘businesses’. Aligned with their asset base, Figure 7.6 also indicates that local governments accrue significant income from interest—1 per cent overall.

While Figure 7.6 shows the average spread of revenue resources across jurisdictions, these vary across the jurisdictions (Table 7.3) and between urban and rural local governments within jurisdictions.

**Table 7.3: 2020–21 Australian local government revenue by jurisdiction, type (%) and per capita (AUD million).**

|                                     | NSW     | Vic     | Qld     | WA      | SA      | Tas     | NT      |
|-------------------------------------|---------|---------|---------|---------|---------|---------|---------|
| Tax revenue (%)                     | 29      | 47      | 33      | 52      | 61      | 47      | 29      |
| Current grants and subsidies (%)    | 15      | 16      | 5       | 10      | 8       | 14      | 20      |
| Sales (%)                           | 29      | 16      | 34      | 21      | 16      | 22      | 22      |
| Interest (%)                        | 1       | 1       | 1       | 1       | 1       | 1       | 1       |
| Capital grants (%)                  | 3       | 3       | 10      | 8       | 5       | 5       | 7       |
| Other (%)                           | 23      | 19      | 18      | 8       | 9       | 12      | 21      |
| Total revenue (\$m)                 | 18,067  | 12,346  | 13,306  | 4,874   | 2,775   | 930     | 498     |
| Total pop. (2021; '000)             | 8,186.8 | 6,643.1 | 5,240.5 | 2,685.2 | 1,772.8 | 540.8   | 245.9   |
| Local government revenue per capita | \$2,207 | \$1,859 | \$2,539 | \$1,778 | \$1,565 | \$1,720 | \$2,025 |

Note: Percentages rounded.

Source: ABS (2022a, 2022b).

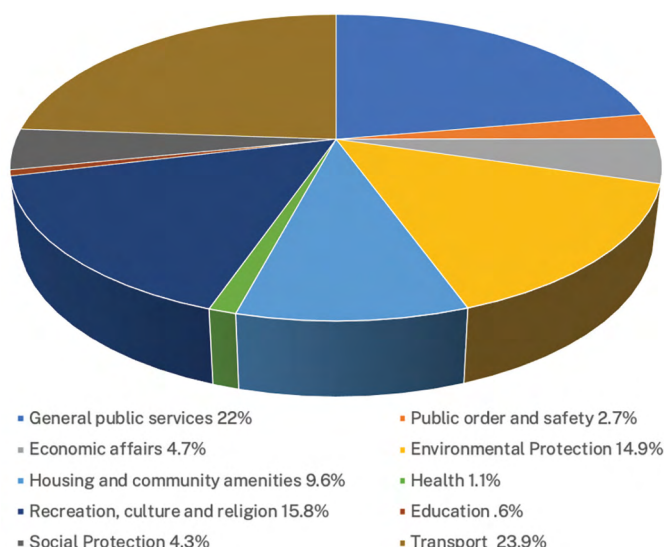
Table 7.3 demonstrates that tax revenue is comparatively low for both NSW and the Northern Territory; tax is comparatively high for Victoria and South Australia, both of which use capital improved value (CIV) as the base of their rating system (a recent review of rates in NSW shied away from implementing this, despite recommendations from the NSW IPART—see NSW Government 2020). Yet it is also comparatively high for WA and Tasmania (which do not use CIV). Overall, the more populous jurisdictions accrue significant moneys in aggregate compared to the smaller ones, and there is some variation between the jurisdictions on the basis of local government revenue per capita (with SA at AUD1,565 the lowest and Queensland at AUD2,539 the highest). Moreover, there is no consistent relationship between jurisdiction size per capita and local government revenue per capita.

Turning to expenditure, Figure 7.7 provides the breakdown in aggregate.

Examining Figure 7.7, two of the components—23.9 per cent for transport and 9.6 per cent for housing and community amenities—are, in essence, infrastructure and property services, with the former comprised largely of local roads maintenance and the latter—decidedly *not* social housing—rather infrastructure costs for new areas, including street lighting and curbing and guttering. Property services such as solid waste collection fall into the category of general public services (22 per cent). As outlined in Table 7.4, there are significant differences in expenditure patterns.



For example, the Northern Territory and Queensland are outliers with respect to ‘general public services’ at 41 and 29 per cent, respectively (the average for the other jurisdictions is 17.8 per cent). Victoria’s local governments spend more than the others on social protection (10 per cent versus an average of 3.6 per cent for the other jurisdictions). The larger jurisdictions by area—WA, Queensland and South Australia—spend more on transport on average (30.6 per cent) than the others (18.5 per cent).



**Figure 7.7: 2020–21 Australian local government expenditure (%) by category.**

Note: Percentages rounded.

Source: ABS (2022a).

**Table 7.4: 2021–22 Australian local government expenditure by jurisdiction, type (%) and total (AUD million).**

|                                  | NSW | Vic | Qld | WA  | SA  | Tas | NT  |
|----------------------------------|-----|-----|-----|-----|-----|-----|-----|
| General public services          | 25% | 18% | 29% | 16% | 6%  | 24% | 41% |
| Public order and safety          | 4%  | 2%  | 2%  | 3%  | 3%  | 1%  | 4%  |
| Economic affairs                 | 5%  | 5%  | 4%  | 3%  | 7%  | 5%  | 4%  |
| Environmental protection         | 20% | 16% | 12% | 5%  | 19% | 14% | 4%  |
| Housing and community amenities  | 9%  | 7%  | 14% | 7%  | 10% | 9%  | 13% |
| Health                           | 1%  | 2%  | 1%  | 1%  | 3%  | 2%  | 1%  |
| Recreation, culture and religion | 15% | 19% | 12% | 17% | 25% | 17% | 13% |

|                   | NSW    | Vic   | Qld    | WA    | SA    | Tas | NT  |
|-------------------|--------|-------|--------|-------|-------|-----|-----|
| Education         | 1%     | 1%    | 0%     | 0%    | 0%    | 0%  | 1%  |
| Social protection | 3%     | 10%   | 1%     | 3%    | 5%    | 3%  | 7%  |
| Transport         | 18%    | 19%   | 26%    | 44%   | 22%   | 26% | 11% |
| Total expenses    | 13,008 | 9,808 | 10,866 | 5,731 | 2,412 | 794 | 489 |

Note: Percentages rounded.

Source: ABS (2022a).

From the perspective of international comparison, the outlays for welfare functions (health and education), policing (public order and safety) and economic affairs are very small, reflecting the restricted remit of local governments in Australia (see Dollery et al. 2008).

## 5. Organisation and community engagement

### Internal council organisation

Turning now to examine the internal organisation of councils, from 1989 to 2008, all the local government Acts were substantially rewritten or ‘modernised’ with the goal of introducing what has been described as a ‘separation of powers’ between the elected officials on the one hand and the operational side of the organisation, led by non-elected officials, on the other, broadly mirroring the separation of politics from administration within the Commonwealth and state/territory governments. For their part, Grant and Drew (2017a:296–97) argue that the applicability of the ‘separation of powers’ doctrine to local government in Australia is somewhat misplaced; rather, the division between elected and appointed officials ought to be understood as a principal–agent relationship where the check on authority is present but where the two sides are obliged to operate collaboratively. Nevertheless, one of the main strategic goals of the new Acts was to introduce a restraint on local elected authorities simply directing the organisation to serve their own interests and to instead take a broader strategic role.

There is some variation in the models for local government leadership across Australia’s jurisdictions. Broadly speaking, the mayor–council model (i.e. where the mayor is elected at large) predominates in the capital cities and some jurisdictions (e.g. Tasmania, SA, WA) and is the only form used in Queensland. In other jurisdictions (NSW and Victoria), the council–

manager, or ‘cabinet’, model (i.e. where mayors are elected from their councillor colleagues) predominates. Conjecture about the merits or otherwise of either model has been a feature of academic and popular debates about local government reform (see Grant and Drew 2017a:309–20), yet political leadership arrangements in local government across Australia can still be characterised as non-professional (overall, elected officials are part-time and remunerated accordingly) and non-party-political (see Dewhurst et al. 2018). This contrasts with the operational side of local government, whose appointed executives are well remunerated but generally work on fixed-term contracts and form somewhat of a ‘precariat’ class due to this (see Smith-Ruig et al. 2016).

Beneath these arrangements for leadership organisationally, local governments are partitioned into three or more main divisions—for example, Corporate and Governance, Works and Civil and Planning, Environment and Community—with larger councils disaggregating these functional work areas further and ‘special interest’ units cropping up according to prevailing policy imperatives and changing funding streams (e.g. ‘smart cities’ units; ‘bushfire recovery’ units). These partitions reflect the traditionally prominent role played in local authorities by two professions in particular—town planners and civil engineers—that their respective peer associations have long represented at both the state and national levels.

## **Requirements for community engagement in planning processes**

To the above matrix of council organisation, there is now solid evidence of change to the mix of professions that are a consistent feature of the local government landscape. Spurred by an ideational impetus for greater democratisation of local government (i.e. away from propertied local political elites *and* the professions that attended to their interests), statutory requirements for community engagement as part of planning processes have now been embedded across the jurisdictions to varying degrees (see Grant and Drew 2017a:217–64). For example, in NSW, the *Integrated Planning and Reporting Framework* incorporates several types of ‘plans’ (which are, in fact, strategic policy statements aligning to various scales—state and/or regional) generated by the state government. These form the context within which local governments undertake their own mandatory planning, including a 10-year ‘Community Strategic Plan’ which is required to be developed using community engagement, alongside a ‘Delivery Program’

and an ‘Operational Plan’ that contains more financial information, as informed by a ‘Resourcing Strategy’, offering the state government some assurance as to the solvency of each council (OLG 2022).

Perhaps a high point for the requirement of these types of processes was witnessed in 2020, with the Government of Victoria introducing compulsory ‘deliberative engagement’ at the local government level—a requirement that is by no means unproblematic for particular types of councils in that jurisdiction, many of whom indicated that they thought it was an ill-founded idea in their submissions to the process (Savini and Grant 2020). Nevertheless, the overall point is that these types of processes are now embedded and have led to the commercialisation, if not professionalisation, of community engagement (see Christensen and Grant 2020).

## 6. Conclusion

Stepping back from this detail and taking a more strategic and national perspective, it is instructive to recall the (then) Abbott federal government’s ill-fated attempt to reform Australia’s intergovernmental relations in its white paper on *The Reform of the Federation* (PMC 2014). At the time, Grant, Ryan and Kelly (2016) lamented that reforms to local government and its intergovernmental relations were all but wholly ignored as part of this putative reform process. Confronted with this, they posited three possible ‘strategic futures’ for local government in Australia’s federation. The first scenario was the ‘minimalist’ approach, in which local government would accept its place and role, tucked firmly within the authority of the state/territory governments *and* be duly obedient to them. According to Grant, Ryan and Kelly (2016), this scenario did not discount processes of reform: local governments could still busy themselves with ensuring better engagement with their communities and achieving internal efficiencies and equities. However, contemplating any paradigmatic shift in favour of a broader role for local government would be hubris and end in disappointment and—worse—a loss of face for the sector.

The second scenario was the diametric opposite—‘maximalist’ local government. In this scenario, and against the nature of many in the local government sector itself (particularly elected executives), local governments would embrace consolidation to become geographically larger (in both urban and regional areas), more financially powerful (inclusive of increased

own-source revenue), more organisationally sophisticated and more ideationally grounded: larger regional local governments, subsuming regional governance structures, would succeed in making a play for the hearts and minds of their populations, ‘shape places’, become ‘the local state’ administratively and engender local regional politics (Hastings et al. 2016).

The third scenario—‘optimalist’ by name—would see a middle path. Here, there would be no pretensions to empire-building or seriously challenging for ideational space; yet local government might still incrementally increase both the breadth and depth of its remit, particularly around ‘services to people’ (childcare, aged care, the structurally disadvantaged); it would still retain enough capacity to respond to local needs and create public value through its ‘wisdom of place’, yet still be the local regulator. Therefore, it would occasionally fall foul of its overseeing state/territory government, but government is not trigonometry.

For their part, Grant, Ryan and Kelly (2016) argued for the ‘maximalist’ approach *and* foresaw it as a likely scenario, but this is certainly not the case only six years on. Why? First, recent experiments with ‘maximalist’ local government, which date from the amalgamations in Queensland in 2007–08 through to the amalgamations in NSW in 2017–18, have faltered on two palpable grounds. Technocratically, the results have been, at best, mixed, with the poor performance of some larger local governments seriously undermining the ‘bigger is better’ theory due to a lack of financial responsibility and electoral responsiveness. In fact, even one of the more vocal proponents of the model has recanted it (see Sansom 2020). More poignantly, recent consolidation has proven as politically problematic for state and territory governments as it has historically (again, see Ryan et al. 2016), to the extent that episodes of de-amalgamation have occurred in both Queensland and NSW (see, for instance, de Souza et al. 2014; Drew and Dollery 2015; Young and Halstead 2021), such that further rounds of amalgamation are unlikely to be entertained in other jurisdictions.

Second, the pandemic arising from the COVID-19 virus has seen a reassertion of the legitimacy of state and territory governments at the expense of the federal government. While this has played out at a largely rhetorical level (save the closure of state borders) rather than any fundamental rearrangement of real authority (particularly financial), to a certain extent, the state–local government nexus is a zero-sum game. State and local governments cannot rise together due to their relationship’s necessarily oppositional and hierarchical nature. Yet local governments can

rise in the comparative state–local nexus if state governments are faltering and if a federal (Labor) government is agreeable. COVID-19 has dealt any putative rise for these reasons as difficult to envisage: the state premiers—and state services—achieved a far more visible presence in responding to COVID, and while this may fade, it will do so over time.

The third point, a corollary to the second, is that state and territory governments—and indeed, the Commonwealth—do have the capacity to organise regionally *without* local government. This can occur, for instance, through the establishment of ‘local’ (in effect, super-regional) boards for particular types of service delivery, especially health and disaster recovery (see Grant and Drew 2017b).

The fourth challenge to the maximalist creed comes, perhaps ironically and unfortunately, with any increased success that First Nations local authorities enjoy. As laudable as that success might be in terms of redressing the oppression and political alienation of First Nations peoples historically, ‘the local’ can only take up so much space in the political mix and, as such, the extent to which these authorities enjoy success will, in all probability, come at the expense of multipurpose authorities. It need not be this way, but it most likely will be this way in the sense that other local statutory authorities have historically challenged the authority of local government.

Local government in Australia, already too big to be minimalist, will almost certainly follow the middle path. Yet this will only be optimalist if it continues to improve itself and, as such, be broadly and consistently defensible to its communities and—most importantly—to its overseeing governments.

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