

LGNSW Annual Conference 2022

Record of Decisions

F1 LGNSW Board

Standing Orders

That the Standing Orders as set out in the preceding pages be adopted.

Decision: Carried

Association Business

1 LGNSW Board

Standing orders

That the Standing Orders as set out in the preceding pages be adopted.

Decision: Carried

2 LGNSW Board

Fundamental Principles

That the Local Government NSW (LGNSW) Annual Conference:

1. endorses the LGNSW Board exercising its functions and determining advocacy activities and priorities giving consideration to all applicable legislative requirements, the LGNSW Rules, the Objects of LGNSW as set out in the Rules, resolutions of LGNSW Conferences, the LGNSW budgetary process and the LGNSW Fundamental Principles.
2. endorses the Local Government NSW Fundamental Principles, as set out below:

Economic

- *A - Local government must have control of its revenue raising and investment decisions and be fairly funded by the Commonwealth and State/NSW Governments to meet its infrastructure and service responsibilities.*
- *B - Local government promotes local and regional economic development and employment growth.*

Infrastructure

- *C - Local government is best placed to plan for, deliver and manage essential local infrastructure.*

Planning

- *D - Local government is best placed to lead and influence local and regional planning processes according to the needs and expectations of local communities*
- *E - Our communities' quality of life is a priority of local government planning.*

Environment

- *F - Local government actions reflect Ecologically Sustainable Development. ESD requires the effective integration of economic, environmental and social considerations in decision making processes and is based on the following principles:*
- *Intergenerational equity – today's actions maintain or enhance the environment for future*
- *generations*
- *Precautionary principle – prevent environmental degradation and manage and mitigate risk*
- *Conservation of biological diversity and ecological integrity*
- *Improved valuation and pricing of environmental resources – recognising the value of the environment to the community*
- *Commit to the principles of the circular economy and minimise the consumption of finite natural resources*

Social and Community

- *G - Local government is committed to the principles of:*
- *Equity – fair distribution of resources*
- *Rights – equality for all people*
- *Access – to services essential to quality of life*
- *Participation – of all people in their community*
- *Recognition – of the unique place of Aboriginal people in NSW and the right of Aboriginal people to be involved in all decisions affecting Aboriginal communities*
- *Health and Safety – for all in the community*

Governance

- *H - Local government must be constitutionally recognised and respected as an equal sphere of government*
- *I - Local government is democratically elected to shape, serve and support communities*
- *J - Local government is committed to the principles of good governance*

Accountability

- *K - Local government is responsible and accountable to the citizens and the communities it represents, through consultative processes, legislative accountabilities, efficient delivery of services and effective customer service.*
- *L - Local government is recognised as a responsible and place-based employer.*
- *M - Local government reduces and mitigates the risk of climate change for the communities we serve.*

Decision: Carried

Financial sustainability

3 Bland Shire Council

Rural Fire Service

That Local Government NSW:

1. seeks a commitment from all political parties contesting the March 2023 NSW elections to amend the Rural Fire Services Act 1997 to remove Section 119's reference to vesting RFS equipment with councils to remove the conflict of "control", specifically in accordance with the definition in Australian Accounting Standards Board (AASB) Statement of Accounting Concepts 4: Definition and Recognition of the Elements of Financial Statements.
2. writes to the NSW Treasurer and Minister for Emergency Services and Resilience requesting:
 - a) urgent attention be given to this matter in light of the pending qualified audits of more than half of the state's Local Government organisations due to a conflict in accounting positions.
 - b) immediate action to ensure the NSW Rural Fire Service is an entity under the same requirements and regulations as other emergency service organisations such as the State Emergency Service.
3. **writes to the Premier of NSW and the Leader of the Opposition to seek support for the State to fully fund all capital and operation costs of the NSW Rural Fire Service, State Emergency Services and all other emergency services.**

Decision: Carried (with amendment)

(Note: This motion covers the following motions set out in small font)

Leeton Shire Council

Inquiry into ownership of RFS Assets

That Local Government NSW lobbies the NSW State Parliamentary Accounts Committee, and/or other more relevant Committees, to:

1. conduct an inquiry into who effectively owns and controls Rural Fire Service (RFS) red fleet assets
2. set up a formal (independent of government) appeals process for sectors audited by the NSW Audit Office where there is professional disagreement that results in qualified audit opinions, and
3. amend s119 of the Rural Fires Act 1997 so that the effect is to make it clear that RFS assets are not the property of local councils.

Newcastle City Council

NSW audit office and ownership of rural fire service assets

That Local Government NSW:

1. writes to Treasurer the Hon Matt Kean MP, Minister for Emergency Services and Resilience the Hon Stephanie Cook MP and Minister for Local Government the Hon Wendy Tuckerman MP:
 - a) expressing this conference's objection to the NSW Government's determination on ownership of Rural Fire Service assets;
 - b) advising of the impact of the Government's position on council finances of this accounting treatment;
 - c) calling on the NSW Government to take immediate action to permanently clear up inequities and inconsistencies around the accounting treatment of Rural Fire Service (RFS) assets by acknowledging that rural firefighting equipment is vested in, under the control of and the property of the RFS;
 - d) amending s119 of the Rural Fires Act 1997 so that the effect is to make it clear that RFS assets are not the property of councils; and
2. writes to the Shadow Treasurer Daniel Mookhey MLC, the Shadow Minister for Emergency Services Jihad Dib MP, the Shadow Minister for Local Government Greg Warren MP, the Greens Spokesperson for Local Government Jamie Parker MP and the leaders of the Shooters, Fishers and Farmers, Animal Justice and One Nation parties Robert Borsak MLC, Emma Hurst MLC and Mark Latham MLC: a) Advising Members of LGNSW's position, including providing copies of correspondence to NSW Government Ministers; and b) Seeking Members' commitments to support NSW Councils' call to amend the Rural Fires Act 1997 as set out in correspondence.
3. promotes these messages via its digital and social media channels and via its networks.
4. continues advocating on behalf to affected councils to get clarification from the State Government about the accounting treatment of RFS assets.

Wagga Wagga City Council

Rural Fire Service (RFS) assets

That Local Government NSW lobbies the NSW State Parliamentary Accounts Committee, and/or other more relevant Committees, to:

1. conduct an inquiry into who effectively owns and controls Rural Fire Service (RFS) red fleet assets.
2. amend s119 of the Rural Fires Act 1997 so that the effect is to make it clear that RFS assets are not the property of local councils.

Blue Mountains City Council

NSW Audit Office position on RFS Red Fleet assets

That Local Government NSW lobbies the NSW Government to review and remove the Auditor General's requirements to include RFS Firefighting Equipment assets (Red Fleet) on Council's balance sheet.

Liverpool City Council

Accounting treatment of Rural Fire Service 'Red Fleet' assets

That Local Government NSW continues to advocate to the NSW Government on behalf of Councils to get clarification from the State Government about the accounting treatment of the Rural Fire Service assets.

Kempsey Shire Council

Accounting treatment of RFS assets

That Local Government NSW calls on the NSW Government to take immediate action to permanently resolve inconsistencies around the accounting treatment of Rural Fire Service (RFS) assets by acknowledging that rural firefighting equipment is under control of and the property of the RFS; by amending s119 of the Rural Fires Act 1997.

Junee Shire Council

The non inclusion of RFS Red Fleet assets in 2022 statutory accounts

That Local Government NSW advocates for Red Fleet Rural Fire Service assets not to be included on Councils' books.

4 Newcastle City Council

NSW infrastructure contribution reforms

That Local Government NSW:

1. notes the NSW Government introduced the Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021 (the Bill) into the Legislative Assembly on 22 June 2021.
2. notes sector-wide concerns regarding the financial and planning implications on local councils and communities with calls made for the NSW Government to withdraw the Bill from the NSW Parliament.
3. acknowledges that further amendments were made by the then Minister, with the support of LGNSW with assurances made at the time that "no council will be worse off under the proposed reforms", however subsequent modelling by some councils have shown this not to be the case.
4. notes that the proposed amendments favour greenfield development scenarios, which do not reflect the infrastructure needs of urbanised areas, such as within the City of Newcastle, and may result in higher costs for infill development due to constraints and access in cities.
5. notes the high expense of reform implementation required by councils, in addition to the engagement of specialist IT consultants to ensure compliance with the proposed legislation and regulations.

6. continues advocating on behalf of the local government sector to ensure that any amendments do not adversely affect local councils or their communities.

Decision: Carried

(Note: This motion covers the following motions set out in small font)

The Hills Shire Council

Infrastructure funding and delivery

That Local Government NSW calls on the NSW Government to provide certainty on the funding and timing for critical regional infrastructure to unlock and support growth, including items that have been earmarked for provision and funding for over 10 years in existing Special Infrastructure Contribution Determinations.

Penrith City Council

NSW infrastructure reform

That Local Government NSW urgently calls on the NSW State Government to finalise the proposed infrastructure reforms, ensuring that no council will incur a shortfall of funding to deliver local infrastructure to support new and growing communities and that this shortfall is not shifted to the existing community.

Liverpool City Council

Infrastructure contributions reforms

That Local Government NSW advocates that the NSW Government take on board the following recommendations in relation to the NSW Government's Infrastructure Contributions Reform:

1. supports the proposed reforms that encourage councils to forward fund infrastructure delivery by allowing councils to pool funds between contributions plans and recoup interest costs associated with borrowing.
2. allow councils to continue to levy non-residential development above the maximum rate of 1 per cent where they have previously obtained approval from the Minister to do so, and where it can be demonstrated that the new contributions rates proposed under the reforms would not result in lower net income than under the previously approved plan.
3. include provisions in the Regulation that enable councils to seek the Minister's approval to levy above the proposed s7.12 rates and outline the process for approval and information required.
4. amend the draft regulation so that the following s7.12 rates should be able to be levied:
 - a. \$12,000 per dwelling
 - b. \$50 per square metre for retail and commercial floor space.
5. Supports the proposed amendments concerning the public exhibition of planning agreements and annual reporting requirements.
6. supports the proposed amendments requiring councils to keep and make public an affordable housing contribution register.
7. supports the proposed amendments simplifying and standardising exemptions, noting that Council can decide to apply its own additional exemptions if required.
8. the proposed timing for the review of existing contributions plans and adoption of new contributions plans (1 July 2024) should be aligned with the proposed

essential works list transitional arrangements (1 July 2025) to allow Council to efficiently review and adopt new plans and avoid the need to undertake a further review and update of its new plans shortly after adoption.

9. the Land Value Contribution (LVC) should be based on the sale price of the land to better reflect the actual cost of acquiring land identified in a contributions plan.
10. the LVC method should include an allowance for costs incurred when acquiring land identified in contributions plans under the Just Terms Compensation Act.
11. the amount of land included in the Land Value Contribution Area (LVCA) should be uncapped if a planning proposal and contributions plan demonstrates consistency with the principles of efficient design and the efficient use of land as outlined in the reforms, to ensure there is no funding gap.
12. amend the definition and process for determining a Land Value Contributions Area (LVCA) to ensure it excludes all land which is not subject to intensification under a planning proposal.
13. update the proposed amendment to the Act or Regulation to allow a LVC obligation to be satisfied by a developer dedicating public purpose land identified in the contributions plan.
14. allow councils to develop and utilise their own customised LVI to index the value of land to be acquired and land contributions by engaging a certified valuer annually.
15. amend the EP&A Regulation to allow councils to immediately adopt contributions plans once amendments required by IPART and the Minister have been made, without the need to consider further exhibition.
16. the infrastructure identified in the proposed SIC should be fast-tracked into the new RIC Growth Infrastructure Needs Long List, to ensure that the regional infrastructure required to support the Aerotropolis is included in the relevant infrastructure funding mechanism.
17. the Greater Sydney Region should be divided into smaller sub regions to ensure that funds collected to deliver infrastructure required to support development will be spent where growth is occurring.
18. the RIC fund allocation process should include the publishing of the full list of projects that were considered for funding, the reasons why projects were successful or unsuccessful, and an independent appeal and review process where councils and other stakeholders can appeal RIC investment decisions made by the State government.
19. the entire RIC prioritisation and governance framework should be linked to growth and population forecasts to ensure that infrastructure is prioritised for Sydney's growth areas including the Aerotropolis and the South-West Growth Area, and the framework should be subject to a regular and independent review to ensure the guiding principles and objectives are being met.
20. the timely preparation and approval of contributions plans alongside planning proposals requires the active involvement of State government agencies in the efficient design / master planning phase, and commitments by those agencies to sign off on infrastructure requirements for planning proposals in a reasonable time. The State government should therefore develop and require agencies to adhere to protocols for involvement and timely decision making in the plan making process.
21. extend the timeframe for adoption of a contributions plan or planning agreement from 6 months to 12 months after the gazettal of a planning proposal, to minimise

the likelihood of Council being unable to levy contributions on new development where a contributions plan has been delayed.

5 City of Canterbury-Bankstown Council

s. 7.11 and 7.12 contribution rates

That Local Government NSW:

1. calls on the NSW Government to empower councils to levy s7.12 contribution rates of up to 4% of the cost of works of new development. This would represent a contribution of between \$15k-\$20k per additional dwelling.
2. advocates to the Minister to amend the Environmental Planning and Assessment Act 1979 to enable the application of section 7.11 and 7.12 rates for different land uses within the same development application.

Decision: Carried

6 City of Canterbury-Bankstown Council

Regional Infrastructure Contribution

That Local Government NSW advocates to the NSW Government that no Regional Infrastructure Contribution (RIC) be applied to new developments.

Decision: Lost

7 City of Canterbury-Bankstown Council

Review of new contributions plans

That Local Government NSW advocates to the NSW Government that new contributions plans adopted by councils from 1 July 2021 should not be required to be reviewed for at least four years.

Decision: Carried

8 Bayside Council

Developer contributions for infrastructure renewal and maintenance

That Local Government NSW lobbies the State Government to enact changes to the *Environmental Planning and Assessment Act 1979* to allow councils to quarantine and utilise a certain percentage of levied developer contributions, within the pooled development contribution plans, to be used

for maintenance and renewal of infrastructure that has been provided by developer contributions.

Decision: Carried

(Note: This motion covers the following motions set out in small font)

Lake Macquarie City Council

Allowing operational costs to be funded from development contributions

That the NSW Government commits to investigating the use of development contributions to fund ongoing costs incurred during the lifecycle of facilities built using Section 7.11 funds.

9 Kyogle Council

Financial Assistance Grants

That the conference reaffirms Local Government NSW position of calling for Financial Assistance Grant funding to be increased to 1% of Commonwealth tax revenue but notwithstanding that position, calls on Australian Local Government Association to make representation to the Federal Government for a review of the methodology and equity in determining Financial Assistance Grant allocation.

Decision: Carried (with amendment)

10 Gunnedah Shire Council

Fairer distribution of Financial Assistance Grants

That Local Government NSW calls on ALGA to make representation to the Federal Government to conduct a review into the *Local Government (Financial Assistance Grant) Act 1995* and the basis on which grant funding for roads is allocated, to create a more equitable approach to allocations and one that recognises the infrastructure managed by Local Government in the rural, regional and remote regions of Australia.

Decision: Carried

11 Bland Shire Council

Infrastructure grants

That Local Government NSW continues to lobby the NSW and Federal Governments to modify the administration of infrastructure grants in favour of direct grants to councils using a similar formula to the Federal Government Assistance Grants.

Decision: Carried

12 Bega Valley Shire Council

Building Better Regions and continuity of grant programs

That Local Government NSW :

1. calls on the federal government to reinstate and consider the current applications under the Building Better Regions Fund or a close equivalent immediately assessing previously submitted and undetermined applications under that program.
2. develops an advocacy platform to prevent changes of government discontinuing or freezing effective programs of the previous government without an equivalent program in place.

Decision: Carried

13 Newcastle City Council

Council classification and grant funding inequality

That Local Government NSW:

1. notes the long-standing frustration of City of Newcastle and Wollongong City Councils with inconsistent State Government classification, and resultant ineligibility for many grant programs.
2. refers to the previous advocacy by those councils and subsequent submission to the Public Accountability Committee's Inquiry into the integrity, efficacy, and value for money of the NSW Government grant programs.
3. notes that on 30 March 2021, the Public Accountability Committee tabled 15 recommendations as part of its first report into the integrity, efficacy, and value for money of NSW Government grant programs.
4. acknowledges that the report found "it was unacceptable for large regional cities such as Newcastle and Wollongong to be excluded when complementary grants programs are designed for both metropolitan and regional areas", and called for the NSW Government to review and standardise eligibility classifications across grant programs.
5. confirms the Committee also supported investigation into the creation of a third 'gateway city' classification category for regions, which would potentially include local government areas such as Newcastle and Wollongong.
6. writes to the Minister for Local Government, Wendy Tuckerman MP advising of this inequity and requesting assistance in resolving the issue as a matter of urgency.

Decision: Carried

14 Lake Macquarie City Council

Grant funding to be sought on a project percentage basis

That Local Government NSW requests that the NSW Government consider providing grant funding on a project percentage basis.

Decision: Carried

15 Murray River Council

Depreciation

That Local Government NSW advocates to the NSW Government that:

1. a critical review be undertaken to ascertain the relevance of the inclusion of depreciation expenses and
2. consideration be given to eliminating roads depreciation expenses and depreciation expenses applicable to asset equity funded from grants and contributions from the calculation of the Operating Performance Ratio.

Decision: Carried

16 Albury City Council

Amend TCorp policy to enable councils to support local banking institutions

That Local Government NSW advocates to the NSW Government to amend TCorp investment policy requirements to enable Councils to support local banking institutions and reinvestment in local communities.

Decision: Carried

17 Bayside Council

Proposed out of cycle revaluations of council assets

That Local Government NSW lobbies the NSW Government to mandate that the appropriate indices rate by assets classification, or class, be provided to each Council in a timely manner, annually.

Decision: Carried

18 Bayside Council **Impact of federal government stimulus funding programs payable by progress claim**

That Local Government NSW advocates for stimulus and other funding initiatives by the Federal or State Governments to be paid in full, up front, in future years to avoid Councils experiencing cash flow issues.

Decision: Carried

19 Bega Valley Shire Council **Audit arrangements**

That Local Government NSW:

1. advocates to the NSW Government to review the current NSW Local Government Audit arrangements through the Audit Office to manage their contractors to deliver local government audits that reduce costs and meet the agreed timeframes so councils can report their financial statements in accordance with legislative requirements.
2. advocates to the NSW Government to cover the full costs of Audit of Local Government in NSW.

Decision: Carried

20 Bega Valley Shire Council **Grants**

That Local Government NSW advocates to both the State and Federal Government for greater flexibility in grant funding related to financial estimates, increased visibility of program announcements and application timeframes and improved consistency in grant reporting and acquittals.

Decision: Carried

21 Lachlan Shire Council **Definition of commencement of mining**

That Local Government NSW lobbies the NSW Government to develop a definition, for rating purposes, of what constitutes the commencement of mining when a new or reactivated mining operation commences.

Decision: Carried

That Local Government NSW lobbies the NSW Government to change the current legislated base rate maximum contribution amount of each individual rating category from 50% to 70%, to allow for a fairer balance between the “benefit principle” and the “ability to pay principle.”

Decision: Lost

Emergency management

That Local Government NSW seeks the support of the NSW and Australian Governments for:

- a) proactive funding programs from the NSW and Australian Governments to upgrade local roads, bridges and other infrastructure to improve community resilience, taking account of the social equity challenges in rural Australia.
- b) greater flexibility under the Natural Disaster Relief and Recovery Arrangements to build Council’s transport and related infrastructure back better.
- c) continued review and improved integration of emergency services agencies with increased decentralisation to regional NSW.
- d) removal of the cost of funding NSW Government agencies from Local Government including the NSW Rural Fire Services, NSW State Emergency Services and NSW Fire and Rescue.
- e) provision of additional funding to Essential Energy to improve the resilience of power lines and supply to critical infrastructure sites (such as telecommunications towers and exchanges, water supply and sewerage schemes, aged care facilities and vulnerable communities).
- f) provision of additional funding to improve the resilience and coverage of telecommunications facilities across regional Australia.
- g) provision of continued work to improve the resilience of State highways.
- h) changes in regulation and funding incentives to improve the resilience of aged care facilities, fuel service stations and major food retailers, including but not limited to back-up and alternate power supply systems and satellite communications.

Decision: Carried

(Note: This motion covers the following motions set out in small font)

Snowy Valleys Council**Consideration of 'betterment' in relation to disaster funding**

That Local Government NSW engages with relevant State Government representatives to develop policies that support provision for 'Betterment' in relation to disaster funding consideration.

Hawkesbury City Council**Betterment fund for local government areas impacted by natural disasters**

That Local Government NSW calls on the NSW and Federal Government to establish a Betterment Fund to be made available post-natural disasters to impacted Local Government Areas, to enable infrastructure assets to be replaced and rebuilt with a higher level of resilience.

Hawkesbury City Council**Rapid relief funding for local government areas**

That Local Government NSW requests the NSW Government provide rapid-relief funding for flood-affected Local Government Areas in NSW, including funding for improvements to evacuation routes, local roads and riverbanks, and that the competitive element of this funding be removed for key flood affected areas, including the Northern Rivers and Hawkesbury Nepean.

Shoalhaven City Council**Regional road funding**

That Local Government NSW lobbies the State Government to increase regional road funding in the context of natural disaster response.

24 Waverley Council**Climate change impacts and resilience**

That Local Government NSW requests urgent access and availability of funding to assist councils to prepare and respond to extreme climate events and infrastructure damage, outside of natural disaster declarations, and that State Government agencies are held accountable to commitments to mitigate the impacts of climate-related disruptions on local communities across the state.

Decision: Carried

(Note: This motion covers the following motions set out in small font)

Randwick City Council**Climate change impacts and resilience**

That Local Government NSW requests urgent access and availability of funding to assist councils to prepare and respond to extreme climate events and infrastructure damage, outside of Natural Disaster declarations, and that State Government agencies are held accountable to commitments to mitigate the impacts of climate-related disruptions on local communities across the state.

Woollahra Municipal Council**Climate change impacts and resilience**

That Local Government NSW requests urgent access and availability of funding to assist councils to prepare and respond to extreme climate events and infrastructure damage, outside of Natural Disaster declarations, and that State Government agencies are held accountable to commitments to mitigate the impacts of climate-related disruptions on local communities across the state.

Bayside Council**Climate change impacts and resilience**

That Local Government NSW requests urgent access and availability of funding to assist councils to prepare and respond to extreme climate events and infrastructure damage, outside of Natural Disaster declarations, and that State Government agencies are held accountable to commitments to mitigate the impacts of climate-related disruptions on local communities across the state.

25 Rous County Council**Flood mitigation financial assistance**

That Local Government NSW:

- (i) acknowledges the devastating impact of floods throughout NSW in 2022.
- (ii) urges the NSW Government to increase its financial assistance provided to local government through its Floodplain Management Program to maintain existing flood mitigation infrastructure to account for Consumer Price Index (CPI) increases.
- (iii) calls on the NSW Government to provide a long-term strategy for the State's flood mitigation infrastructure, previously constructed by the NSW Public Works Department that local councils have since inherited. The strategy must clearly define the purpose of the infrastructure, long term solutions for ongoing maintenance, including funding, and how the challenges of climate change and the infrastructure's environmental impact will be addressed.

Decision: Carried

26 Rous County Council**Publicly funded flood mitigation infrastructure**

That Local Government NSW:

- (i) acknowledges the complexity involved with seeking approval from the NSW Government to maintain publicly funded flood mitigation infrastructure on ~~coastal~~ floodplains.
- (ii) requests that the NSW Government amends the State Environmental Planning Policy (Transport and Infrastructure) 2021 so that flood mitigation authorities do not have to seek regulatory approval from

NSW Crown Lands or NSW Department of Primary Industries to undertake routine maintenance of its infrastructure. This acknowledges that any environmental impact can be addressed through the authority's responsibilities under the *Environmental Planning and Assessment Act 1979*.

- (iii) lobbies the NSW Government to amend its Protection of the Environment Operations (Waste) Regulation 2014 Waste Management Guidelines so that public authorities can treat acid sulfate soils off-site and that treated acid sulfate soils can be reused both on and off site. This acknowledges that any environmental impact can be addressed through the authority's responsibilities under the *Environmental Planning and Assessment Act 1979*.

Decision: Carried (with amendment)

27 Blacktown City Council

NSW Heatwave Sub Plan to include the provision of practical respite

That Local Government NSW calls on the NSW Government to amend the Heatwave Sub Plan to assign NSW Health responsibility for coordination of practical response and support activities especially for vulnerable populations, and to provide resourcing to enable this.

Decision: Carried

28 Kyogle Council

Disaster recovery resources

That Local Government NSW lobbies the State and Federal Governments to offer incentives to contractors to undertake work in disaster affected areas.

Decision: Carried

29 Bland Shire Council

Distribution of natural disaster relief funds

That Local Government NSW makes representations to the NSW and Federal Treasurers:

1. to have funding for future natural disasters administered by Local Councils to ensure positive outcomes for the whole community and not specific interest organisations.

2. to support the provision of post-disaster resources to improve community social and economic resilience to future events.

MOTION WITHDRAWN BY COUNCIL

30 Shoalhaven City Council Embedding of social disaster recovery into council functions

That Local Government NSW requests that the NSW State Government provide funding to permanently embed a Community Recovery Officer function into Local Government Organisations across the state.

Decision: Carried

31 Bellingen Shire Council Permanent funding for development of resilience and management of disasters for NSW councils

That Local Government NSW advocates to both the NSW and Australian Governments for permanent funding for local councils for emergency and disaster management and resilience building as a component of core business for local government.

Decision: Carried

32 Lismore City Council Independent inquiry into insurance companies

That Local Government NSW advocates to Government for an independent inquiry into the behaviour and actions of insurance companies following the natural disaster of 28 February and other natural disasters

Decision: Carried

33 Hawkesbury City Council Removal of state-based duties and taxes on insurance premiums

That Local Government NSW calls on the NSW Government to remove State-based duties and taxes on insurance premiums that disproportionately increase costs in Local Government Areas with higher

risks of flood and fire, to improve the rates of under-insurance and non-insurance.

Decision: Carried

34 Tweed Shire Council

Voluntary house purchase schemes

That Local Government NSW advocates to State and Commonwealth Government:

1. for an immediate, significant and sustained increase in funding for councils for: voluntary House Purchase schemes and Voluntary House Raising schemes to reduce personal losses due to flooding and increase community resilience.
2. to release criteria for eligibility and current and future budgets for Voluntary House Purchase Programs as an immediate priority to give disaster affected residents certainty.

Decision: Carried

35 Lismore City Council

Improving flood response

That Local Government NSW advocates to the NSW Government for:

1. policy, programs and funding that prioritise the inclusion of local knowledge in flood events
2. strong oversight and maintenance of flood monitoring gauges and systems by the Bureau of Meteorology or another appropriate single agency.

Decision: Carried

36 Singleton Council

Management of vegetation in river and creek beds

That LGNSW requests the NSW State Government to undertake an urgent review of the management of vegetation in river and creek beds and the relationship of such with increased flood impact on adjoining communities.

Decision: Carried

That Local Government NSW works with relevant State Government agencies to ensure that Transgrid make an annual contribution to the Emergency Services Levy in the local government area where assets and infrastructure are located.

Decision: Carried

Housing

38 LGNSW Board**Housing and homelessness crisis**

That Local Government NSW calls upon the Australian and NSW Governments to take urgent and immediate action to address the housing availability and affordability crisis right across NSW by:

1. funding a significant increase in the supply of social housing to address current shortfalls and keep pace with population growth and demand.
2. providing social housing for people who are homeless in disaster affected communities.
3. providing finance, government land and infrastructure for the supply of affordable housing to meet increased demand across NSW.
4. developing strategies to address the critical need for secure tenure rental housing for key workers in rural and regional areas, and urgently adopting measures to address the rental affordability crisis across NSW.
5. working with local government and community housing providers to develop efficient and sustainable models to significantly increase the supply of affordable housing.
6. removing legislative and other barriers to the provision of affordable housing such as use of council land for social and affordable housing, 3D printing for housing construction and tiny homes.
7. removing barriers that prevent incentivising owners to put existing housing (including unoccupied housing) into the long term rental market.
8. providing funding and assistance for rural and regional councils to develop and implement housing strategies.
9. **enabling meanwhile use of NSW Government assets (land and building) for emergency, transitional and removable housing.**

Decision: Carried (with amendment)

(Note: This motion covers the following motions set out in small font)

Berrigan Shire Council

Secure tenure housing

That Local Government NSW lobbies the Australian and NSW governments to work with rural and regional councils and industry housing providers to address the place-based supply of secure tenure rental housing designed for key workers. Financing and construction of this key worker housing will require strategic partnerships between all levels of government and industry providers to ensure homelessness issues currently being faced in rural and regional areas are addressed urgently.

Penrith City Council

Delivery and funding of affordable housing

That Local Government NSW urgently calls on NSW Government to work with Federal and Local Governments to facilitate a tri-level government approach and funding to the delivery of affordable rental housing and ownership.

Kyogle Council

Affordable housing

That Local Government NSW lobbies the State and Federal Governments to increase the investment in social and affordable housing in areas where there is potential for growth but limited housing stock supply.

Orange City Council

Unused state land blocks

That Local Government NSW calls upon the State Government to release the necessary percentage of State land under its control for social and affordable housing.

Tweed Shire Council

Social housing for flood affected communities

That Local Government NSW advocates to the NSW Government on prioritising immediate provision of social housing for homeless and flood affected communities.

Shoalhaven City Council

Housing crisis

That Local Government NSW requests the NSW Government to take urgent and immediate action to address the housing crisis in NSW.

Shoalhaven City Council

Housing affordability

That Local Government NSW advocates for a holistic process of legislative reform to achieve significant improvements to housing affordability and availability.

Leeton Shire Council Increasing the supply of affordable housing in rural NSW

That Local Government NSW calls on the NSW Government to work collaboratively with other levels of government, key bodies and interest groups to – as a matter of priority – provide direct financial, land and infrastructure support for affordable housing in rural NSW growth areas.

Lake Macquarie City Council

Review of paper subdivisions legislative provisions

That Local Government NSW lobbies the NSW Government to commit to reviewing the Paper Subdivisions legislative provisions to investigate ways to improve their practical

application and better facilitate authorised development of paper subdivisions that are suitable for urban development.

Lake Macquarie City Council

Affordable rental housing supply

That Local Government NSW lobbies the NSW Government to commit to investigating proactive partnerships with Community Housing Providers to increase the supply of affordable rental housing by offering government-owned land as part of a development partnership.

Murray River Council

3D printing

That Local Government NSW advocates on behalf of councils to remove impediments within the National Construction Code Series (BCA) and associated Australian Standards, that dissuade industry from adopting 3D printing, and the Government provide instruments to incentivise private industry to develop 3D printing.

Newcastle City Council

Housing affordability

That Local Government NSW:

1. calls on the NSW State Government to increase its investment in public and social housing, working in partnership with all levels of government to meet local demand and deliver post-pandemic economic stimulus.
2. calls on the NSW State Government to increase its investment in affordable housing, including measures to prevent housing stress and vulnerability in rental and ownership for low-moderate income earners.
3. calls upon the state government to ensure that all new public, social and affordable housing at a minimum incorporates the new accessibility standards in the National Construction Code.

Federation Council

Housing strategies

That Local Government NSW lobbies the NSW Government to develop a clear framework to allow Councils to work with the State Government, Industry in their Council areas who require housing, and other stakeholders, to allow Councils to develop or renew existing housing strategies that have a clearer connection to outcomes, including funding programs.

Armidale Regional Council

NSW Government assistance to regional councils for planning documents

That Local Government NSW;

1. requests the NSW Government assist Regional Councils to make more simple adjustments to their planning documents in order to bring forward suitable “Logical Inclusion Housing areas” especially adjacent to the existing urban fabric of their towns and centres.
2. requests technical support be provided by Department of Planning and Environment (DPE) to assist Regional Councils to find and deliver suitable housing areas without the necessity to undertake major review and structural changes to their planning documents.
3. requests the NSW Government direct DPE not to exclude “Logical Inclusion Housing areas” for consideration because they have not already been identified in high level planning Council planning documents. It is acknowledged that processes

would be conducted in accordance with accepted site planning assessment criteria and principles.

Armidale Regional Council

NSW Government assistance to regional councils for housing

That Local Government NSW;

1. requests the NSW Government assist Regional Councils to identify and utilise council-owned land for housing.
2. requests technical support be provided by Department of Planning and Environment (DPE) to assist Regional Councils to reclassify appropriate community land to operational land to support use for housing purposes.
3. requests the NSW Government provide funding for infrastructure to activate suitable council-owned land for housing.

Walgett Shire Council

Increased delivery of social and affordable housing in regional and remote NSW

That Local Government NSW calls upon the Australian and NSW State Governments to collaborate with the Local Government Sector in regional and remote NSW to increase the supply of both social and affordable housing by:

- a) Providing support to local councils through the NSW Department of Planning Industry and Environment for development of local housing strategies;
- b) Further incentivise community housing providers to expand their portfolios to meet current housing demand, particularly in rural remote NSW; and
- c) Provide assistance to Council's by way of fast tracking planning approvals & reducing bureaucratic red tape in the planning and assessment process.

Bega Valley Shire Council

Investment in the development of affordable and social housing

That Local Government NSW calls on the State Government for urgent investment in the development of affordable and social housing in regional NSW to address critical shortages in housing affordability and availability for people on low to moderate incomes and key workers.

Bega Valley Shire Council

Social and critical worker housing investment

That Local Government NSW calls on the NSW Government to significantly increase investment in social and critical worker housing across NSW.

North Sydney Council

Use of unoccupied properties

1. That Local Government NSW asks the State Government to investigate and look to implement measures to incentivise property owners to not leave their property(ies) unoccupied.
2. That in doing so, measures which allow such unoccupied properties to be utilised on a long or short time basis for low-cost accommodation be positively explored.

North Sydney Council

Productivity Review into housing affordability

That Local Government NSW supports ALGA in their call for the establishment of a Productivity Review into housing affordability.

That Local Government NSW calls on the NSW Government to prioritise working in partnership with regional and rural Councils, especially those with seasonal demands for short term and tourist accommodation, that may include but not be limited to:

- a) removing policy and legislative barriers that prevent incentivising owners putting existing housing into the long term rental market.
- b) working proactively with stakeholders (eg Land Councils) to release more land for housing developments, with 25% allocated to social housing/ key workforce housing (Cooma Model).
- c) fund more social and emergency housing and accommodation.

39 Armidale Regional Council NSW Govt to ensure new housing is prioritised for Renewable Energy Zones

That Local Government NSW:

1. requests the NSW Government commit to ensuring that Regional Housing initiatives that bring forward new housing opportunities be prioritised for Renewable Energy Zones (REZ) and Special Activation Precinct areas.
2. requests the NSW Government direct Department of Planning and Environment to require all State Significant Development proposals within the Renewable Energy Zones to supply **temporary** housing for construction workers unless they have demonstrated adequately that there is sufficient housing supply in the local area and that such assessment be required to consider the cumulative on housing demand of concurrent projects.

Decision: Carried (with amendment)

40 Bega Valley Shire Council Vary policy for Short Term Rental Accommodation

That Local Government NSW:

1. calls on the NSW Government to update the requirements for Councils to apply to vary their policy for Short Term Rental Accommodation (STRA) and provide information on what other levers are available to local government to incentivise longer term rentals.
2. calls on the NSW Government to develop a model and pathway in consultation with the Local Government sector for STRA providers to be required to pay rates or levies to create parity with other business

holiday accommodation providers and further incentivize longer term tenancies rather than STRA.

Decision: Carried

(Note: This motion covers the following motions set out in small font)

Tweed Shire Council

Short Term Rental Accommodation

That Local Government NSW calls on the State Government to introduce an opt in 90 day limit on all non-hosted Short Term Rental Accommodation to elicit an immediate increase in the supply of homes for long term rental to alleviate housing crisis being experienced in many regional shires.

Kiama Municipal Council

Commercial council rates on Short Term Rental Accommodation (STRA)

That Local Government NSW advocates to the NSW Government and the Independent Pricing and Regulatory Tribunal (IPART) to investigate and allow NSW Councils to charge commercial rates or a commercial levy on Short Term Rental Accommodation (STRA), noting that:

- Most STRAs in NSW are currently rated at residential council rates.
- Several regional coastal councils have a higher than NSW and national average of dwellings being vacant (2021 Australian Census, ABS).
- Many regional communities are experiencing housing insecurity.
- STRAs are impacting on council resources and services.

Elections and democracy

41 Bayside Council

Dealing with electoral fraud

That Local Government NSW lobbies the NSW State Government to undertake a major review of the NSW Electoral Commission's compliance and enforcement function to ensure its policy position and resources are appropriate to allow greater scrutiny of potential electoral breaches particularly around the eligibility of candidates in a local government election.

Decision: Carried

42 Cowra Council

Real estate agents eligible to be councillors

That Local Government NSW:

- (i) amends position 16.7 of the LGNSW Policy Platform to only oppose property developers, and their close associates, nominating to be

- elected as councillors (property developer and close associate are as defined in the Electoral Funding Act 2018)
- (ii) does not support a ban on real estate agents running to be elected as councillors, recognising Agents are professional licenced practitioners under the Property and Stock Agents Act 2002 administered by the NSW Government Office of Fair Trading
 - (iii) condemns improper influence by any Councillor on council decision-making and supports appropriate controls, codes of conduct and severe penalties for wrongdoing
 - (iv) writes to the Minister for Local Government, Shadow Minister for Local Government advising of this position.

Decision: Lost

(Note: This motion covers the following motion set out in small font)

Broken Hill City Council

Ban on developers serving as councillors

That Local Government NSW calls on the Premier of NSW and the Minister for Local Government to ban developers only from serving as Councillors.

43 Willoughby City Council

Better election materials

That Local Government NSW advocates to the NSW Electoral Commission, the Chair of the State Parliament Standing Committee on Electoral Matters and the Minister for Local Government requesting their assistance in ensuring that:

1. NSW Electoral Commission information for voters is visible inside and outside all polling places and online for the State General Election, expected in March 2023 and any subsequent Local Government Election where the NSW Electoral Commission is engaged by a Council to run that Local Government Election.
2. that this information is published online and at voting places in English and in the other major languages spoken by NSW voters as recorded in the most recent Australian Bureau of Statistics Census (i.e. 1% or more of the population in that LGA).
3. the specific polling booths that have non-English speaking officials and at what times they are available to speak with voters is also clearly available online and at voting places.

Decision: Carried

That Local Government NSW works with the State and Federal Governments, including the NSW Office of Local Government and the NSW and Australian Electoral Commissions, to undertake a multimedia education program on an ongoing basis, particularly in the lead up to the 2024 Local Government Elections, to increase the community members awareness and understanding of:

1. Understanding the role and responsibilities of:
 - a) Local Government
 - b) State Government
 - c) Federal Government
2. Understanding the election processes for:
 - a) Local Government
 - b) State Government
 - c) Federal Government
3. Including:
 - a) What does a ballot paper look like
 - b) What is voting above the line and how does it work
 - c) What is voting below the line and how does it work
 - d) What is preferential voting and how does it work
4. The role of Councillors:
 - a) Who are they?
 - b) Why are they running?
 - c) Can they make Decisions for the whole community?
5. Why it is important to make a valid vote - Every vote counts

Decision: Carried

Sustainability

45 Newcastle City Council

Housing energy efficiency standards

That Local Government NSW:

1. endorses the Joint Statement of Australian Councils calling on Building Ministers across the nation to increase energy efficiency standards to 7-Stars for new homes at the next Building Ministers Forum.
2. acknowledges such an increase will achieve a reduction in costs of living, improve safe and healthy communities and will contribute to Australia meeting its carbon emission targets.
3. notes that all levels of government should be working together to ensure higher energy efficiency standards and lower cost of living for home owners and tenants alike.
4. writes to ALGA advising Conference's position and requesting their joint advocacy to relevant state and federal ministers, on behalf of the local government sector.
5. that the correspondence noted in recommendation 4, advocates for 7-Stars NatHERS rating to become mandatory for new Class 1 single residential dwellings in NSW, starting in October 2023 with the full transition to the National Construction Code 2022.

Decision: Carried (with amendment)

46 Western Sydney Regional Organisation of Councils Urban planning to reduce heat-related risks

That Local Government NSW advocates for the Australian and NSW Governments to recognise heat as a significant natural hazard requiring mitigation, adaptation and response measures in line with other hazards. This includes a review of planning policies and regulations to support local government to address urban heat and heatwaves. This should be done in close consultation with Local Government and should include, but not be limited to:

1. creation of national urban heat mitigation and adaptation objectives. Targets should be nuanced based on local conditions and climate.
2. define heatwave as a natural disaster under federal legislation. Heatwave is not currently an eligible disaster under the Federal National Disaster Arrangements – with impacts for assistance and adaptation funding packages.

3. updating the National Construction Code to ensure new homes are designed to keep people safe in future climates and when the power goes out:
 - a) ensure performance is assessed against future climate data
 - b) introduce thermal safety and thermal autonomy standards.
4. integration of heat mitigation and adaptation measures in state planning policies and instruments, including but not limited to:
 - a) exempt and Complying Development Codes SEPP
 - b) State Significant Development SEPP
 - c) revising the BASIX SEPP to ensure homes compliant to today will continue to perform under future climate scenarios. This may include but not be limited to:
 - reviewing climate data sets to ensure they reflect today's climate, and near-future climate scenarios.
 - reviewing the efficacy of BASIX-compliant homes in protecting life safety during heatwave emergencies and power outages (introduce thermal autonomy and thermal safety standards).
 - d) updating the Standard Instrument – Principle Local Environmental Plan (2006 EPI 155a) to support local governments to address urban heat and heatwaves.

Decision: Carried

(Note: This motion covers the following motions set out in small font)

Hawkesbury City Council

Heatwaves as natural disasters/Revision of National Building Code and BASIX

That Local Government NSW requests the Commonwealth Government to recognise heatwaves as Natural Disasters and to revise the National Construction Code and BASIX to include heat resilience.

Liverpool City Council

Design and Place State Environmental Planning Policy

That Local Government NSW advocates for changes to the NSW Planning system so that:

1. New housing is designed for future climates and can maintain survivable temperatures without air-conditioning;
2. The heat-resilience of existing housing stock and critical infrastructure is improved; and
3. Adequate green space is provided for not only greenfield housing developments, but also for medium and high-density developments.

47 Lake Macquarie City Council

Access to urban greening grants for rural and regional councils

That Local Government NSW lobbies the NSW Government to allow councils outside of Greater Sydney to access government funding for programs that address urban heat by facilitating the expansion of urban tree canopy and green cover.

Decision: Carried

48 Lane Cove Council

Design and Place SEPP – Reconsider sustainability initiatives

That Local Government NSW advocates to the NSW Government and NSW Department of Planning and Environment to:

1. Adopt the following commendable guideline initiatives for urban design from the draft Design and Place SEPP:
 - i. Tree canopy targets for public and private sites;
 - ii. Public open space targets - for size and distribution;
 - iii. Walkability targets - block lengths, mid-block connections and distance to transport and centres; and
 - iv. Urban heat - tree canopy and low solar absorptance of roofs.
2. Continue to proceed with updated BASIX standards, and develop and adopt the following non-residential sustainability initiatives into state policy:
 - i. Embodied Carbon Reporting of key materials using common frameworks and tools
 - ii. Net Zero Statements that require a development to identify how their design and systems are capable of future electrification by 2035; and i
 - iii. Require Electric Vehicle Readiness across all development types.

MOTION WITHDRAWN BY COUNCIL

(Note: This motion covers the following motions set out in small font)

North Sydney Council

Draft Design and Place State Environmental Planning Policy

That Local Government NSW calls on the NSW Government to continue to develop the draft Design and Place State Environmental Planning Policy, which formed part of Minister's Planning Principles and SEPP consolidation plan released in December 2021.

MOTION WITHDRAWN BY COUNCIL

Skills

49 LGNSW Board

Addressing skills shortages across NSW

1. That Local Government NSW urgently advocates for the NSW and Australian Governments to:
 - a) provide incentives to address critical local government sector skills shortages, including with scholarships, maintaining registers of skilled contractors for councils to engage, co-funding cadetships, work experience programs and reducing university and TAFE costs,
 - b) develop strategies to attract and retain staffing in NSW councils, including policies for targeted immigration in areas of skills shortage,
 - c) foster increased access to locally delivered vocational education and training,
 - d) assist councils to identify existing skill sets and on the job training that might meet requirements for recognition of prior learning for formal education and training qualifications,
 - e) assist in promoting the value of a career in local government and developing employment pathways into councils.
2. That Local Government NSW voices support for the Office for Regional Youth to continue to be funded to provide STEM programs for youth aged 12-24 to build aspiration for emerging technologies and future careers.

Decision: Carried (with amendment)

(Note: This motion covers the following motions set out in small font)

Berrigan Shire Council

Workforce management

That Local Government NSW works with the Minister for Education and TAFE bodies to assist councils to identify existing skill sets and the types of on-the-job training in local government that might meet micro-credentialing requirements thereby assisting local councils to achieve recognition of prior learning to meet Australian Skills Quality Authority (ASQA) requirements, workforce professional career development and qualifications relevant to Continuing Professional Development.

Shoalhaven City Council

Local government workforce attrition to the benefit of the NSW Government

That Local Government NSW advocates to the NSW Government on strategies that could be implemented to maintain staffing in NSW Councils and reduce the transfer of Local Government employees to the State Government.

That:

- a) Local Government NSW calls on the State Government to invest in subsidised university courses, VET courses through TAFE, or the like, to assist in addressing the planning, building and engineering skills shortage in local government.
- b) either the Department of Planning or Local Government NSW develop and manage a register of contract providers, that provide planning, building, and engineering services, which councils can draw from to obtain these services.

Leeton Shire Council Increased access to agricultural education in rural NSW

That Local Government NSW calls on the NSW Government to foster increased access to locally delivered vocational agricultural education in rural and regional NSW.

MidCoast Council Current skills shortage in engineering

That Local Government NSW notes and endorses the advocacy position of the NSW Roads and Transport Directorate which calls on the NSW and Australian Governments to support NSW councils in their effort to address the current skills shortage in Engineering and the directorate's recommendation for the following measures to be considered by councils:

- to implement engineering cadetship and work experience programs to ensure the skills and capacity to manage local roads is maintained into the future.
- investigate potential opportunities for efficiency gains in council construction and maintenance work practices and techniques.
- promote the value of a career in public works within their local communities, as a part of a collective voice with the wider engineering industry.
- partner with educational institutions (TAFE, university's, high schools) to develop employment pathways into NSW councils.

In addition the conference calls on the Australian Government to implement policies for targeted immigration to support Local Government in addressing skills shortage in both Engineering and Town Planning in particular to Regional Areas.

Bega Valley Shire Council Skills shortages

That Local Government NSW:

1. calls on the NSW and Federal Governments to provide incentives to address critical sector skills shortages effecting private and public investment, primarily in the fields of planning, engineering and building certification with these incentives to be in the form of scholarships, co-funding cadetships and reduced university course costs.
2. encourage all NSW to provide cadetship programs to build sector capacity in areas of critical sector skill shortages.

Energy

50 Murray River Council

Nuclear energy

That Local Government NSW seeks that the Federal Government remove any impediments that prevent investigating nuclear energy as a viable option, with particular focus on Small Modular Reactors.

Decision: Lost

51 Broken Hill City Council

Climate change

That Local Government NSW calls on the Australian Government to **legislate provide leadership and support so** that at least 50% of renewable energy is generated in the capital cities of Australia. ~~and at least 75% of that is produced in Sydney and Melbourne.~~

Decision: Carried (with amendment)

52 Bega Valley Shire Council

Renewable energy for buildings and infrastructure

That Local Government NSW advocates for controls to be established to ensure that new Local, State and Federal Government buildings and infrastructure that consume electricity include provision of solar power or an alternative renewable source in their design and construction where feasible.

Decision: Carried

Infrastructure, roads and transport

53 Forbes Shire Council

Councils impacted by the Irrigation Act

That Local Government NSW:

- a) forms an 'Irrigation Related Councils' similar to the 'Mining and Energy Related Councils'; and
- b) lobbies the NSW Government to review the Water Management Act 2000 to allow councils to levy a charge equal to the level of annual depreciation of each irrigation structure.

Decision: Carried

54 The Hills Shire Council

Streamlined management of infrastructure approvals and delivery

That Local Government NSW calls on the NSW Government to improve the efficiency of processes associated with the delivery of critical local infrastructure by councils. This should include a particular focus on:

- a) reducing the time taken to obtain design approval from Transport for NSW and other utility providers; and
- b) removal of barriers to the efficient and early acquisition of land for a public purpose and streamlining of the compulsory acquisition process for local councils.

Decision: Carried

55 Sutherland Shire Council

Utility provider impact on community assets

That Local Government NSW lobbies for greater financial accountability and liability for utility providers who fail to properly rectify damage or protect Council assets from damage, or (in the event of damage) report to Council and remediate to the agreed standard.

Decision: Carried

56 Hunters Hill Council

Damaged and deteriorating seawalls

That Local Government NSW advocates to the NSW State Government to allow councils impacted by deteriorating seawalls due to climate change, severe weather events and tidal erosion or wash due to ferry movements to receive **seawall, rivers and lakes specific grant funding opportunities**. ~~a seawall levy and/or a specific grant funding opportunity~~

Decision: Carried (with amendment)

57 Clarence Valley Council

Increase maximum penalties for water offences

That Local Government NSW lobbies the NSW State Government to:

- a) increase maximum penalties for sewer and water offences under the Local Government Act to a similar level as applies to state government

- owned water utilities, including higher offences for corporations compared with individuals,
- b) add an additional offence of “wrongfully take, use or divert any water” to Section 636 of the Local Government Act, noting that this is currently an offence which applies for state government owned water utilities, and
 - c) modify Schedule 1 of the Local Government (General) Regulation to extend the issuing of Penalty Infringement Notices (PIN) to all sewer and water offences, again noting that state government owned water utilities can issue PINs for most offences under their legislation.

Decision: Carried

58 Federation Council

Enabling infrastructure for growth/development

That Local Government NSW lobbies the NSW Government to allow Councils with adopted Growth Strategies and accompanying service plans and reflective Local Environmental Plans, to have access to a funding stream that assists Councils to fund network infrastructure and sewer and water plants (new/replacement or upgrades), to reflect the growing need for housing in rural and regional areas.

Decision: Carried

59 Warrumbungle Shire Council

Causeways

That Local Government NSW seeks from the NSW State Government:

1. Practical, sensible and affordable solutions in the management of causeways in waterways including the cooperation and collaboration of a number of state agencies such as Crown Lands and Fisheries; and
2. Acceptance of a process whereby the Crown accepts responsibility for the land and waterways under its control and does not seek to transfer that responsibility onto councils without appropriate funding.

Decision: Carried

60 City of Sydney

Co-funding for aerial bundled cables (ABCs) with councils

That Local Government NSW:

- (i) encourages NSW councils to consider supporting Ausgrid’s co-funding of aerial bundled cables;

- (ii) write to Essential Energy and Endeavour Energy to encourage implementation of similar programs across NSW; and
- (iii) write to the NSW Department of Planning and Environment for funding to support councils with their contribution towards the program.

Decision: Carried

61 Kyogle Council

Rural telecommunications

That Local Government NSW pursues an agreement between telecommunications service providers and the State and/or Federal Governments to fund:

- (i) disaster affected infrastructure on private property which at present, has to be replaced by the individual property owner and;
- (ii) a subsidy arrangement which enables rural, remote and isolated communities to improve their telecommunications through satellite and other emerging technologies.

Decision: Carried

62 Forbes Shire Council

Improvements to truck safety

That Local Government NSW lobbies the NSW Government to:

- a) mandate that all heavy vehicles travelling greater than ~~200~~ 400km in one direction in a single trip, have facial technology that monitors driver fatigue; and
- b) implement rigorous truck driving competency assessment that is regularly reassessed, similar to the CASA requirements of pilots.

Decision: Carried (with amendment)

63 Willoughby City Council

Dangerous road rules relating to cyclists

That Local Government NSW advocates to the NSW Government for changes to the NSW road rules that are a danger to cyclists and need to be addressed as stated:

1. the road rule requiring cyclists to stop on a multi-lane roundabout to allow cars to exit the roundabout in front of them - this rule should be abolished
2. the road rule requiring cyclists to remain in a 'bike lane' unless it is "impracticable" to do so - this rule should be amended to make it clear

that cyclists are not required to remain in a 'bike lane' where it is unsafe to do so.

Decision: Carried

64 Cessnock City Council

Crown land roads funding

That Local Government NSW calls on the State Government to fund Crown Lands Department to plan for, resource and repair Crown Roads **and all Crown land assets and infrastructure** that are damaged in a Natural Disaster.

Decision: Carried (with amendment)

65 Gunnedah Shire Council

Fuel excise

That Local Government NSW calls on ALGA to make representations to the Federal Government to replace the current fuel excise tax arrangements with a mechanism which distributes the vital road maintenance funding burden across all road users, regardless of the fuel type used.

Decision: Carried

66 Clarence Valley Council

Issuing of fines for environmental damage - Roads Act

That Local Government NSW requests the NSW Government to complete a review of the Roads Act 1993 and Roads Regulation 2018 to provide the opportunity for local Councils to issue penalty notices of appropriate value (\$2200 min) and increase maximum penalties imposed via Local Court for offences related to the failure to obtain consent for actions under section 138 of the Roads Act 1993.

Decision: Carried

67 MidCoast Council

National Service Level Standards (NSLS) and Heavy Vehicle Road Reform

That:

1. the Conference notes that the NSW Roads and Transport Directorate recognises the need for consultation with NSW councils in the development of National Service Level Standards (NSLS) and the

accompanying Heavy Vehicle Road Reform being undertaken by the Australian Government.

2. Local Government NSW calls on the Australian Government to consider the needs of NSW councils in the implementation of the NSLS, by:
 - a) consulting with all LGNSW and the Roads and Transport Directorate regarding the proposed NSLS to ensure the needs of local communities are represented.
 - b) ensuring the proposed NSLS framework can be implemented by NSW councils of varying size and capability, and support is available during the implementation of the framework.
 - c) ensuring the funding model of the NSLS framework results in increased funding and user amenity for Local Roads in NSW.

Decision: Carried

68 Bayside Council

Noise cameras

That Local Government NSW lobbies the NSW State Government to introduce the legislative or regulatory change required to introduce the use of noise cameras on NSW roads.

Decision: Carried

69 Bega Valley Shire Council

Roads and bridges

That Local Government NSW:

1. acknowledge and thank the NSW Government for their recent investment in transport infrastructure in regional NSW through programs such as Fixing Country Roads, Fixing Local Roads and Fixing Country Bridges.
2. calls on the NSW Government to review criteria for future road and bridge related funding programs to provide more flexibility in eligibility and delivery to achieve the best outcomes for regional NSW including longer delivery timeframes to account for legislated approval processes; weightings not purely focused on economic benefit and eligibility of structures that are existing composite or concrete/steel structures.

Decision: Carried

(Note: This motion covers the following motions set out in small font)

Cumberland Council**Increase and extend the fixing local roads program**

That Local Government NSW:

1. notes the devastating impact of recent floods and storms on the council road network;
2. acknowledges the \$500 million Fixing Local Roads Program to fix rural roads;
3. calls on the NSW government to:
 - a) increase funding for this program to meet current pressing needs;
 - b) extend this program to metropolitan councils.

Bland Shire Council**Road funding**

That Member Councils of Local Government NSW:

1. Support the recommendations of the 2022 NSW Local Roads Congress, specifically the sustainable funding model to include the adoption of a long term allocation-based process to ensure stability in Local Government supply chains and resourcing.
2. Request LGNSW further lobbies State and Federal Governments to:
 - a) Seek agreement that roads funding grants not be specifically tied to new infrastructure projects; and
 - b) Allow Councils to determine the areas of greatest need in accordance with adopted Operational Plans.

Federation Council**General roads funding**

That Local Government NSW lobbies the NSW Government to allow for more general road grant allocations, such as varying the criteria for Fixing Local Roads and Fixing Country Roads grant programs, to not require them to be applied to a specific road, and allow the Councils to submit groups of roads, to allow the funds to be spread across a wider range of roads.

70 Cessnock City Council**Parking advocacy - Amendment to Rule 197 of the Road Rules 2014**

That Local Government NSW advocates for an exemption to Rule 197 of the NSW Road Rules 2014 allowing participating councils to provide for parking on nature strips.

Decision: Carried

71 Albury City Council

Fast-track changes to policy & legislation that prohibits use of e-scooters

That Local Government NSW calls on the NSW Government to fast-track changes to policy and legislation that prohibits the use of e-scooters as a means of active transport on our pathways, streets and roads.

Amendment:

That Local Government NSW calls on the NSW Government to fast-track changes to policy and legislation that enables and regulates the use of e-scooters as a means of active transport on our pathways, streets and roads.

Decision (on the Amendment): Carried

The Amendment became the Motion.

Decision (on the Motion as shown in the Amendment): Carried

72 Blacktown City Council

Increasing fines for stopping on roads – heavy and long vehicles

That Local Government NSW calls on the NSW State Government to increase the fine amount for breaches of Rule 200, NSW Road Rules (2014), Stopping on roads – heavy and long vehicles.

Decision: Carried

(Note: This motion covers the following motions set out in small font)

Bayside Council

Increasing fines for heavy vehicles

That Local Government NSW lobbies the State Government to increase the fine applicable to oversized and/or overweight vehicles, that park in residential weight restricted streets in excess of one (1) hour, to at least \$500 per occurrence.

Planning

73 The Hills Shire Council

Fire safety

That Local Government NSW calls on the NSW Government to amend the terms of reference for the NSW Building Commissioner to include fire safety provisions.

Decision: Carried

74 Cowra Council

NSW Planning Portal

Motion:

That Local Government NSW writes to the NSW Planning Minister and the Shadow Minister expressing the major concerns NSW Councils and the community are having with the NSW Planning Portal and urging the Government to either abandon the portal or make urgent changes to improve its operation for Council staff and the community.

Amendment:

That Local Government NSW requests that the Department of Planning and Environment perform an audit of the operation of the Planning Portal to improve workability, with particular focus on the length of time the portal is adding to assessment timeframes.

Decision (on the Amendment): Lost

Further Amendment:

1. That Local Government NSW writes to the NSW Planning Minister and the Shadow Minister expressing the major concerns NSW Councils and the community are having with the NSW Planning Portal and urging the Government to make urgent changes to improve its operation for Council staff and the community.
2. That the NSW Government provide additional funds to councils who are supporting their community to submit plans.

Decision (on the Further Amendment): Carried

The Further Amendment became the Motion

Decision (on the Motion as shown in the Further Amendment): Carried

(Note: This motion covers the following motions set out in small font)

Berrigan Shire Council**ePlanning Portal**

That Local Government NSW actively engages with the Minister for Planning to ensure the Minister's continued engagement with rural and remote councils regarding the issues being presented by the implementation of the ePlanning Portal, the costs to local councils being experienced due to the implementation of the Portal and the extreme stress being placed on planning employees due to the lack of industry qualified planners and building surveyors required to successfully manage the new planning system.

Tweed Shire Council**Audit of Planning Portal**

That Local Government NSW requests that the Department of Planning and Environment perform an audit of the operation of the Planning Portal to improve workability, with particular focus on the length of time the portal is adding to assessment timeframes.

75 Lane Cove Council**Review of infringement notices (fines) for development control matters**

That Local Government NSW advocates to the NSW Government and NSW Department of Planning and Environment to:

1. review the infringement notices (fines) as prescribed for breaches of development consent conditions and associated development control matters, and
2. introduce a sliding scale of penalties that address continued and ongoing breaches.

Decision: Carried

76 The Hills Shire Council**Review of compliance levy**

That Local Government NSW calls on the NSW State Government to review and bring forward the proposed legislation that allows the imposition of a compliance levy on Complying Development Certificate applications.

Decision: Carried

77 The Hills Shire Council**Unsolicited proposals**

That Local Government NSW calls upon the State Government to discontinue the allowance of unsolicited proposals to be lodged directly with the State Government which would circumvent the established planning system and strategic policies.

Decision: Carried

78 Tweed Shire Council Flying Planning Team for natural disasters

That Local Government NSW calls upon the NSW State Government to establish emergency development and planning rapid assessment response teams to be deployed in areas affected by natural disasters to assist communities to work through the planning administration and approval process.

Decision: Carried (with amendment)

79 Cootamundra-Gundagai Regional Council Agritourism and Small-Scale Development Planning Changes

That Local Government NSW calls for the State Government to:

1. **continue to** progress the proposed changes to the planning system in line with the Local Government NSW submission to Agritourism and Small-Scale Agriculture Development.
2. **amend this change to revert back to allowing each council to make their own determination on whether or not to opt into the new controls.**

Decision: Carried (with amendment)

80 Coffs Harbour City Council Local Government (Primitive Camping Ground) Regulation 2021

That Local Government NSW calls on the NSW Government to amend the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 – Reg. 132, Subdivision 9 Primitive Camping Grounds to:

1. include applicable conditions for self-contained vehicles
2. clearly define self-contained vehicles
3. clarify which subdivision provisions of the Act will be applicable.

Decision: Carried

That Local Government NSW:

1. calls on the NSW Government to acknowledge that the current system of assessment of State Significant Development, State Significant Infrastructure and Critical State Significant Infrastructure under the Environmental Planning and Assessment Act 1979 places insufficient emphasis on the assessment of community infrastructure and services as required under Part 7 of the Act dealing with infrastructure contributions and finance.
2. calls on the NSW Government to acknowledge that there is currently a disconnect between the assessment of local community contributions under Part 7 of the Environmental Planning and Assessment Act 1979 and the determination of applications for State Significant Development, State Significant Infrastructure and Critical State Significant Infrastructure under Part 4 and 5 of the Act, with resultant lack of community facilities and services being required to be delivered into communities due to an apparent reluctance of the State government to correctly apply the intent of Section 7.13(2) of the Act when determining State Significant Development, State Significant Infrastructure and Critical State Significant Infrastructure.
3. calls on the NSW Government to acknowledge that the current system of assessment of State Significant Development, State Significant Infrastructure and Critical State Significant Infrastructure under the Environmental Planning and Assessment Act 1979 requires improvements to systems, processes and checks to ensure assessments include proper and respectful stakeholder engagement and community consultation in order to more thoroughly interrogate the environmental, social and economic impacts of new development / activity proposals.
4. calls on the NSW Government to acknowledge that local governments and their respective ratepayers are subject to additional costs during the time of assessment of State Significant Development, State Significant Infrastructure and Critical State Significant Infrastructure in their respective local government areas due to the current systems of assessment mandating councils to be voluntarily proactive on representing community interests or be largely silent on proposals due to the need to undertake expensive research, data collection and prepare quantifiable reports in negotiating planning agreement with proponents.
5. lobbies the NSW Premier to:
 - a) undertake an urgent review of Parts 4, 5 and 7 of the EP&A Act to ensure the determination of applications for State Significant

- Development, State Significant Infrastructure and Critical State Significant Infrastructure by the relevant consent authority, includes an assessment of the adequacy of the contributions framework in place to properly deal with the impacts of the development / activity on local infrastructure and services; and
- b) ensure the NSW Department of Planning and Environment has in place the appropriate framework of environmental assessment criteria to ensure that applications and assessment processes for State Significant Development, State Significant Infrastructure and Critical State Significant Infrastructure include comprehensive assessments of the impacts of development on community infrastructure and services, including proof of stakeholder engagement and community consultation before determination of proposals; and
 - c) ensure the Secretary of the Department of Planning and Environment include in SEARs, as a standard requirement, steps for a proponent to immediately commence discussions with the respective council(s) relevant to the development / activity and document their dealings with that council(s) on local community infrastructure impacts as part of the preparation of the Environmental Impact Statement for the proposal.
 - d) ensure the NSW Department of Planning and Environment has in place the appropriate mechanisms to require the proponent to pay for the preparation of new or updated contributions plans required as a direct consequence of SSD, SSI and CSSI projects, and at no cost to councils.
6. make representation to the NSW Premier on the need for increased resources to councils to assist with external costs incurred to engage experts to assess the social, economic and environment costs associated with negotiating planning agreements detailing the extent and timing of community infrastructure and services required to ensure State Significant Development, State Significant Infrastructure and Critical State Significant Infrastructure are implemented without significantly impacting on communities; and
 7. lobbies the NSW Premier to re-establish the Resources Advisory Forum to meet quarterly to provide 'operational reality' feedback on this matter and other matters requiring local government participation in State government processes.

Decision: Carried

That Local Government NSW:

- a) acknowledges concerns regarding changes made by the Department of Planning and Environment (DPE) without consultation and without advance notice to the State Environmental Planning Policy (Housing) 2021 (Housing SEPP) on 1 July 2022;
- b) notes the significant amendments relating to seniors housing in the R2 low density residential zone and seniors housing in heritage conservation areas;
- c) notes, in particular, the deletion of the requirement that seniors housing development in R2 low density residential zones be carried out by either the Land and Housing Corporation or operators under the Retirement Villages Act 1999 (which ensures that such development is fit for the intended social purpose if it is to override Council strategic planning);
- d) notes that many seniors housing developments in R2 low density residential zones and heritage conservation areas may result in built form outcomes that are inconsistent with the desired character of those zones in that they allow development of multi-storey luxury residential flat buildings in R2 low density residential zones that are not ordinarily permitted or planned for in those zones, without ensuring the desired social outcome of those developments actually being managed for seniors use and living;
- e) calls on the Premier of NSW and the Minister for Planning and Homes to immediately reinstate the requirement that any development of seniors housing in R2 low density residential zones under the Housing SEPP be permitted only if carried out by the Land and Housing Corporation or operators under the Retirement Villages Act 1999; and
- f) calls on the Premier of NSW and the Minister for Planning and Homes to permanently exclude Seniors Housing under the Housing SEPP from applying to heritage conservation areas in local municipalities.

Decision: Carried

That Local Government NSW calls on the NSW State Government to:

1. reintroduce the following Objects in the Environment Planning and Assessment Act 1979 that were removed when the Act was amended in 2017:
 - the provision of land for public purposes, and
 - the provision and coordination of community services and facilities;

2. prioritise the provision of public open space in the NSW planning system;
3. develop and adopt a numerical ratio for the provision of public open space per person of population as a mandatory baseline for areas identified for higher density including greenfield development, industrial/commercial to residential rezonings and other urban renewal projects;
4. ensure that the impact on existing public open spaces is assessed when residential areas are considered for density uplifts; and
5. establish a substantial and dedicated source of state government funding to assist local councils in the provision of new and enhanced public open spaces.

Decision: Carried

84 Waverley Council

Private certification

That Local Government NSW requests the NSW Government to take steps towards abolishing or substantially reforming the private certification system so that:

1. compliance powers are returned to councils for developments up to \$50 million
2. a transition period be determined to allow councils to plan, fund and deliver this responsibility.
3. pending the above, clear mechanisms be established for reporting poor performance to the Private Certification Board for disciplinary action'.

Decision: Carried

85 Blue Mountains City Council

Deficiencies: Low Rise Housing Diversity Code stormwater management

That Local Government NSW advocates to the NSW Government for the NSW Department of Planning and Environment to amend the Low Rise Housing Diversity Code to strengthen stormwater management controls, to appropriately manage the quantity and quality of stormwater runoff from developments, and to apply the provisions of the Biodiversity and Conservation SEPP, particularly in relation to achieving a neutral or beneficial effect on water quality in drinking water catchments.

Decision: Carried

That Local Government NSW calls on the Minister for Planning to commence a review of the complying development controls relevant to dual occupancy development contained in the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. The review should include consultation with NSW Councils and should seek to improve the design of dual occupancy developments with particular focus on minimising the amenity impacts of dual occupancy development on adjoining landowners and the impact of dual occupancy developments on the character of low-density residential suburbs.

Decision: Carried

That Local Government NSW requests the NSW Government review the deemed refusal timeframes under the NSW Environmental Planning and Assessment Act for Class 1 appeals. The 40 day and 60 day timeframe for an applicant to commence proceedings in the NSW Land and Environment Court for a deemed refusal determination has been part of the NSW Environmental Planning and Assessment Act since inception and does not reflect current assessment demands or the variation of complexity of development proposals.

Decision: Carried

(Note: This motion covers the following motions set out in small font)

That Local Government NSW advocates to the NSW Government to review the current legislation:

- a) That for the deemed refusal period for development applications and develop a tiered approach for the time period for deemed refusals based on the cost and complexity of the development, before a 'deemed refusal appeal' can be lodged with the Land and Environment court.
- b) That for the 90 day period for planning proposal rezoning review requests and develop a tiered approach for the time period before a proponent may lodge a request for a rezoning review, based on the scale, complexity and issues arising from the rezoning proposal.

That Local Government NSW advocates that the NSW Government support the following provisions in the "New Approach to Rezonings" reforms:

1. Increase the timeframe for 'adequacy assessment/permission' to enable a more thorough assessment.
2. Indicate the instance of re-exhibiting a proposal within the timeframes.
3. Introduce a stop-the-clock provision.
4. Enable fees to be charged at the scoping phase to account for the additional level of assessment required prior to the lodgement.
5. Enable information requests to still occur, with a stop-the-clock provision to apply during this stage.
6. The Department of Planning and Environment (DPE) be included in the scoping stage and provide in-principle support and conditions to inform planning proposals at an early stage.
7. The DPE functions as a central coordination body to facilitate state agency consultation.
8. Additional Councillor involvement be included earlier in the process, prior to exhibition to enable an indication of in-principal support at a political level.
9. The requirement for Council to seek advice from the LPP is retained, and this element is accounted for in the proposed timeframes.
10. Indication of support from relevant state agencies be required on any justified inconsistency with s9.1 Ministerial Directions.
11. The proposed framework accounts for Planning Agreements and/or Contributions Plan amendments and /or DCP amendments in parallel with planning proposals including scoping, reporting to Council for in-principal support, public exhibition, assessment, reporting to Council for endorsement and, finalisation.
12. Retain the ability for Councils to charge fees to assess Planning Agreements and/or Contributions Plan amendments and/or DCP amendments in parallel with planning proposals.
13. A fixed and variable fee structure be established (Option 3 of the Department's paper) to enable cost recovery in accordance with the complexity of planning proposals.
14. Refine the planning guarantee element further to account for external sources of delay and avoid unnecessary refusals.
15. Incorporate the existing rezoning review process involving Regional Planning Panel into the proposed framework.

Decision: Carried

89 Cootamundra-Gundagai Regional Council**Review of deemed to satisfy provisions of BCA**

That Local Government NSW calls on the State Government to look at flexible arrangements for simple alternate solutions that meet the deem to satisfy provisions of the Building Code Australia, for the ease of converting/upgrading vacant commercial buildings to temporary worker's accommodation and the access and essential services requirements associated with the change of use.

Decision: Lost

90 North Sydney Council Section 34 conciliation conference process

That Local Government NSW lobbies the NSW State Government to change the Section 34 process to allow more community participation and transparency.

Decision: Carried

91 North Sydney Council**Transparency of decision making by Local Planning Panels**

That Local Government NSW calls on the NSW Government to develop guidelines to improve the transparency of decision making by Local Planning Panels, either by requiring the panels to hold their discussions in public or by publishing a statement of reasons similar to that used for District and Regional Planning Panels.

Decision: Carried

92 North Sydney Council State appointees to Regional Planning Panel

That Local Government NSW lobbies the Minister for Planning to urgently introduce provisions to prevent State appointees to Regional Planning Panel from sitting on applications in circumstances where they continue to act/represent/ provide advice to applicants/proponents on development within the Local Government Area the subject of the application.

Decision: Carried

93 Hawkesbury City Council

Movement to a risk-based planning system

That Local Government NSW calls on the NSW Government to immediately move to a risk-based planning system that better accounts for the increased impacts of fire, flood and extreme heat in NSW, and implements a State-wide program for the provision of flood, fire and extreme heat risk information for property owners, consistent with evidence given to the NSW Upper House Select Committee on the Response to Major Flooding across New South Wales in 2022.

Decision: Carried

94 Warrumbungle Shire Council

Renewable Energy Zone – support for Councils

That Local Government NSW seek from the NSW Premier:

1. a reaffirmation that local government is a key partner in the roll out of renewable energy generation facilities and related infrastructure across the State and to that end provide financial support to councils hosting such a development. The level of financial support from the NSW government be the reimbursement to each affected council all costs associated with assessing each proposed renewable energy project/transmission line; and
2. a Direction be issued to the Department of Planning & Environment and the Energy Corporation of NSW that they actively seek and heed advice from councils to ensure the environmental, social and economic costs associated with renewable energy developments and related infrastructure are not outsourced onto rural communities without fair and just financial compensation.

Decision: Carried

(Note: This motion covers the following motions set out in small font)

Armidale Regional Council

That NSW Govt direct DPE – Renewable Developments Zones with each LGA

That Local Government NSW;

1. requests the NSW Government direct Department of Planning and Environment to prepare a cumulative social, environmental and economic impact assessment for the full development scenario of each Renewable Energy Zone (REZ), both during construction and operation, which includes (but is not limited to) impact on agricultural land and employment and our way of life

2. requests the NSW direct DPE to consult with individual councils as to the most appropriate zones within each LGA to host renewable developments and give preference to those developments that fall within an 'approved' zone.

Environment

95 Clarence Valley Council

Issuing of fines for environmental damage

That Local Government NSW requests the NSW Government to complete a review of the Local Government Act 1993 and Local Government (General) Regulation 2021 to increase the opportunity for local Councils to issue penalty notices of appropriate value for offences causing environmental damage to public places, including but not limited to, wilful damage to trees pursuant to section 629(1) of the Act and increase penalty notice value for the offence of unlawfully remove a plant under section 629(2) of the Act.

Decision: Carried

96 Bellingen Shire Council

State of The Environment Report 2021 (SER 2021)

That Local Government NSW:

1. notes the findings of the State of The Environment Report 2021 (SER 2021);
2. advocates to the NSW and Federal Governments to review their existing policies and procedures that have resulted in the poor outcomes highlighted in the SER2021.
3. advocates to the NSW and Federal Governments for all three levels of government to work collaboratively to modify their current policies and practices and develop an initial response to the SER 2021 findings by early 2023.

Decision: Carried

That Local Government NSW:

- a) acknowledges the need for Councils to become better managers of stormwater to ensure resilience in planning outcomes for local communities and better environmental outcomes for catchment areas and waterways; and
- b) requests the NSW Government to establish an appropriate long term funding mechanism to assist Councils to implement large-scale stormwater channel naturalisation and stormwater harvesting projects to achieve better environmental outcomes for ever growing populations and communities.

Decision: Carried

That Local Government NSW calls on both the NSW Government and the Federal Government to:

- a) review the existing benchmarking, reporting and auditing requirements applied to NSW councils for the reporting of environmental outcomes and responsibilities;
- b) these reviews strongly consider the increasingly complex legislative environment through which NSW councils take action to drive positive environmental outcomes; the setting of benchmarks and targets by the NSW Government and Federal Government, and the methods and data quality of environmental outcomes reporting by Councils across NSW to government agencies and the community; and
- c) these reviews consider the implementation of standardised reporting structures to ensure a consistent approach to public reporting and accountability of environmental outcomes, enhance environmental outcome data and analysis, to support the delivery and development of environmental policy, planning, management and operations across NSW to drive change, inspire best practice, improve benchmarking and target setting, and improve environmental outcomes.

Decision: Carried

99 Hornsby Shire Council

Protection of native wildlife

That Local Government NSW calls on the NSW Government to:

1. in conjunction with industry associations, introduce enforceable standards for the preparation of flora and fauna management plans.
2. consider Codes of Practice and Guidelines for handling native wildlife and other best practice and animal welfare laws in development of the standards.
3. consult with Councils, National Parks and Wildlife Service, Ecological Consultants Association of NSW, wildlife rescue organisations and other relevant agencies in the preparation of the standards.

Decision: Carried

100 Shoalhaven City Council

Logging in NSW native forests

That Local Government NSW advocates for the ending of logging in NSW Native Forests.

Decision: Carried

Governance

101 Lismore City Council

Code of Conduct procedural fairness

That Local Government NSW advocates to the Minister for Local Government and the Office of Local Government to ensure the Procedures for the Administration of the Model Code of Conduct better reflect the rules of procedural fairness, including providing respondents with ~~the names of any complainants~~ **complaints** and all evidence considered during a preliminary assessment and/or an investigation, where a determination other than to take no action is made.

Decision: Carried (with amendment)

102 Inner West Council

Survey of bullying and harassment in the local government sector

That Local Government NSW call on the NSW State Government to:

1. undertake a state-wide survey of elected councillors and local government staff on bullying, harassment and intimidation as soon as

- practicable or in the 2023/24 financial year, to improve workplace and councillor safety; and
2. that the results of the survey and review be reported back to LGNSW and all councils for further action if required.

Decision: Carried

103 Riverina Water County Council

The need to consider county councils when making legislative changes

That Local Government NSW lobbies the NSW Government to undertake due consideration of the need to consider the impact of any legislative changes on county councils and convey the frustration of county councils that often the impact on county councils is not considered and has negative unintended consequences for county councils.

Decision: Carried

104 The Hills Shire Council

Protection for councillors under the Defamation Act 2005

That Local Government NSW makes representations to the NSW Government requesting amendments be made to s27 of the *Defamation Act 2005* to provide enhanced defences for all NSW Mayors, Deputy Mayors and Councillors.

Decision: Lost

105 Byron Shire Council

Liability for native title compensation

That Local Government NSW calls on the NSW Government to reverse the cost shift onto Local Government for liability for Native Title Compensation by deleting 'Division 8.4 – Compensation responsibilities' from the Crown Lands Management Act 2016.

Decision: Carried

106 City of Canterbury-Bankstown Council

Funding of upfront and ongoing de-amalgamation costs

That Local Government NSW advocates to the NSW Government that all upfront financial costs of de-amalgamation for new councils and ongoing financial costs be fully funded directly following the Minister's support of the de-amalgamation proposal.

Decision: Carried

107 Ku-ring-gai Council Counselling support services for councillors

That Local Government NSW supports the provision of counselling support services for all councillors in NSW, **by including all councillors in employee assistance programs that are currently available in the councils.**

~~1. advocates for the NSW Government to require all councils to include counselling support services in their councillor expenses and facilities policies and include relevant information in councillor induction programs.~~

Decision: Carried (with amendment)

108 Rous County Council

Activation of s399 of the LG Act - regulation for contributions to county councils

That Local Government NSW lobbies the NSW Government to activate s399 of the Local Government Act 1993 which provides for the creation of a Regulation making provision for:

1. the purposes for which financial contributions to a county council by the constituent councils may be made
2. the circumstances in which contributions may be required
3. the assessment of contributions
4. the payment of contributions
5. the recovery of contributions.

Decision: Carried

109 Gunnedah Shire Council**Tax concessions for retired elected members**

That Local Government NSW calls on ALGA to make representations to the Federal Government to amend tax and social security legislation to exempt Councillor allowances from the income test for pensions.

Decision: Lost

110 Nambucca Valley Council**Salary sacrificing councillor fees**

That Local Government NSW calls on the NSW Government to investigate the possibility of allowing elected members to salary sacrifice their Councillor fees against rates on any property they may own.

Decision: Lost

111 Kyogle Council**Priority rural government portfolio**

That Local Government NSW lobbies the State Government for the establishment of a rural portfolio, separate from the overarching regional portfolio currently in existence.

Decision: Carried

112 Gwydir Shire Council**Regional support**

That Local Government NSW seeks an assurance from both the major political parties that the commitment to regional NSW will continue with the retention of the Department of Regional NSW following the next NSW State election.

Decision: Carried

113 Shoalhaven City Council**Constitutional recognition**

That Local Government NSW request that the Federal Government work with Local Government bodies across Australia to progress a Referendum at the next Commonwealth Election to secure the recognition of Local Government in the Australian Constitution.

Decision: Carried

(Note: This motion covers the following motions set out in small font)

Woollahra Municipal Council Constitutional recognition of local government

That Local Government NSW:

1. notes that local Councils and Shires, as the level of government closest to people, are best placed to address and service the needs, as well as advance the values and aspirations of communities across NSW.
2. reaffirms its commitment to recognising local government in the Commonwealth Constitution.
3. notes concern that without recognition in the Commonwealth Constitution, local governments are:
 - i. subject to state legislation and extinguishment by the State government of the day;
 - ii. ineligible to receive financial funding and support directly from the federal government.
4. requests the federal Albanese government commit to a referendum process to progress constitutional change to protect local governments, enable direct federal funding and acknowledge the critical role they play in Australia's democracy.

114 Wagga Wagga City Council Investment in IT infrastructure and cyber security for councils

That Local Government NSW:

1. makes representations to the Federal and NSW Governments for assistance in improving and upgrading IT infrastructure and cyber security for NSW councils.
2. adds this topic to its Policy Platform.
3. **makes representations to the Federal and NSW Governments seeking dedicated on-going financial assistance to upgrade IT infrastructure and invest in improving the cyber security resilience of NSW councils.**
4. **engage with relevant Federal and State agencies to seek access to resources and/or shared services to assist NSW councils in improving cyber resilience.**
5. **include on-going funding for IT infrastructure and cyber security in the LGNSW policy platform.**

Decision: Carried (with amendment)

Community

115 Kyogle Council

Aged care accommodation

That Local Government NSW lobbies the State and Federal Governments to make aged care accommodation a priority, particularly in rural communities in conjunction with adequate operational budgets, and incentives to attract and retain allied health professionals and home care providers.

Decision: Carried

116 Kiama Municipal Council

Aged care in local government

That Local Government NSW advocates to State and Federal Governments to:

1. work together on assisting and providing a workable and sustainable funding model for Local Government approved providers of aged care services which secures the financial viability of aged care services and assets; and
2. respond to the urgent need for increased Federal funding specifically for local government providers of aged care services, across the sector as detailed in the Royal Aged Care Commission report.

Decision: Carried

(Note: This motion covers the following motions set out in small font)

North Sydney Council

Framework for the delivery of aged care services

That Local Government NSW works with ALGA and their recent resolution in relation to the provision of aged care services, to develop a framework for the delivery of aged care services, fully funded by the Federal Government and delivered by the State Government through Local Government.

117 Bega Valley Shire Council

Equality of services for My Aged Care participants

That Local Government NSW calls on the Federal Government to provide equal access to National Disability Insurance Scheme (NDIS) services for people with disability over the age of 65.

Decision: Carried

118 Bathurst Regional Council**Recognition of Australia's
Frontier Wars during the British
colonisation of Australia**

That Local Government NSW and its member Councils recognise the fact of Australia's Frontier Wars which occurred during the British colonisation of Australia.

Decision: Carried

119 Shoalhaven City Council**Closing the Gap**

That Local Government NSW calls upon the NSW Government to provide support and resources to Councils in NSW to drive Closing the Gap outcomes and Reconciliation initiatives.

Decision: Carried

120 Shoalhaven City Council**First Nations cultural training
for councillors**

That Local Government NSW advocates for compulsory First Nations cultural training as part of councillor induction training requirements, **and mandatory cultural safety and cultural awareness for councillors and council staff, including cultural heritage site awareness and identification for field-based crews, work supervisors and project managers.**

Decision: Carried (with amendment)

121 Lake Macquarie City Council**Signing of the National
Communications Charter**

That Local Government NSW and councils across NSW acknowledge mental health as a state priority by becoming signatories to the National Communications Charter and implementing the principles therein.

Decision: Carried

That Local Government NSW urges the NSW Government to partner with the Federal Government to:

1. immediately commence implementation of the health reforms recommended in the Upper House Inquiry - Report 57 – “Health Outcomes and Access to Health and Hospital Services in Rural, Regional, and remote NSW”
2. focus first on the recommendations aimed at recruiting and retaining doctors and clinicians in rural and remote areas of NSW
3. increase the intake of overseas-trained doctors and other medical staff to give immediate relief to rural and remote locations experiencing shortages of trained medical personnel
4. ensure there is improved health service governance and greater transparency at the local level.
5. **improve the capacity and quality of health services infrastructure in rural, regional and remote NSW to meet growing community demand.**

Decision: Carried (with amendment)

(Note: This motion covers the following motions set out in small font)

Kyogle Council**Rural health services**

That Local Government NSW lobbies the State Government to adequately fund and resource health services and develop strategies to attract and retain professional staff in the health industry in rural communities.

Bland Shire Council**Public hospital and health services**

That Local Government NSW lobbies the NSW Government to:

1. seek a more equitable distribution of health infrastructure and operational funding to support current health services in regional and remote NSW.
2. work with educational institutions to remove barriers for practitioners to establish services within regional and remote NSW to meet the current and ongoing needs of the community.

Albury City Council**Improve capacity/quality of health services/
infrastructure in regional NSW**

That Local Government NSW calls on the NSW Government to improve the capacity and quality of health services and infrastructure in regional NSW to meet growing community demand.

Warrumbungle Shire Council**Access to health and hospital services in
rural, regional and remote NSW**

That Local Government NSW supports and advocates for implementation of the findings of the Parliamentary Report on Health outcomes and access to health and

hospital services in rural, regional and remote New South Wales with particular emphasis on recommendations 12 and 13.

6. Recommendation 12 That NSW Health review the working conditions, contracts and incentives of GPs working as Visiting Medical Officers in public health facilities in rural, regional and remote New South Wales, to ensure that the GP/VMO model remains viable while broader innovation and reform progresses.
7. Recommendation 13 That NSW Health establish a state-wide system of GP/VMO accreditation, which is independent of the Local Health Districts. As part of this system, NSW Health should ideally look to establish an online GP/VMO availability system where GP/VMOs can nominate dates and locations they are available to work that can be accessed by the rural and regional Local Health Districts and general practices in filling vacancies.

Armidale Regional Council

NSW parliamentary inquiry into rural health

That Local Government NSW acknowledges finding one of the NSW parliamentary inquiry into rural health that people living outside of the city have "significantly poorer health outcomes, greater incidence of chronic disease, and greater premature deaths" and advocate for rapid implementation of all 44 recommendations in the final report'.

Bega Valley Shire Council

Doctor servicing of hospitals

That Local Government NSW calls on the NSW Government to review the model for doctor servicing of hospitals so that doctors are adequately and equitably incentivised to service hospitals and so that local health districts have greater capacity to manage their budgets

Muswellbrook Shire Council

Access to health services

That Local Government NSW advocates to the NSW Government for the provision of equitable access to health services in rural, regional and remote NSW, particularly in the fields of mental health, obstetrics and gynaecology, and paediatric services.

123 Warrumbungle Shire Council

Doctor Distribution Priority Areas

That Local Government NSW advocates for the Federal Government to review the distribution of doctors to ensure that rural and regional communities and hospitals have reasonable and adequate access to doctors and medical care.

Decision: Carried

(Note: This motion covers the following motions set out in small font)

Gunnedah Shire Council**Retain doctors in the bush**

That Local Government NSW calls on ALGA to make representations to the Federal Government to overturn the changes to the Distribution Priority Area (DPA) classification system for International doctors to be eligible for the Medicare rebate; only MMM3 to MMM7 areas should be eligible.

124 Bega Valley Shire Council**Processing of Aboriginal Land Claims and Native Title Claims**

That Local Government NSW:

1. advocates to both the State and Federal Government for prioritisation of the NSWALC blanket Aboriginal Land Claims and Native Title Claims currently in the Federal Court which in effect prevents partnering opportunities, development/enhancement and investment on Crown land and Aboriginal Land.
2. advocates for removal of native title requirements for land owned by Local Aboriginal Land Councils.

Decision: Carried

125 Leeton Shire Council**Making 'temporary' refugees permanent**

That Local Government NSW calls on the NSW Government to work with the Australian Government to expeditiously transition refugees on Temporary Protection Visas or Safe Haven Enterprise Visas to Permanent Protection Visas to safeguard the health and wellbeing of these 'temporary' refugees and enable them to continue to contribute to the economic and social fabric of the communities they have chosen to call home.

Decision: Carried

126 The Hills Shire Council**Review of swimming pool safety standards**

That Local Government NSW calls on the NSW Government to review the Australian Standards for Swimming Pools and the recent advice by NSW Fair Trading to Private Certifiers to require all pools to be assessed under the current Australian Standard AS 1926.1–2012.

Decision: Carried

127 Albury City Council**Development of holistic inland water safety strategy for NSW**

That Local Government NSW advocates to the NSW Government to develop a holistic Inland Water Safety Strategy for NSW that includes specific reference to cohorts of the community who are at higher risk of drowning.

Decision: Carried

128 Gunnedah Shire Council**Increase policing for the bush**

1. That Local Government NSW calls on the NSW Government to:
 - a) review the allocation methodology of its policing resources to ensure equity between Metropolitan and Regional, Rural and Remote Local Government Areas.
 - b) increase spending on the NSW Police Force to increase front line policing numbers in Regional, Rural and Remote regions most at need.
 - c) conduct a review into the allocation of resources that are devoted to non-frontline policing.
2. That there be no reduction of police numbers in any areas as a result of points (a), (b) and (c).

Decision: Carried (with amendment)

(Note: This motion covers the following motions set out in small font)

Kyogle Council**Rural police resourcing**

That Local Government NSW lobbies the State Government to review its models around 24/7 policing so that neighbouring LGAs, without this police coverage, are not unfairly disadvantaged, and develop strategies to attract and retain officers in rural communities.

129 Inner West Council**Socially harmful advertising**

That Local Government NSW advocates for a consistent approach across local government to socially harmful advertising.

Decision: Carried

That Local Government NSW advocates that the NSW Government takes the following steps to provide greater consistency in and improve food health and safety standards:

- a) initiate a review of the Australian Standard AS4674-2004 Design, construction and fit-out of food premises to reflect current and emerging food shop trends;
- b) the NSW Food Authority to develop a contemporary guide for NSW Construction in Retail Food Premises to provide consistency in the application of the Australian Standard; and
- c) the revised Australian Standard and NSW Construction in Retail Food Premises guide to be adopted by Planning NSW and incorporated into relevant legislation.

Decision: Carried

That Local Government NSW advocates to the NSW Government and opposition to review and improve rights for tenants with the view to best serve both tenants and landlords.

Decision: Carried

(Note: This motion covers the following motions set out in small font)

Bega Valley Shire Council Changes to residential lease termination provisions

That Local Government NSW calls on the NSW Government to introduce measures to better protect the interests of tenants with respect to notification of termination of lease by landlords in the case of no fault on the tenant's behalf.

That Local Government NSW advocates to the NSW Government to respond to the findings of and support the Bearing the Brunt report by The Australia Institute.

Decision: Carried

That Local Government NSW:

1. acknowledges the NSW Government's Smart, Skilled and Hired program that focuses on vocational training for our state's young people;
2. notes that initiatives under this program are designed to lead to employment;
3. further notes that, despite this, jobs for recent graduates remain scarce in NSW;
4. calls on the NSW government to:
 - a) create a Local Youth Jobs Program at the local government level
 - b) establish a Youth Employment Facilitator in each local government area
 - c) provide a Local Youth Employment Recovery Fund for each local government area
 - d) provide incentives for local employers to deliver well paid, meaningful, secure work for local youth.

Decision: Carried

Waste

That Local Government NSW:

- a) urges the NSW Government to take responsibility to identify and secure appropriate land for critical waste infrastructure.
- b) advocates that the NSW Government establish a new Waste Authority for NSW to assist with the planning and development of critical waste infrastructure.
- c) urges the NSW Government to reinvest significantly more of the NSW Waste Levy back into the Waste and Resource Recovery Industry for the planning and development of critical waste infrastructure.

Decision: Carried

135 Blacktown City Council**Insufficient landfill planning and infrastructure**

That Local Government NSW calls on the NSW Government to apply the same planning process to identify future landfill precincts as it has with energy from waste infrastructure.

Decision: Carried

136 City of Canterbury-Bankstown Council**The provision of infrastructure to process Food Organics and Garden Organics**

That Local Government NSW calls on the NSW Government to ensure that:

1. local infrastructure exists for councils to enable the efficient transfer and processing of Food Organics and Garden Organics (FOGO) across NSW;
2. funding be made available to assist councils through to 2030 in the planning and implementation for FOGO;
3. ongoing financial support is provided to councils to assist with collection, transport, processing and community education;
4. it develops and implements an ongoing education campaign that delivers a consistent and state-wide message to NSW residents.

Decision: Carried

137 Campbelltown City Council**Illegal dumping**

That Local Government NSW makes representations to the NSW Government requesting a permanent and secure funding stream to allow councils to employ dedicated staff to prevent and respond to the growing issue of illegal dumping.

Decision: Carried

138 Woollahra Municipal Council**Better Waste and Recycling Fund**

That Local Government NSW requests the NSW Government to urgently reinstate the non-contestable waste and recycling grant program funding under the Better Waste and Recycling Fund, so that councils have secure

funding for waste and recycling education programs to drive waste minimisation, cleaner waste streams and more efficient resource recovery.

Decision: Carried

(Note: This motion covers the following motions set out in small font)

Waverley Council

Better Waste and Recycling Fund

That Local Government NSW requests the NSW Government to urgently reinstate the non-contestable waste and recycling grant program funding under the Better Waste and Recycling Fund, so that councils have secure funding for waste and recycling education programs to drive waste minimisation, cleaner waste streams and more efficient resource recovery.

Bayside Council

Better Waste and Recycling Fund

That Local Government NSW requests the NSW Government to urgently reinstate the non-contestable waste and recycling grant program funding under the Better Waste and Recycling Fund, so that councils have secure funding for waste and recycling education programs to drive waste minimisation, cleaner waste streams and more efficient resource recovery.

Randwick City Council

Waste and Recycling and the NSW waste levy

That Local Government NSW requests the NSW Government to urgently reinstate the non-contestable waste and recycling grant program funding under the Better Waste and Recycling Fund, so that councils have secure funding for waste and recycling education programs to drive waste minimisation, cleaner waste streams and more efficient resource recovery.

139 Camden Council

Food Organics and Garden Organics (FOGO) services

That Local Government NSW advocates that the NSW Government underwrites the financial risk associated with councils now having to implement mandated FOGO services under the Waste and Sustainable Materials Strategy 2041.

Decision: Carried

Biosecurity and companion animals

140 Hawkesbury River County Council Review of weeds funding to local government

That Local Government NSW calls on the NSW Department of Primary Industries to urgently review the allocation of funding provided to local government for weed management, given the findings in the Australian State of Environment Report 2021, that there are now “more exotic species of plants than natives in Australia”.

Decision: Carried

141 Upper Macquarie County Council Biosecurity fund

That Local Government NSW requests the NSW Government to create a biosecurity fund to assist the local weed control authority (Council or County Council) to undertake its full obligations under the Biosecurity Act 2015, primarily the prosecution of landholders who do not meet their obligations under the Act.

Decision: Carried

142 Gunnedah Shire Council Stronger biosecurity measures

That Local Government NSW calls on ALGA to make representations to the Federal Government to make all biosecurity response measures, which prevent the entry of Foot and Mouth Disease (FMD) and Lumpy Skin Disease into Australia, to be implemented permanently at relevant landing places for sea and air passengers from all countries not free of FMD.

Decision: Carried

(Note: This motion covers the following motions set out in small font)

Leeton Shire Council Support for biosecurity measures aimed at preventing foot and mouth disease

That Local Government NSW supports the Australian Government in its establishment of biosecurity measures to prevent an incursion of foot and mouth disease in Australia.

143 Hornsby Shire Council

Companion Animals Act – Feral cats

That Local Government NSW:

1. lobbies the NSW Government to amend the *Companion Animals Act 1998* to enable councils to euthanise feral cats in accordance with **animal welfare ethics** and the policy adopted by the relevant council.
2. lobbies the NSW Government to provide funding and resources to enable councils to be compliant with the additional requirements placed upon them by the 2022 amendment to the *Companion Animals Act 1998*.

Decision: Carried (with amendment)

144 Cowra Council

Accreditation of assistance dogs

That Local Government NSW writes to the NSW Planning Minister requesting a review of the Companion Animals Act 1998 to provide for a mechanism of accreditation within NSW of both Assistance Animals and associated training organisations.

Decision: Carried

LATE MOTIONS

L1 Hilltops Council

Letter of support for demerger proposals by the Local Government Boundaries Commission

That Local Government NSW provide letters of support for all Councils to demerge where such demerger proposal is recommended by the Local Government Boundaries Commission.

Decision: Carried

L2 Waverley Council

Flags to half-mast for National Sorry Day

That Local Government NSW requests all Councils to lower all flags to half-mast annually for National Sorry Day (May 26).

Decision: Carried

L3 Shoalhaven City Council

Koori Rugby League Knockout

That Local Government NSW lobbies the NSW Government to provide an annual contribution of \$1.4 million, to be provided to the local government within which each year's NSW Koori Rugby League Knockout will occur, to be passed on by that local government to the host organisation running the event.

Decision: Carried

L4 Junee Shire Council

Closure of bank branches

Motion:

That Local Government NSW lobbies the Federal Government to place a moratorium on the closing of ~~Australia Post branches~~ ~~bank branches~~ in rural towns.

Amendment:

That Local Government NSW lobbies the Federal Government to consider the impact on rural communities of closing bank branches in rural towns and investigate remedies.

Decision (on the Amendment): Lost

Decision (on the Motion): Carried (with amendment)

L5 Cobar Shire Council

Postal Savings Bank

That Local Government NSW calls on the ~~Commonwealth~~ Australian Parliament to fully implement the Regional [Banking] Taskforce recommendations. ~~pass the Commonwealth Postal Savings Bank Bill to establish a post office people's bank, fully guaranteed by the Commonwealth, as a dedicated postal savings bank, operating exclusively through Australia Post's corporate and licensed post offices, which will ensure a basic banking services — including deposit-taking, business and personal lending, and access to cash — are available to all Australians, and will contribute to Australia's national economic development.~~

Decision: Carried (with amendment)

L6 Greater Hume Council

Sustainable funding to address the NSW rural road network

That Local Government NSW seeks an urgent meeting with the **Treasurer**, Minister for Roads, the Minister for Transport and any other relevant Minister to request an immediate review of the funding model under which local governments receive financial assistance to maintain and renew the road network.

Decision: Carried (with amendment)

(Note: This motion covers the following motion set out in small font)

Cootamundra-Gundagai Regional Council

Urgent funding for road repair

That Local Government NSW urgently lobby State and Federal Governments to immediately release funding, particularly for rural and regional councils, so the immediate repair of the State's road network is not delayed due to a lack of funds or resources.

L7 Kempsey Shire Council

Monetary limits in Planning Systems SEPP

That Local Government NSW lobbies the NSW Government for an urgent review of the monetary limits in the State Environmental Planning Policy (Planning Systems) 2021, particularly the capital investment values at which development becomes Regionally Significant Development or State Significant Development.

Decision: Carried

L8 Wagga Wagga City Council

Extension of submission period on state significant development and other major development projects

That Local Government NSW advocates to the NSW State Government that the current period of 28 days during which submissions must be made on state significant development and other major development projects be extended to 90 days.

Decision: Carried

L9 Maitland City Council

Enhancing unattended property enforcement powers

That Local Government NSW calls on the Office of Local Government to proclaim the new Public Spaces (Unattended Property) Act 2021 to enable councils to apply enhanced powers and penalties to remove unattended property, including shopping trolleys, unregistered and abandoned cars and trailers from road reserves and public spaces sooner, reducing damage to personal property, environmental effects, as well as the possibility of fire caused by vandalism to these vehicles.

Decision: Carried

L10 Lane Cove Council

Light spillage in urban bushland areas

That Local Government NSW writes to the appropriate NSW Government Department requesting that they develop a policy on the issue of light spillage in urban bushland areas.

Decision: Carried

L11 City of Ryde

Wildlife safe backyard nets

That Local Government NSW calls on the Minister for Agriculture and NSW Government to ban the sale and use of unsafe backyard netting and encourage the use of Wildlife safe netting (aperture no more than 5mm x 5mm).

Decision: Carried

L12 City of Ryde Protecting wildlife from rat poison and ban SGARs

That Local Government NSW calls on the NSW State government to:

1. legislate to ban the retail sale of Second Generation Anticoagulant Rodenticides (SGARs) in NSW.
2. change the state government's pest management practices for state-owned properties to stop the use of SGARs.
3. advocate through the joint Commonwealth-States Agriculture Ministers' Meeting (AMM) for a national ban on the retail sale of SGARs.
4. investigate nominating SGARs as a key threatening process under the NSW Biodiversity Conservation Act 2016.

5. encourage landholders through Local Land Services to avoid the use of SGARs and responsibly manage pest issues through licensed professionals.

Decision: Carried

L13 Eurobodalla Shire Council

State Forests logging and the transition to ecologically sustainable plantations

That Local Government NSW:

1. notes that both Western Australian and Victorian State Governments have announced plans to transition their native forest logging in state forests to 100% plantations and have provided end dates for native forest logging of 2024 and 2030 respectively.
2. notes the concerns from south coast residents for better management of State Forests to support nature-based tourism enterprises, recreational usage, threatened species habitat protection and carbon sequestration and raises these concerns with Forestry Corporation NSW.
3. notes that logging in our State Forests is incompatible with our state's investments in nature-based tourism enterprises, climate change mitigation and the protection of biodiversity.
4. advocates to the NSW State Government to develop a plan for the just transition of the Forestry Corporation NSW native forest sector to ecologically sustainable plantations and farm forestry and that such plans ensure the protection of existing jobs in this sector and ensure a reliable supply of high value native hardwood timber products into the future.

MOTION WITHDRAWN BY COUNCIL