

Local Government Association Annual Conference – October 2012

Resolution Action and Response Summary Sheet

Resolution	Action	Response
<p><i>1 – Standing orders – The Executive</i> That standing orders be adopted.</p>	Used at Conference - no further action required	
<p><i>2 – Reserve fund for legal costs – Campbelltown</i> That the Local Government Association be asked to consider establishing a Reserve Fund for legal costs to assist member councils in defending matters before the Court.</p>		
<p><i>3 – Local Government Association Constitution – Lane Cove</i> 1. That the quorum for a Conference of the Local Government Association be fifty (50) percent of delegates and members of the Executive Committee to the Conference plus one (1). The business of a Conference shall not be conducted unless a quorum is present. Quorum shall be determined each morning from the delegates in attendance. 2. That the LGSA write to Fair Work Australia to seek approval of this change to the constitution and if Fair Work Australia doesn't give approval then the LGA withdraw its membership from Fair Work Australia and become an independent organisation governed by the duties provisions provided in the Corporations Law. 3. That the above changes be made to the</p>		

<p>new One Association Constitution.</p>		
<p><i>4 – Aboriginal Affairs Policy – NSW Aboriginal Land Council</i> That the Local Government Association ensure that its current Aboriginal Affairs Policy and its endorsement of the United Nations Declaration of the Rights of Indigenous people is adopted by One Association.</p> <p>Executive Note: The resolution will be forwarded to the One Association interim Board for their consideration.</p>		
<p><i>5 – Aboriginal Affairs Policy under One Association – NSW Aboriginal Land Council</i> That the Local Government Association ensures that once the One Association is formed that it reviews its Aboriginal Affairs Policy to actively promote the development of strategies that encourage the establishment of partnerships between Local Aboriginal Land Councils and their respective Shire or Local Councils to:</p> <ul style="list-style-type: none"> • Initiate and conduct a range of forums and networks to better connect community services and key stakeholders • identify local priorities and drive local initiatives that will strengthen labour markets and help/assist Aboriginal people find and keep jobs • develop strategies for improvement, better coordination and integration of local 		

<p>service delivery for Aboriginal people</p> <ul style="list-style-type: none"> • develop strategies for the improvement of local physical and social infrastructure particularly on the former Aboriginal Reserves • develop strategies for securing funding for local projects from the Commonwealth and State Governments. <p>Executive Note: The resolution will be forwarded to the One Association interim Board for their consideration.</p>		
<p><i>6 – Early childhood health services – Ashfield</i> That the Local Government Association calls on the Council of Australian Governments to ensure that Local Government is realistically compensated by State Health Authorities for the provision of Early Childhood Health Services within Council Facilities.</p>	<p>The President wrote to the Hon Julia Gillard MP, Prime Minister, the Hon Tanya Plibersek MP, Minister for Health, the Hon Barry O’Farrell MP, Premier and Minister for Western Sydney, and the Hon Gillian Skinner MP, the Minister for Health and Minister for Medical Research on 6 December 2012.</p>	<p>The Parliamentary Secretary for Health and Ageing responded on behalf of the Minister for Health on 23 January 2013 noting that “I am pleased to hear that the Local Government Association of NSW has recently discussed the important matter of early childhood health services. Early childhood is a critical time in human development and influences at this time have life-long impacts on health, learning and behaviour. The Australian Government recognises that strong gains in health outcomes can be achieved through investment in early childhood including the provision of quality health services.”</p> <p>“While the Australian Government and state and territory governments are working together to improve the standard of health care in Australia, the day-to-day administration of health services rests with the state and territory governments.”</p> <p>The Minister for Local Government responded on behalf of the Premier on 27 February 2013 noting that the resolution has been forwarded to the relevant agencies for consideration and appropriate action.</p>
<p><i>7 – Rights of people with intellectual disabilities – Canterbury</i> That the Local Government Association actively campaigns for the rights of people with intellectual disabilities to be</p>	<p>The President wrote to the Hon Jenny Macklin MP, Minister for Families, Community Services and Indigenous Affairs and</p>	<p>The Australian Minister for Families, Community Services and Indigenous Affairs and Minister for Disability reform responded on 8 February 2013. The Australian Minister noted that she was heartened to read that the rights of people with intellectual disability had been discussed at the recent LGA conference and that the LGA intends to actively campaign for people with intellectual disability.</p>

<p>recognised, for current government programs for them to be extended in scope and provided with more funding, and for more funding to be allocated to non-government organisations that provide services to these people.</p>	<p>Minister for Disability Reform and the Hon Andrew Constance MP, Minister for Ageing and Disability Services on 6 December 2012.</p>	<p>The Australian Minister also noted that “the major focus for financial support for people with intellectual disability is through the National Disability Agreement (the Agreement) which commenced on 1 January 2009. The Agreement provides the framework for the provision of government support for people with disability. From 1 January 2009 to 30 June 2015, the Australian Government will be providing around \$7.2 billion in funding to the state and territory governments for increased and improved specialist disability services such as supported accommodation, targeted support and respite. The significant investment means that the Commonwealth Government’s contribution in 2012-13 is around \$1.2 billion, double the \$620 million provided in 2006-07. Under the Agreement, the Australian Government has responsibility for the provision of employment services for people with disability, and the provision of income support targeted to the needs of people with disability, their families and carers. State and territory governments have responsibility for the provision of specialist disability services in a manner which most effectively meets the needs of people with disability, their families and carers, consistent with local needs and priorities...</p> <p>You would also be aware that all Australian governments and the Australian Local Government Association agreed to the National Disability Strategy 2010-202 (the Strategy) in February 2011. The Strategy outlines a 10-year national policy framework to guide government activity across six key outcome areas and to drive future reforms in mainstream and specialist disability service systems to improve outcomes for people with disability, their families and carers. The Strategy sets out actions that all governments can take to enable people with disability to participate as equal citizens in Australian society. A key component of the first outcome of the Strategy - Inclusive and Accessible Communities - is to ensure that people with disability live in accessible and well-designed communities with opportunity for full inclusion in social, economic, sporting and cultural life.”</p> <p>The Australian Minister also notes that the Australian government supports people with disability through the non-government sector. For example many people with intellectual disability are employed in Australian Disability Enterprises and the Australian government is committed to removing barriers to</p>
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<p>8 – Recognition of Aboriginal and Torres Strait Islander Peoples Withdrawn</p>	<p>No further action required</p>	
<p>9 – Development of a Local Government Reconciliation Plan – Lane Cove Withdrawn</p>	<p>No further action required</p>	

<p><i>10 – Uniform access for all Councils to RMS’ Driver and Vehicle Information Systems (DRIVES) - Bankstown</i></p> <p>That the Local Government Association of NSW calls upon the State Government and the Roads & Maritime Services (RMS) to allow uniform access to all councils to enable council enforcement officers use of the RMS’ Driver & Vehicle Information Systems (DRIVES) for identification of offenders for various infringements involving a motor vehicle.</p>	<p>The President wrote to the Hon Duncan Gay MLC, Minister for Roads and Ports on 6 December 2012.</p>	
<p><i>11 – Affordable and supported housing – Leichhardt</i></p> <p>That the Local Government Association raise the issue of the need for provision of Affordable and Supported Housing in the development of all new housing estates. A rigorous community consultation be initiated by State and Federal Government in regard to any sites selected for Affordable and Supported Housing. Approach Federal and State Housing providers to explore sources of funding to assist with future supported housing projects. Affirm its commitment to practical local solutions to the shortage of supported living facilities across the nation. Develop a research paper on how local councils can provide practical solutions to the shortage of supported living facilities for residents in their local communities.</p>	<p>The President wrote to the Hon Brendan O’Connor MP, Minister for Small Business and Minister for Housing and Homelessness, the Hon Brad Hazzard MP, Minister for Planning and Infrastructure and Minister Assisting the Premier on Infrastructure NSW and the Hon Pru Goward MP, Minister for Family and Community Services and Minister for Women on 6 December 2012.</p>	<p>The Minister for Family and Community Services and Minister for Women responded on 22 January 2013 noting that a response will be provided in the near future.</p> <p>The Minister for Planning and Infrastructure and Minister Assisting the Premier on Infrastructure NSW responded on 7 March 2013 noting that “In response to housing affordability concerns, I established an Affordable Housing Taskforce in 2011, comprising representatives from the Local Government and Shires Associations, community housing providers, industry and relevant government agencies.</p> <p>The Taskforce is helping the Government prepare a new affordable housing policy that takes into account local housing needs and development characteristics when promoting new forms of affordable housing. It is expected that this new policy will be exhibited in early 2013.”</p> <p>The new Australian Minister for Housing and Homelessness, Minister for Mental Health and Ageing, Minister for Social Inclusion and Minister Assisting the Prime Minister on Mental Health Reform responded on 10 April 2013. The Australian Minister noted that the Australian government has committed more than \$20 billion towards “new housing programs to assist first home buyers, build more affordable rental properties and improve the efficiency of the housing market. I am pleased to provide you with an overview of these Australian Government initiatives.</p>

		<p>One of the key contributors to the provision of supported accommodation in Australia is the National Partnership Agreement on Homelessness (NPAH). The NPAH is a \$1.1 billion joint investment by the Australian, state and territory governments. Under NPAH, initiatives such as <i>Common Ground</i>, <i>Foyer</i> models and <i>A Place to Call Home</i> represent a significant investment into supported accommodation by the Australian, state and territory governments.</p> <p><i>A Place to Call Home</i> is a \$300 million initiative jointly funded by the Australian, state and territory governments through the NPAH. <i>A Place to Call Home</i> provides funding for the cost of building new accommodation, making spot purchases and/or the renovation of suitable public housing properties to provide long-term, affordable housing for people experiencing homelessness and the provision of support services to help people break the cycle of homelessness. As at 30 June 2012, 119 homes had been delivered across New South Wales through <i>A Place to Call Home</i>. The overall target for dwellings across New South Wales over the five-year NPAH is 155 dwellings. Across Australia there is an overall target of 600 dwellings.</p> <p>The Australian Government is also helping to reduce the cost of new homes for home buyers through the Housing Affordability Fund (HAF). This initiative seeks to address two significant barriers in order to increase the supply of affordable housing: holding costs incurred by developers as part of long planning and approval times; and infrastructure costs, such as the laying of water pipes, sewerage, transport and the creation of parks.</p> <p>There are currently 20 HAF projects in New South Wales, with a total amount of funding of nearly \$75 million. This funding will produce more than 2,000 dwellings or lots which will receive a HAF rebate. To date, over 850 HAF-related dwellings or lots have been sold with savings of nearly \$16.5 million passed on to purchasers.</p> <p>One component of the HAF initiative is dedicated to driving local reforms. As a result of HAF funding nearly 8,000 additional dwellings or lots in New South Wales alone will benefit from the streamlining of planning processes and master planning of relevant development zones within the municipality.</p> <p>You may also be interested to know more about the Building Better Regional Cities (BBRC) program. The BBRC program brings forward housing supply and</p>
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		<p>making. The opportunity for greater consultation on a broad range of planning and housing matters will be addressed in this context.</p> <p>Local councils have a key role to play in supporting the provision of affordable housing through the preparation of their social and strategic plans, and development approval process. The development of locally appropriate housing strategies can have a real impact on increasing the supply of affordable housing to meet growing community needs.</p> <p>Stronger Together 2 and our NRAS commitments should also help us address affordability concerns.”</p>
<p><i>12 – Roads and Maritime Services RMS DRIVES – Fairfield</i></p> <p>That the Local Government Association approach the Minister for Roads and Maritime Services (RMS) seeking additional access to the ‘DRIVES24’ system and to develop an Access Agreement which enables all Councils to meet their enforcement obligations under the <i>Companion Animals Act 1998</i> & the <i>Environmental Planning and Assessment Act 1979</i>.</p>	<p>The President wrote to the Hon Duncan Gay MLC, Minister for Roads and Ports on 6 December 2012.</p>	
<p><i>13 – Breed assessment of dogs – Holroyd</i></p> <p>That the Local Government Association call on the government to give council greater powers for dealing with dangerous dogs irrespective of breed.</p>	<p>The President wrote to the Hon Don Page MP, Minister for Local Government and Minister for the North Coast on 6 December 2012.</p>	<p>The Minister for Local Government and Minister for the North Coast responded on 4 February 2013 noting that “the Companion Animals Taskforce recently submitted to me and the Minister for Primary Industries, the Hon Katrina Hodgkinson MP, a report of recommendations in relation to improving outcomes for impounded cats and dogs. The Taskforce has also identified dangerous dog management as a high priority issue requiring further consideration. However, due to the complexity of the issue, the Taskforce determined that it would deal with this as a separate issue.</p> <p>The Taskforce chair, Mr Andrew Cornwell MP has indicated that, amongst other issues, the Taskforce is considering the powers available to councils to manage dangerous dogs. The Taskforce has recently consulted with a number of industry stakeholders as part of its deliberations, including council representatives. It is</p>

		<p>noted that the Local Government and Shires Associations of NSW are represented on the Taskforce, [which] I am sure will reflect the views of Holroyd and other councils.</p> <p>Mr Cornwell has indicated that the Taskforce will shortly provide me with a series of recommendations in relation to the management of dangerous dogs. The Government intends to provide a consolidated response to both aspects of the Taskforce's work in early 2013."</p>
<p><i>14 – Microchip owners registration form – Fairfield</i></p> <p>That the Local Government Association make representations to the Division of Local Government to amend the Companion Animal Forms for 'Permanent Identification (P1A)' and the 'Change of Owner (C3A)' to allow for the provision to record the date of birth of the animal/s owner on such forms including the facility to record "witnessed valid identification" such as that issued by State Government on Licences, Centrelink ID, Medicare, Passport etc.</p>	<p>The President wrote to the Hon Don Page MP, Minister for Local Government and Minister for the North Coast and Mr Ross Woodward, the Chief Executive of the Division of Local Government on 6 December 2012.</p>	<p>The Minister for Local Government and Minister for the North Coast responded on 4 February 2013 noting that "the Division of Local Government has commenced a review of the approved Companion Animal forms. The Division has acknowledged that there may be scope to provide a facility on the forms to record verification of the identity of an animal's owner. However, as the work of the Companion Animals Taskforce may impact on the content of the forms, it is considered appropriate that the forms review be finalised following the release of the Government's response to the Taskforce recommendations."</p>
<p><i>15 – Abandoned shopping trolleys – Ku-ring-gai</i></p> <p>Lost</p>	<p>No further action required</p>	
<p><i>16 – Amendment of Copyright Act – Canterbury</i></p> <p>That the Local Government Association makes representations to the Federal Attorney General to request an amendment to the <i>Copyright Act</i> to provide an exemption to Local Government bodies to enable them to supply copies of plans and associated documents submitted with development applications.</p>	<p>The President wrote to the Hon Nicola Roxon MP, Attorney General and Minister for Emergency Management on 6 December 2012.</p>	<p>The Attorney General and Minister for Emergency Management responded on 9 January 2013 noting that the issue raised falls within the terms of reference of the inquiry into copyright exceptions in the digital economy currently being undertaken by the Australian Law Reform Committee (ALRC). The Attorney General also notes that "a number of submissions have been made to the review which address the issue of plans and associated documents that are lodged with development applications".</p>

<p><i>17 – Access to information and copyright – Fairfield</i></p> <p>That the Local Government Association make representations to the Attorney General to amend the <i>Copyright Act</i> by allowing Local Government agencies in addition to the Commonwealth and State, to publish plans and reports associated to development applications on the Council website.</p> <p>Executive Note: Covered by Resolution 16</p>	<p>No further action required</p>	<p>See response to resolution 16</p>
<p><i>18 – Copyright issues relating to the GIPA Act – Sutherland Shire</i></p> <p>1. That the Local Government Association lobby the Federal Government for an appropriate amendment to the <i>Copyright Act 1968</i> (Cth) to extend protections under <i>the Act</i> to Local Government, similar to those currently available to Commonwealth or State governments for copying copyrighted materials in the services of the Crown.</p> <p>As an interim measure until point 1 occurs:</p> <p>2. That the Local Government Association lobby the State Government for an appropriate amendment to <i>the Environmental Planning and Assessment Act 1979</i> to amend the requirements for a development application to specify that all documents submitted must be accompanied</p>	<p>No further action required</p>	<p>See response to resolution 16</p>

<p>by a licence from the copyright owner allowing the use of the DA documents for the relevant functions of the consent authority both prior to and after the granting of any consent.</p> <p>Executive Note: Covered by Resolution 16</p>		
<p><i>19 – Amendment to the 10 day assessment period for complying development applications – Holroyd</i></p> <p>That the Local Government Association call on the State Government to amend the Code to redefine the 10 day assessment period to state “10 working days” from the time of lodgement.</p>	<p>The President wrote to the Hon Brad Hazzard MP, Minister for Planning and Infrastructure and Minister Assisting the Premier on Infrastructure NSW on 6 December 2012.</p>	<p>The Minister for Planning and Infrastructure and Minister Assisting the Premier on Infrastructure NSW responded on 7 March 2013 noting that the Department of Planning and Infrastructure “recognises the need to increase awareness about complying development and, the importance of giving appropriate notice to neighbours within the vicinity of complying development. The Department is currently finalising amendments to the Codes SEPP. The requirements for notification of complying development will be strengthened in response to submissions received from stakeholders, including the Local Government Association of NSW.”</p>
<p><i>20 – Rural Fire Service – review of Local Government engagement – The Executive</i></p> <p>That the Association advocate operational disengagement with the RFS with the:</p> <ul style="list-style-type: none"> • RFS to take over all council owned RFS equipment and vehicles including the management, maintenance and financial management and administration of local RFS units. • NSW Government/RFS to provide councils with fair reimbursement for their proportion of assets transferred to the RFS, following extensive consultation with councils. • RFS to improve Local Liaison Committee engagements/processes including constructive community consultation for 	<p>The President wrote to the Hon Michael Gallacher MLC, Minister for Police and Emergency Services and Minister for the Hunter on 6 December 2012.</p>	<p>The Parliamentary Secretary for Police and Emergency Services responded on 17 December 2012 noting that the Association’s correspondence had been received and was receiving attention.</p> <p>The Parliamentary Secretary for Police and Emergency Services responded on 7 February on behalf of the Minister for Police and Emergency Services and Minister for the Hunter noting that “the NSW Rural Fire Service has advised that, while it respects your members’ wish to review current arrangements, it would discourage any reduction in interaction between councils, Service staff and volunteers. Particularly at district level, the Service has a close working relationship with councils, and would be concerned at any changes that may weaken those ties.</p> <p>Local councils and their communities have been well served by NSW Rural Fire Service brigades for many years. While there have been inevitable costs associated with essential upgrading of equipment and amenities, this has resulted in a continued high level of service and in helping to ensure the safety of our volunteers.</p>

<p>local budget expenditure.</p> <p>Further, that the Association:</p> <ol style="list-style-type: none"> 1. Call for the establishment of a working group with the RFS and other relevant NSW Government agencies to facilitate Local Government retraction from operational engagement with the RFS including: <ol style="list-style-type: none"> a) Investigating the issues of insurance, maintenance, utility costs, and capital expenditure for RFS facilities. b) Exploring possible processes for transferring of the facilities to the RFS taking into account co-located premises and the methodology for calculating valuation/payment of facilities transferred to the RFS. c) Any other matters related to council owned RFS facilities. 2. Encourage councils to continue to participate in RFS Local Liaison Committees and Bush Fire Management Committees in their capacity as land managers and community representatives. 		<p>Under the <i>Rural Fires Act 1997</i>, Local Government retains responsibility for forming rural fire brigades, maintaining stations and operational vehicles, albeit many of these functions are carried out by way of agreement with the NSW Rural Fire Service. The Service's unique approach to engaging Local Government has afforded councils the opportunity to have significant input into its local budget and priorities.</p> <p>As you would be aware, during the 2011 State Election, the NSW Government committed to reviewing the funding arrangements to determine whether alternative options exist which would maintain funding levels for the fire and emergency services in NSW.</p> <p>As part of the consultation process, the Government released a public discussion paper to seek community views. I assure the Association that the Government will closely consider community feedback to the discussion paper before making any decision on a new model.</p> <p>Further discussion of changes to the current relationship between Local Government and the NSW Rural Fire Service would, therefore, be pre-emptive until the outcome of the funding review is known.</p> <p>In the meantime, I am pleased to hear that the LGSA and the NSW RFS have established a working group to look at the methodology for apportioning costs such as volunteer and support services charges, with a discussion paper currently being prepared.</p> <p>I am also advised that the two parties agreed at the Local Government Liaison Committee meeting held on 5 December 2012 to establish a new working group to look at the possibility of moving fleet maintenance and repairs onto a 'year of spend' program rather than a council 'cost and reimbursement' program, including any transitional arrangements.</p> <p>Local Government in NSW is a key partner in emergency management at every level. Maintaining the best aspects of current fire service arrangements will benefit brigades, councils and their communities, and is something that all should be working to preserve."</p>
<p>21 – <i>Coordination of all infrastructure – Liverpool</i></p> <ol style="list-style-type: none"> 1. That the Local Government Association 	<p>The President wrote to the Hon Barry O'Farrell MP, Premier and Minister for</p>	<p>The Minister for Local Government responded on behalf of the Premier on 27 February 2013 noting that the resolution has been forwarded to the relevant agencies for consideration and appropriate action.</p>

<p>establishes a State Infrastructure Delivery Committee to assist in the efficient and coordinated delivery of infrastructure across the State.</p> <p>2. In relation to flood mitigation can the LGSA write to the State Government and Federal Government to get a commitment to raise the Warragamba Dam wall for mitigation not water retention storage which has been identified as a priority by infrastructure NSW.</p> <p>3. Write to the State Government asking to conduct a holistic study in relation to flood mitigation across western Sydney catchments including the Hawkesbury and Liverpool areas.</p>	<p>Western Sydney, the Hon Brad Hazzard MP, Minister for Planning and Infrastructure and Minister Assisting the Premier on Infrastructure NSW and the Hon Katrina Hodgkinson MP, Minister for Primary Industries and Minister for Small Business on 6 December 2012.</p>	<p>The Minister for Planning and Infrastructure and Minister Assisting the Premier on Infrastructure NSW responded on 7 March 2013 noting that the Government “has commenced a strategic review of the major flood mitigation options in the Hawkesbury Nepean Valley to assess and minimise the potential economic and social impact of flooding within the catchment.</p> <p>The Department is currently in the early stages of preparing 41 Growth Infrastructure Plans (GIP) which will be aligned to the State Infrastructure Plan and the future sub-regional delivery plans.”</p>
<p><i>22 – Public utilities – Leichhardt</i></p> <p>That the Local Government Association calls on the Premier of NSW to facilitate the development of a mandatory central works register for councils and public utilities so that all programmed infrastructure works and in particular public utility road and footpath openings are properly coordinated to avoid unnecessary excavation of recently completed council maintenance and improvement works.</p>	<p>The President wrote to the Hon Barry O’Farrell MP, Premier and Minister for Western Sydney on 6 December 2012.</p>	<p>The Minister for Local Government responded on behalf of the Premier on 27 February 2013 noting that the resolution has been forwarded to the relevant agencies for consideration and appropriate action.</p>
<p><i>23 – A long-term strategy for Sydney’s waste disposal needs – Penrith</i></p> <p>That the Local Government Association request the State Government to develop an equitable, long-term strategy for Sydney’s waste disposal needs that will not</p>	<p>The President wrote to the Hon Robyn Parker MP, Minister for the Environment and Minister for Heritage on 6 December 2012.</p>	<p>The Minister for the Environment and Minister for Heritage responded on 13 February 2013 noting that “a review of the Waste Avoidance and Resource Recovery Strategy to set the framework for the management of waste and resources in NSW over the next five years is currently underway.</p> <p>In preparation for the review, the Environmental Protection Agency (EPA) commissioned GHD to undertake an analysis of NSW’s current and future waste</p>

<p>impact on a single community. The Strategy should also provide clear guidelines for industry and Local Government on the regulatory management processes and options available for the disposal of hazardous and restricted solid waste in NSW, including addressing the issue of only a single waste facility licensed to accept Restricted Solid Waste in NSW.</p>		<p>and recycling infrastructure capacity. The EPA will be working with the Department of Planning and Infrastructure to advance a strategic consideration of the siting of the new waste and resource recovery infrastructure, using the GHD report as an evidence base for future planning decisions.”</p>
<p><i>24 – Motorised scooters and electric wheelchairs – Holroyd</i> Lost</p>	<p>No further action required</p>	
<p><i>25 – Intermodal freight facilities – Liverpool</i> That the Local Government Association lobby the NSW Government to adopt a more fair and consistent approach to the spread of intermodal, freight and logistics facilities around the Sydney metropolitan area, rather than focus significant intermodal, freight and logistics centres in only a few locations</p>	<p>The President wrote to the Hon Duncan Gay MLC, Minister for Roads and Ports and the Hon Gladys Berejiklian MP, Minister for Transport on 6 December 2012.</p>	<p>The Minister for Transport responded on 28 February 2013 noting that the Association has written to The Minister for Roads and Ports on this matter and that he will respond in due course.</p>
<p><i>26 – Sydney Airport – Leichhardt</i> That the Local Government Association contact Members of the LGA to determine their level of interest in working together to present a unified approach, to the State and Federal Governments, regarding methods for achieving greater adherence to the over-flight quotas specified in Sydney Airport’s Long Term Operational Plan. That the Local Government Association write to the Federal Minister for</p>	<p>The President wrote to the Hon Anthony Albanese MP, Australian Minister for Infrastructure and Transport on 6 December 2012.</p>	<p>The Australian Minister for Infrastructure and Transport responded on 23 January 2013 noting “the urgent need to act on Sydney’s aviation capacity constraints.” To this end, in May 2012 the Minister announced “scoping studies into options for a second Sydney airport, which includes a detailed investigation into the suitability of a site near Wilton and the possible use of RAAF Base Richmond for limited passenger services. A final decision on the location of a second Sydney airport will be determined when these investigations are completed and appropriately considered by the Government.” The Minister also notes that “the views of councils and communities are one of several important aspects to be taken into consideration. I am pleased to inform you that my Department met with ten Councils in November last year to discuss the scoping studies and other work being undertaken by Government in addressing Sydney’s</p>

<p>Infrastructure and Transport urging that the Government:</p> <ul style="list-style-type: none"> • Expedite the construction of a second airport for the Sydney Region; • Ensure that regular, comprehensive and transparent data is publicly available regarding aircraft movements, times, breaches, fines and compliance with the Sydney Airport’s Long Term Operational Plan; • Guarantee that the existing curfew and movement caps not be increased, and; • Implement measures to ensure that Sydney Airport’s Long Term Operational Plan targets are adhered to; • Ensure that there be no reduction in the respite currently provided in the unfilled caps; and • Oppose the Sydney airport master plan. 		<p>aviation capacity constraints. I anticipate further opportunities to consult with local government this year.”</p> <p>“With regard to the <i>Long Term Operating Plan (LTOP)</i>, the Government remains committed to the <i>LTOP</i> for Sydney Airport. The <i>LTOP</i> aims to fairly share noise and provide periods of respite from aircraft noise where safety permits.”</p> <p>“Airservices Australia publishes monthly reports on runways and flight paths, as well as noise monitoring reports for each quarter. These reports are publicly available and can be accessed via their website: <www.airservicesaustralia>. Airservices Australia is continuing to implement measures aimed at meeting the <i>LTOP</i> targets, while working within weather constraints.”</p> <p>“The Government has a long standing commitment to maintaining the current cap and curfew arrangements to ensure that aircraft noise impacts around Sydney Airport are minimised and provide respite to residents. These existing measures have bipartisan support and there are no plans to amend, or remove, these arrangements. You might be aware that I have reiterated this point publicly many times.”</p> <p>“Sydney Airport is and will continue to be the primary airport for the region. The Government is committed to ensuring Sydney Airport operates as efficiently as possible. Last year, I directed Sydney Airport Corporation Limited (SACL) to deliver their next Master Plan earlier than would otherwise have been the case in order to set out its strategic direction.”</p> <p>“Public consultation is integral to the Master Plan process. The adequacy of and response to the consultation undertaken is a significant factor in my decision on the Master Plan. I encourage you to take the opportunity to provide feedback directly to SACL through the consultation process.”</p> <p>The Minister also indicated that Mr Larry Hand, the Minister’s adviser on Sydney aviation capacity, would be contacting the Association in the coming weeks to arrange a meeting about these matters.</p>
<p>27 – <i>Energy efficient street lighting – Willoughby</i></p> <p>That the Local Government Association, having regard to the continuing cost to Local</p>	<p>The President wrote to the Hon Greg Combet MP, Minister for Climate Change and Energy Efficiency and</p>	<p>The Australian Minister for Climate Change and Energy Efficiency and Minister for Industry and Innovation responded on 9 March 2013 noting that the “Australian Government has provided financial support for local councils to undertake street lighting upgrades under the Community Energy Efficiency Program (CEEP). Under</p>

<p>Government of paying for inefficient street lighting systems and the environmental impact of the continuation of energy inefficient street lighting systems, call on the Minister for Climate Change, Energy Efficiency and Water to:</p> <p>i) introduce legislation banning the use of inefficient luminaires by utilities in street lights with the ban to be effective from 2015;</p> <p>ii) provide additional funding to facilitate the rapid deployment of energy efficient street lighting to replace the current light fittings, many of which are highly inefficient, by no later than 2015.</p>	<p>Minister for Industry and Innovation on 6 December 2012.</p>	<p>this program, grants are available for street lighting projects proposed by local governing authorities. Of the sixty-three successful projects in Round One, ten will receive over \$12 million to undertake energy efficient upgrades to replace inefficient street lighting in various parts of the country. Applications for funding under Round Two have now closed, however, further information can be found at www.climatechange.gov.au/en/government/initiatives/ceep.aspx...</p> <p>In relation to phasing out inefficient street lighting, you may be aware that the Australian and New Zealand Standard for Road Lighting (AS/NZS 1158) was amended in 2010 to require that mercury vapour technology not be used in new installations. It is expected that the numbers of inefficient mercury vapour lamps will steadily decline over time as a result of this requirement. The draft National Street Lighting Strategy, which is currently under review, recommends a range of measures to increase the move to efficient street lighting, including the consideration of regulatory approaches to phase-out inefficient lighting technology such as mercury vapour.</p> <p>A further review of AS/NZS 1158 is currently underway, to provide for the use of light emitting diode (LED) and induction street lighting. A rapid revision for the inclusion of LED lamps is first being undertaken and this will be followed by a slower, more detailed review. Please contact Mr Richard Landsell, Project Manager at Standards Australia via email at: Richard.landsell@standards.org.au or by telephone on 02 9237 6072 for more information.</p> <p>The Local Government Association of NSW may also be interested in work by the International Energy Agency that the Department of Climate Change and Energy Efficiency has been involved in, to develop performance specifications for LED street lighting. Further information is available at: www.ssl.iea-4e.org/task-1-quality-assurance/draft-performance-tier-review. This work is being taken into account in the review of the Australian Street Lighting Standard."</p>
<p><i>28 – Leadership for sustainable street lighting – Penrith</i></p> <p>That the Local Government Association call on the Minister for Resources and Energy to establish a Steering Committee on</p>	<p>The President wrote to the Hon Chris Hartcher MP, Minister for Resources and Energy, Special Minister of State and Minister for the</p>	<p>The Minister for Resources and Energy, Special Minister of State and Minister for the Central Coast responded on 3 June 2013 noting that "the Distribution Network Service Provider (DNSP) provides the street lighting services requested by local councils. Local councils are free to request sustainable street lighting in their respective areas. For example, the City of Sydney is currently undertaking</p>

<p>Sustainable Street Lighting. This Committee would work cooperatively with key stakeholders, including Local Government, to review and standardise processes to facilitate the bulk roll out of energy efficient street lighting, and develop a sustainable energy policy for street lighting.</p>	<p>Central Coast on 6 December 2012.</p>	<p>such a program. Therefore specific action by the NSW Government is not warranted.”</p>
<p><i>29 – Review of Australian Standard for street lighting to facilitate deployment of advanced lighting technologies – Bankstown</i> That the Local Government Association calls upon the Federal and the State Governments to urge the Standards Australia to fast track its current review of AS/NZS1158 Australian Standards for public lighting, to recognise and allow the use of advanced and emerging lighting technologies such as the LEDs (light emitting diodes), which have matured and are being bulk deployed overseas, as a proven and energy efficient street lighting technology.</p>	<p>The President wrote to the Hon Greg Combet MP, Minister for Climate Change and Energy Efficiency and Minister for Industry and Innovation and the Hon Chris Hartcher MP, Minister for Resources and Energy, Special Minister of State and Minister for the Central Coast on 6 December 2012.</p>	<p>The Australian Minister for Climate Change and Energy Efficiency and Minister for Industry and Innovation responded on 9 March 2013 noting that “In relation to phasing out inefficient street lighting, you may be aware that the Australian and New Zealand Standard for Road Lighting (AS/NZS 1158) was amended in 2010 to require that mercury vapour technology not be used in new installations. It is expected that the numbers of inefficient mercury vapour lamps will steadily decline over time as a result of this requirement. The draft National Street Lighting Strategy, which is currently under review, recommends a range of measures to increase the move to efficient street lighting, including the consideration of regulatory approaches to phase-out inefficient lighting technology such as mercury vapour. A further review of AS/NZS 1158 is currently underway, to provide for the use of light emitting diode (LED) and induction street lighting. A rapid revision for the inclusion of LED lamps is first being undertaken and this will be followed by a slower, more detailed review. Please contact Mr Richard Landsell, Project Manager at Standards Australia via email at: Richard.landsell@standards.org.au or by telephone on 02 9237n 6072 for more information. The Local Government Association of NSW may also be interested in work by the International Energy Agency that the Department of Climate Change and Energy Efficiency has been involved in, to develop performance specifications for LED street lighting. Further information is available at: www.ssl.iea-4e.org/task-1-quality-assurance/draft-performance-tier-review. This work is being taken into account in the review of the Australian Street Lighting Standard.” The Minister for Resources and Energy, Special Minister of State and Minister for the Central Coast responded on 3 June 2013 noting that “Standards Australia (including its technical committee) is an independent, not-for-profit organisation,</p>

		<p>recognised by the Australian Government as the peak non-government Standards body in Australia.</p> <p>Every Australian Standard must demonstrate positive Net Benefit to the community as a whole. All Australian Standards must provide a value or benefit that exceeds the costs likely to be imposed on suppliers, users and other parties in the community as a result of its development and implementation. For simplicity, Standards Australia has defined Net Benefit to mean “having an overall positive impact on relevant communities.”</p> <p>It is not appropriate for governments to direct the development of these Australian Standards which are developed based on the Net Benefit principle. Local Government can approach Standards Australia directly and participate in the standards development process.</p> <p>In the absence of AS/NZS1158 referencing LEDs, the NSW Government is facilitating their adoption via the NSW Energy Savings Scheme. The NSW Government, in conjunction with the Scheme administrator IPART, is currently working on ways to ensure that installations are safe and capable of achieving the stated energy savings.”</p>
<p><i>30 – Returning public street lights to Council – Newcastle</i></p> <p>That the Local Government Association call on the State Government to introduce legislation to:</p> <ol style="list-style-type: none"> 1. Enable the transfer of the public street lighting assets to the relevant Council, at no cost to Council. 2. Provide a simple and efficient approval process for Council staff and contractors to work on those lighting assets. 	<p>The President wrote to the Hon Chris Hartcher MP, Minister for Resources and Energy, Special Minister of State and Minister for the Central Coast on 6 December 2012.</p>	<p>The Minister for Resources and Energy, Special Minister of State and Minister for the Central Coast responded on 3 June 2013 noting that the “provision of public lighting by NSW electricity distributors is regulated by the Australian Energy Regulator (AER) which oversees the value of the distributor’s assets including street lighting assets. The NSW Government notes that many such lights are fixed to power poles installed by the electricity distributor for the primary purpose of conveying electricity. Local councils are able to negotiate the purchase of existing public lighting from their local electricity distributor under the guidance of the AER. Further, local councils can engage independent contractors to install and maintain public lighting separately from the electricity network. The exception is in relation to connecting the lights to the network which needs to be done by suitable qualified personnel, namely Accredited Service Providers (ASP). Most ASP’s are independent electrical contractors operating in a competitive market to provide connection services to customers such as local councils.”</p>
<p><i>31 – Review of NSW Public Lighting Code –</i></p>		

<p><i>Bankstown</i></p> <p>That the Local Government Association calls upon the NSW Government to resume and complete the review of NSW Public Lighting Code, which commenced in 2009 and has remained stalled for over two years. The Code, which is currently a voluntary one, also needs to be made mandatory, as it is in some other jurisdictions.</p>		
<p><i>32 – Above ground utilities cabling – Ku-ring-gai</i></p> <p>That the Local Government Association lobby to have all utilities underground to help improve the visual amenity of the area. With the rollout and installation of the National Broadband Network (NBN) across Australia, Ku-ring-gai Council seeks support and lobbying from the LGSA and all other Councils to push for the undergrounding of NBN cables and household connections. This will hopefully be seen as precedence for the relocation of power lines and communications to be underground.</p>	<p>The President wrote to the Hon Stephen Conroy MP, Minister for Broadband, Communications and the Digital Economy and the Hon Chris Hartcher MP, Minister for Resources and Energy, Special Minister of State and Minister for the Central Coast on 6 December 2012.</p>	<p>The Australian Minister for Broadband, Communications and the Digital Economy responded on 27 March 2013 noting that “the government has established NBN Co Limited (NBN Co) to design, build and operate a new high-speed NBN. On March 7 2012 the Definitive Agreements between NBN Co and Telstra were finalised and came into force. The Agreements are detailed legally binding agreements and pave the way for a faster, cheaper and more efficient rollout of the NBN. The Agreements provide for the use of existing infrastructure including underground pits, pipes and ducts, minimising duplication and allowing a greater percentage of fibre to be laid underground. In all instances, NBN Co has indicated that it intends to work constructively with councils and communities in rolling out the network. In its 2012-2015 Corporate Plan, NBN Co estimates that only 25 per cent of the local network deployment will involve aerial cabling. Aerial cabling will depend on the availability of underground facilities. Where ducting is not available, there is usually existing above ground infrastructure. If it is necessary to rollout aerial fibre cables in areas that do not currently have above ground infrastructure in place, approval by the relevant local authorities will be required.” The Minister for Resources and Energy, Special Minister of State and Minister for the Central Coast responded on 3 June 2013 noting that the “National Broadband Network is a Federal Government initiative and it seeks to utilise existing assets for the NBN rollout. Where there are existing assets underground, the NBN will utilise these underground ducts and where there is no existing infrastructure</p>

		<p>underground, above ground infrastructure such as power poles, will be used. The NSW Government has attempted to negotiate a fair price for access to State-owned assets which avoids cross subsidising by the NSW community; however, this has been unsuccessful. Local Councils should seek to discuss these matters with NBNCo or the Federal Minister for Broadband Communications and the Digital Economy, Senator the Hon Stephen Conroy.</p> <p>An in-depth public review of undergrounding has been previously carried out by the Independent Pricing and Regulatory Tribunal (IPART). A May 2002 report by IPART found that the costs of undergrounding are substantially higher than the benefits. A copy of the IPART report may be found at: http://www.ipart.nsw.gov.au/Home/Industries/Other/Reviews_All/Undergrounding_Electricity/Inquiry_into_the_Undergrounding_of_Electricity_in_NSW</p> <p>The Government subsequently endorsed the finding that undergrounding should be on a ‘beneficiary pays’ basis and that Government funds were better allocated to Government services such as schools and hospitals.”</p>
<p><i>33 – Distributed renewable energy program – Willoughby</i></p> <p>That the Local Government Association call upon the Federal and State Governments to remove regulatory barriers, and provide funding for, Councils to develop local decentralised renewable energy production facilities.</p>	<p>The President wrote to the Hon Greg Combet MP, Minister for Climate Change and Energy Efficiency and Minister for Industry and Innovation and the Hon Chris Hartcher MP, Minister for Resources and Energy, Special Minister of State and Minister for the Central Coast on 6 December 2012.</p>	<p>The Australian Minister for Climate Change and Energy Efficiency and Minister for Industry and Innovation responded on 9 March 2013 noting that the “Renewable Energy Target (RET) scheme is designed to deliver on the Government’s commitment that the equivalent of at least 20 per cent of Australia’s electricity comes from renewable sources by 2020. The RET operates as two parts - the Large-scale Renewable Energy Target (LRET) and the Small-scale Renewable Energy Scheme (SRES). The LRET encourages the deployment of large-scale renewable energy projects such as wind farms, while the SRES supports the installation of small-scale systems, including solar panels and solar water heaters. Information on support under the RET can be found at: http://ret.cleanenergyregulator.gov.au/.”</p> <p>The Minister for Resources and Energy, Special Minister of State and Minister for the Central Coast responded on 3 June 2013 noting that the “draft Renewable Energy Action Plan sets out how NSW will promote renewable energy. There are several relevant actions including Action 7 - promoting mid scale solar, facilitating grid connections via the Renewable Energy Advocate, promoting environmental upgrade agreements, and identifying commercial areas and industries for commercial scale PV in areas of existing and emerging grid constraints.</p>

		<p>The draft Plan also commits the NSW Government to developing an online portal to provide information on finance, grid and network demand information (Action 4). Action 1 addresses facilitating timely connections to the grid, resource mapping to identify grid constraints etc. Action 11 is to facilitate community ownership of renewable energy projects by funding feasibility studies. The final Renewable Energy Action Plan will be published later this year.</p> <p>NSW is a party to the COAG complementarity principles. It does not propose to fund initiatives that duplicate carbon pricing on work that can be better provided by another jurisdiction. The Commonwealth’s Clean Energy Finance Corporation and ARENA have prime responsibility for funding the development and commercial assistance of renewable energy.”</p>
<p><i>34 – Facilitating energy efficiency and renewable energy – Lake Macquarie</i></p> <p>That the Local Government Association call on the NSW Government to:</p> <ul style="list-style-type: none"> • remove barriers to decentralised (distributed or embedded) energy generation, including: • standardising and streamlining connection and regulatory requirements, including making available relevant network (capacity, constraint and demand) information to the market (including potential distributed energy generators); • working with the Federal Government to reform the National Electricity Market to realise the network benefits of decentralised energy generation, by reflecting the true level of network costs and deferred network upgrades, removing mechanisms that preference large centralised capital investments, giving more weight to lower operating costs over capital 	<p>The President wrote to the Hon Chris Hartcher MP, Minister for Resources and Energy, Special Minister of State and Minister for the Central Coast on 6 December 2012.</p>	<p>The Minister for Resources and Energy, Special Minister of State and Minister for the Central Coast responded on 3 June 2013 noting that “NSW has made capacity, constraint and demand information available annually. From 1 Jan 2013 the National Electricity Rules require network businesses throughout Australia to do the same.</p> <p>Extensive work has been done on how operating costs relative to capital expenditure costs should be assessed including setting appropriate rates of return. Any party may recommend a rule change. These can be submitted directly via the AEMC website. Rule change proposals are put out to consultation. There is no prohibition on network services procuring decentralised generation (or other strategies, for example demand management and energy storage in preference to network upgrades).”</p>

<p>costs (including by setting reasonable discount rates for decentralised energy comparable to large scale capital investment decisions) and including consideration of environmental impacts; and</p> <ul style="list-style-type: none"> • provide decentralised energy feed-in tariffs (FiTs) at mandated minimum levels, co-funded by the distribution and transmission network providers, and the retail utilities) proportional to the benefits obtained, and including environmental benefits (such as reduced carbon pollution). 		
<p><i>35 – Rates – Fairfield</i> That the Local Government Association make representations to the NSW Land and Housing Corporation about establishing protocols and guidelines for the rating of NSW Land and Housing properties within NSW. The protocol and guidelines to include: 1. A process to ensure that all residential properties that become occupied are identified and notification is forwarded to the Council for the purpose of calculating rates and charges. 2. Guidelines on when a previously occupied residential property becomes vacant and under what circumstances it reverts to being non-rateable.</p>	<p>The President wrote to the Hon Pru Goward MP, Minister for Family and Community Services and Minister for Women on 6 December 2012.</p>	<p>The Minister for Family and Community Services and Minister for Women responded on 22 January 2013 noting that this issue falls within the portfolio of the Hon Greg Pearce MLC, Minister for Finance and Services and has therefore been forwarded to him for response. The Parliamentary Secretary for Treasury and Finance responded on behalf of the Minister for Finance and Services on 4 April 2013 noting that “there are over 2,500 changes to LAHC owned properties on an annual basis that may impact on the rateable status of a property. LAHC welcomes the opportunity to collaborate closely with the Local Government Association on the development of clear protocols and guidelines for the rating of its properties.”</p>
<p><i>36 – Tendering with respect to elected Local Government organisations – Penrith</i> That section 377 (1) of the <i>Local Government Act 1993</i> – General power of</p>	<p>The President wrote to the Hon Don Page MP, Minister for Local Government and Minister for the North Coast</p>	<p>The Minister for Local Government and Minister for the North Coast responded on 4 February 2013 noting that the “Government would support any amendments to the <i>Local Government Act 1993</i> that reduce red tape and promote greater efficiency in the conduct of tendering processes.</p>

<p>the council to delegate – be amended to allow councils to delegate to Regional Organisation of Councils (ROC’s), strategic alliances, groupings of councils or joint ventures, the power and authority to allow them to accept tenders on behalf of member councils.</p> <p>This can be simply achieved by the following amendment to the clause:</p> <p>377 (1) A council may, by resolution, delegate to the general manager or any other person or body (not including another employee of the council) any of the functions of the council, other than the following:</p> <p>The acceptance of tenders which are required under this Act to be invited by the council, INSERT THE WORDS</p> <p>..... except where by individual resolution, a Council may delegate to a Regional Organisation of Council (ROC’s), strategic alliance, grouping of Councils or joint venture the authority to undertake and accept or reject tenders on behalf of member councils.</p> <p>Such an action may not take place unless the majority of members have passed such a motion and is binding only to those councils which elect to be part of the tender process.</p>	<p>on 6 December 2012.</p>	<p>It is likely that current requirements under the tendering provisions of <i>the Act</i> will be reviewed as part of the work of the Local Government Acts Taskforce. It would therefore be more appropriate that this proposal be considered as part of the broader work being undertaken by the Taskforce.”</p> <p>The Minister has also requested the Division of Local Government to refer the resolution to the Local Government Acts Taskforce for its consideration.</p>
<p>37 – <i>Coastal erosion – Port Macquarie-Hastings</i> That the Local Government Association</p>	<p>The President wrote to the Hon Greg Combet MP, Minister for Climate Change</p>	<p>The Minister for Sustainability, Environment, Water, Population and Communities responded on 4 February 2013 noting that he has “recently released the Australian Government’s One Land - Many Stories: Prospectus of</p>

<p>seeks State and Federal funding assistance for the coastal erosion issues on our coastline, given the high costs and the limited capacity of Local Government to fund these works.</p>	<p>and Energy Efficiency and Minister for Industry and Innovation, the Hon Tony Burke MP, Minister for Minister for Sustainability, Environment, Water Population and Communities and the Hon Robyn Parker MP, Minister for the Environment and Minister for Heritage on 6 December 2012.</p>	<p>Investment (the Prospectus) which outlines our framework for investment in biodiversity conservation and natural resource management through the Land Sector Package and the Caring for our Country Sustainable Environment stream. The Prospectus (available online at www.environment.gov.au/prospectus) articulates the places where funding will be available, the national priorities for investment and the grants programs which will guide the development of project proposals in the 2013-14 round of biodiversity conservation and natural resource management investments across the environment portfolio.</p> <p>One of the priorities for government investment identified in the prospectus is urban waterways and coastal environments. Funding from both the Biodiversity Fund and through the Sustainable Environment stream of the Caring for our Country program will be available for projects in these areas. Funding guidelines for these programs will be released early in 2013 and I would encourage your application through this process.”</p> <p>The Minister for the Environment and Minister for Heritage responded on 13 February 2013 noting that to assist “in the management of the NSW coastal zone, the NSW Government provides technical advice and financial assistance to Local Government through the Coastal Management Program. The objective of the Coastal Management Program is to support Local Government in managing the risks of coastal hazards including coastal erosion, and restoring degraded coastal habitats.</p> <p>Councils may apply for a grant to implement actions that manage coastal hazard risk. Priority is given to implementing actions arising from a coastal zone management plan prepared by a council, however, actions not specifically identified in a coastal zone management plan may also be considered on a merit basis.</p> <p>The Coastal Management Program matches the contribution of councils and funds up to 50 per cent of the total project cost.”</p> <p>Funding for the 2013/14 funding round of the Coastal Management Program was open until 14 February 2013.</p> <p>The Australian Minister for Climate Change and Energy Efficiency and Minister for Industry and Innovation responded on 9 March 2013 noting that “coastal erosion is predominantly the remit of local and state governments. However, the</p>
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<p><i>38 – Community Building Partnership – Fairfield</i> That the Local Government Association affirms its position asking for the NSW Government to reinstate funding for the Community Building Partnership project in full.</p>	<p>The President wrote to the Hon Barry O’Farrell MP, Premier and Minister for Western Sydney and the Hon Mike Baird MP, Treasurer and Minister for Industrial Relations on 6 December 2012.</p>	<p>The Treasurer and Minister for Industrial Relations responded on 21 December 2012 noting that “the NSW Government has committed \$90 million over the next four years to the Program as part of the 2012/13 Budget.” The Treasurer also noted that “this is a reduction to previous funding provided but unfortunately NSW is faced with an unprecedented revenue challenge. Savings measures do need to be made across Government because NSW is receiving \$5.2 billion less in GST revenue than forecast last year. If we do not live within our means and the credit rating is downgraded, NSW Treasury forecast it would cost NSW an additional \$3.75 billion in borrowing costs over 10 years.”</p> <p>The Minister for Local Government responded on behalf of the Premier on 27 February 2013 noting that the resolution has been forwarded to the relevant agencies for consideration and appropriate action.</p>
<p><i>39 – Revenue recognition for operating grants – Fairfield</i> That the Local Government Association recommends that the Division of Local</p>	<p>The President wrote to Mr Ross Woodward, the Chief Executive of the Division of Local Government on 6</p>	<p>The Minister for Local Government and Minister for the North Coast responded on behalf of the Chief Executive of the Division of Local Government on 4 February 2013 noting that the “Australian Accounting Standards [Board] (AASB) determines the standards for the recognition of revenue. The Division of Local</p>

<p>Government amend the Local Government Code of Accounting Practice and Financial Reporting to allow revenue recognition of operating grants to be matched to the periods where the expenditure is incurred.</p>	<p>December 2012.</p>	<p>Government assists Councils with interpretation of these standards by providing the Local Government Code of Accounting Practice and Financial Reporting Guidelines (the Guidelines). The Division has recently engaged a consultant to review and update the Guidelines for the 2012-13 financial year. This engagement has occurred considerably sooner than previous years allowing for a more comprehensive consultation process. The Minister has also requested the Division of Local Government to include this matter in the consultation process which all councils will have an opportunity to participate in.”</p>
<p><i>40 – Resourcing – Wollongong</i> The Local Government Association call on the State Government to adequately resource councils to compensate them for the additional cost of exhibiting, and developing visual representation of site specific controls as a means of implementing the reforms proposed in the Department of Planning and Infrastructure's Green Paper.</p>	<p>The President wrote to the Hon Brad Hazzard MP, Minister for Planning and Infrastructure and Minister Assisting the Premier on Infrastructure NSW on 6 December 2012.</p>	<p>The Minister for Planning and Infrastructure and Minister Assisting the Premier on Infrastructure NSW responded on 7 March 2013 noting that the Department of Planning and Infrastructure “is working closely with Treasury, other NSW government agencies and Local Government to review the financial impacts associated with the proposed initiatives of the Green Paper.”</p>
<p><i>41 – Recouping costs for services – Holroyd</i> That the Local Government Association call on the NSW Government to amend the current legislation to allow Councils to issue Penalty Infringement Notices to persons or corporations who do not pay the inspection fees for services rendered.</p>	<p>The President wrote to the Hon Gillian Skinner MP, the Minister for Health and Minister for Medical Research, the Hon Don Page MP, Minister for Local Government and Minister for the North Coast and the Hon Katrina Hodgkinson MP, Minister for Primary Industries and Minister for Small Business on 6</p>	<p>The Minister for Local Government and Minister for the North Coast responded on 4 February 2013 noting that he has requested the Division of Local Government to refer the resolution to the Local Government Acts Taskforce for its consideration.</p>

	December 2012.	
<p><i>42 – Swimming pool inspection fees – North Sydney</i></p> <p>That the Local Government Association request the State Government to introduce a two tier system of charging fees for swimming pool inspections and to set fines at an appropriate level to cover the costs of compliance.</p>	<p>The President wrote to the Hon Don Page MP, Minister for Local Government and Minister for the North Coast on 6 December 2012.</p>	<p>The Minister for Local Government and Minister for the North Coast responded on 4 February 2013 noting that “In October 2012, the Government introduced changes to the <i>Swimming Pools Act 1992</i>. The implementation will be staged over the next eighteen months. As part of the changes, the <i>Swimming Pools Regulation 2008</i> will be updated to include revised fees for the inspection of swimming pools, with an appropriate level of fines for non-compliance. The Government has announced that councils will be provided with the option of recovering the cost of the inspections from pool owners through a capped maximum fee of \$150 for the first inspection and \$100 for any subsequent inspection.”</p>
<p><i>43 – Private certifiers - reporting requirements – Holroyd</i></p> <p>The NSW State Government to amend legislation to require Private Certifiers to report their own Complying Development and Construction Certificates End of Month and Annual Statistics to the Department of Planning and Infrastructure.</p>	<p>The President wrote to the Hon Brad Hazzard MP, Minister for Planning and Infrastructure and Minister Assisting the Premier on Infrastructure NSW on 6 December 2012.</p>	<p>The Minister for Planning and Infrastructure and Minister Assisting the Premier on Infrastructure NSW responded on 7 March 2013 noting that “Construction certificates and occupation certificates issued by private building certifiers are required to be forwarded to the authority which issued the development consent (usually a local council) as those certificates form part of the development consent. As councils are the repository for this documentation, it is appropriate that they are also responsible for the provision of statistics on these matters to the Department [of Planning and Infrastructure]”</p>
<p><i>44 – Accumulation of taxes and waste processing and disposal – Holroyd</i></p> <p>That the Local Government Association calls on the NSW Government and the Federal Government to consider the cumulative impact of the <i>POEO Act</i> Section 88 levy and the cost imposed by the Clean Energy Legislation on waste processing and disposal and cancel the planned increases in both these charges.</p>	<p>The President wrote to the Hon Greg Combet MP, Minister for Climate Change and Energy Efficiency and Minister for Industry and Innovation and the Hon Robyn Parker MP, Minister for the Environment and Minister for Heritage on 6 December 2012.</p>	<p>The Minister for the Environment and Minister for Heritage responded on 13 February 2013 noting that “the interface between the NSW waste levy and the Federal carbon tax was considered by KPMG during the independent review into the operation of the waste levy. The NSW Government will be announcing its responses to the KPMG recommendations shortly.”</p> <p>The Australian Minister for Climate Change and Energy Efficiency and Minister for Industry and Innovation responded on 9 March 2013 noting that “in relation to the request to not proceed with planned carbon price and waste levy increases, during the fixed price period the carbon price is legislated to increase from \$23.00 in 2012-2013 to \$24.15 in 2013-2014 and \$25.40 in 2015-2015 before transitioning to a market determined price from 2015-2016. The legislated prices in the fixed price period provide stability and predictability and gives businesses time to get used to the new system, to understand their obligations and to start</p>

		<p>reducing emissions. It is also important in initiating an orderly economic transformation to a cleaner energy economy and investment in low emission technologies. Any changes to the level of the carbon price in the fixed price period would undermine these objectives. The NSW Government landfill levy is not related in any way to the carbon price and the Government has no role in the setting of this levy.</p> <p>The Government expects the impact of the carbon price on local councils to be modest. Out of over 550 councils in Australia the Clean Energy regulator has estimated that 33 councils operate landfill sites that currently reach or exceed the carbon price mechanism threshold of 25,000 tonnes or more of carbon dioxide equivalent (CO₂-e) of greenhouse gas emissions per year. Of these 33 councils, 13 are in NSW. It is important to note that liability under the carbon pricing mechanism is determined by reference to a liable entity's actual emissions, and this may change."</p>
<p><i>45 – Carbon Pricing Mechanism (CPM) – Clarence Valley</i></p> <p>That the Local Government Association lobby the Federal Government to amend the CPM legislation to create a liability commencement date for solid waste landfills that is based on the year the landfill exceeds the 25,000 t CO₂-e emission threshold and not back dated to the 1st July 2012.</p>	<p>The President wrote to the Hon Greg Combet MP, Minister for Climate Change and Energy Efficiency and Minister for Industry and Innovation on 6 December 2012.</p>	<p>The Australian Minister for Climate Change and Energy Efficiency and Minister for Industry and Innovation responded on 9 March 2013 noting that the LGA had "conveyed a request that the <i>Clean Energy Act 2011</i> be amended to exempt emissions from waste deposited in a landfill before the facility first reaches the liability threshold on 25,000 tonnes of CO₂-e a year or more. This contrasts with the current treatment of landfills which provided an exemption from liability for any emissions from waste deposited before 1 July 2012 (known as 'legacy emissions').</p> <p>The policy rationale for exempting legacy emissions is that landfill operators are likely to be constrained in their ability to recover the cost of emissions from waste deposited in the past. This is because landfill operators could not have passed-through costs to cover liabilities for these emissions in the absence of the Clean Energy legislation.</p> <p>The same rationale does not apply to emissions from waste deposited after July 1 2012 but before a landfill facility first becomes liable. If a landfill operator is not currently liable but believes they will be at some point in the future, it can start to recover carbon price costs from its customers now, or invest in emissions reduction technologies to minimise its future carbon price liability.</p> <p>Local councils and landfill operators have opportunities to reduce their landfill</p>

		emissions through the Carbon Farming Initiative (CFI). The CFI also provides an opportunity for landfill facilities to generate credits by reducing legacy waste emissions beyond regulatory requirement. CFI credits can be sold to companies with a carbon price liability or used by a landfill facility to offset its own carbon price obligations. Councils and landfill operators can participate in the CFI whether or not the landfill will be liable under the carbon pricing mechanism. Further information on the CFI is available at : www.climatechange.gov.au/cfi .”
<i>46 – Strategic waste management and resource recovery – Marrickville</i> That the Local Government Association lobby the Government to amend the <i>Local Government Act</i> and the definition of Domestic Waste to include Street Litter Bins and Park Litter Bins.	The President wrote to the Hon Don Page MP, Minister for Local Government and Minister for the North Coast on 6 December 2012.	The Minister for Local Government and Minister for the North Coast responded on 4 February 2013 noting that he has requested the Division of Local Government to refer the resolution to the Local Government Acts Taskforce for its consideration.
<i>47 – Independent Local Government Review -greater opportunities and time – Rockdale</i> That the Local Government Association lobby the NSW Government and the NSW Independent Local Government Review Panel seeking for NSW Councils a wider range of meaningful opportunities for input into the current review of Local Government and for the timeframe for consultation be extended to take into account the relative newness of many Councillors post the September 2012 election.	The President wrote to the Hon Don Page MP, Minister for Local Government and Minister for the North Coast on 6 December 2012.	The Minister for Local Government and Minister for the North Coast responded on 4 February 2013 noting that the “work of the Independent Local Government Review Panel is well progressed. The Panel has been tasked with developing options for improving the strength and effectiveness of local government, including in relation to governance models, structural arrangements and boundary changes. The Panel has consulted widely with the local government sector and other key stakeholders to date, with the release of its first and second consultation papers, ‘Strengthening Your Community’ and ‘The Case for Change’ and the completion of the Listening Tour involving councils and their communities. The Panel will continue to consult councils and other stakeholders, including via the release of its third consultation paper, ‘Future Directions’. Full details of past and future consultation, as well as ways in which to engage in the consultation process, are available on the Panel’s website http://www.localgovernmentreview.nsw.gov.au/ The Panel will report to me in July 2013 and I encourage all councillors to participate in the ongoing consultation process.”
<i>48 – Regional Organisations of Councils (ROCs) – Warringah</i>	No further action required.	

Withdrawn		
<p><i>49 – Full time councillors – Wollongong</i> That the Local Government Association call on the State Government to introduce a fee structure that allows councils to remunerate councillors at a level that reflects the complexities of their role and the capacity of the individual councils.</p>	<p>The President wrote to the Hon Don Page MP, Minister for Local Government and Minister for the North Coast on 6 December 2012.</p>	<p>The Minister for Local Government and Minister for the North Coast responded on 4 February 2013 noting that the Independent Review Panel “has identified a range of alternative governance models for possible consideration in its recent consultation paper, <i>Better, Stronger Local Government - The Case for Sustainable Change</i>. Options identified include:</p> <ul style="list-style-type: none"> - ‘Status quo’ but with ‘stronger’ Mayor (part time but role more clearly defined, enhanced leadership authority) - ‘Full-time Mayor’: full-time, directly elected Mayor with substantially increased authority; small number of councillors (range 7-12 depending on population); decision-making remains collective - ‘Mayor and Cabinet’: full-time directly elected Mayor; larger number of councillors (up to 25); small ‘cabinet’ of committee chairs (some or all of whom may also be full-time); other councillors remain part-time in representational and scrutiny role. <p>The Association may wish to make a submission directly to the Panel on this issue so that it may consider the Association’s views in framing its final position in relation to possible governance models for councils”</p>
<p><i>50 – Mayoral/Deputy Mayoral term – Gosford</i> That the Local Government Association lobby the State Government for the relevant legislation to be amended to allow for an increase from a one-year to a two-year Mayoral/Deputy Mayoral term where the Mayor/Deputy Mayor is elected by the Councillors.</p>	<p>The President wrote to the Hon Don Page MP, Minister for Local Government and Minister for the North Coast on 6 December 2012.</p>	<p>The Minister for Local Government and Minister for the North Coast responded on 4 February 2013 noting that he has requested the Division of Local Government to refer the resolution to the Local Government Acts Taskforce for its consideration. The Minister also suggests that the Associations “may also wish to raise this issue with the Independent Panel, as it develops governance options to create stronger local government.”</p>
<p><i>51 – Councillor fees tied to attendance at council meetings – Holroyd</i> That the Local Government Association lobby the State Government to address deliberate sustained councillor non-attendance as part of the development of a</p>	<p>The President wrote to the Hon Don Page MP, Minister for Local Government and Minister for the North Coast on 6 December 2012.</p>	<p>The Minister for Local Government and Minister for the North Coast responded on 4 February 2013 noting that he has requested the Division of Local Government to refer the resolution to the Local Government Acts Taskforce for its consideration.</p>

new <i>Local Government Act</i> .		
52 – <i>Councillor pecuniary interest – Leichhardt</i> Lost	No further action required	
53 – <i>Establishment of a uniform model Code of Conduct for NSW – Blacktown</i> That the Local Government Association call upon all NSW State Parliamentarians and public servants to be subjected to a Code of Conduct at the same level as imposed on Local Government Councillors, Staff and Delegates.	The President wrote to the Hon Barry O’Farrell MP, Premier and Minister for Western Sydney on 6 December 2012.	The Minister for Local Government responded on behalf of the Premier on 27 February 2013 noting that the resolution has been forwarded to the relevant agencies for consideration and appropriate action.
54 – <i>Pre-poll for Local Government elections – Kiama</i> That the Local Government Association call on the State Government to change legislation to allow Councils to reduce the two week pre-poll for Local Government election to a maximum of one week prior to polling day.	The President wrote to the Hon Don Page MP, Minister for Local Government and Minister for the North Coast on 6 December 2012.	The Minister for Local Government and Minister for the North Coast responded on 4 February 2013 noting that he has requested the Division of Local Government to refer the resolution to the Local Government Acts Taskforce for its consideration.
55 – <i>Advertising requirements for Local Government – Lane Cove</i> That the Local Government Association make representations to the State Government to amend the advertising requirements to allow Councils the option of using electronic means and newspapers where an advertisement is required in any Act or Regulation.	The President wrote to the Hon Don Page MP, Minister for Local Government and Minister for the North Coast on 6 December 2012.	The Minister for Local Government and Minister for the North Coast responded on 4 February 2013 noting that “the Government agrees that advertising requirements prescribed under the <i>Local Government Act 1993</i> need to be updated to reflect technological change since these requirements were enacted.” The Minister has also requested the Division of Local Government to refer the resolution to the Local Government Acts Taskforce for its consideration.
56 – <i>Use of alternative media for statutory advertising – Hornsby</i> That the Local Government Association make representations to the State	No further action required	See response to Resolution 55

<p>Government for the <i>Local Government Act</i>, Local Government (General) Regulation and other Acts and Regulations relevant to Local Government to be amended to allow councils to use media other than newspapers (e.g. internet and online service providers) for statutory advertising and the provision of public information.</p> <p>Executive Note: Covered by Resolution 55</p>		
<p><i>57 – Legislative amendments regarding providing public notices – Wagga Wagga</i> That the Local Government Association make appropriate representations to the NSW Government to have a Consent Authority’s Official Website as a recognised and satisfactory public notification method within:</p> <ul style="list-style-type: none"> · Local Government (General) Regulation 2005 – Reg 163,164,166,167,168 (Tenders and Notices) · Local Government (General) Regulation 2005 – Reg 77, 78 (Local Approval Policies) · Local Government (General) Regulation 2005 – Reg 232 (Notice of Meetings) · Environmental Planning and Assessment Regulation 2000 - Clause 124 (Requirements for Public Notification) <p>Executive Note: Covered by Resolution 55</p>	<p>No further action required</p>	<p>See Resolution 55</p>
<p><i>58 – Amendment to Privacy and Personal</i></p>		

<p><i>protection Act 1998 – Shoalhaven</i> That the issue be referred to the Executive for further investigation.</p>		
<p><i>59 – Amendment of Privacy and Personal protection Act 1998 to allow CCTV in public areas – Shoalhaven</i> That the issue be referred to the Executive.</p>		<p>A previous approach in similar terms was previously made by Council. As a result of that approach, LGNSW took this up with the Privacy Commission, received an interim response and has been awaiting a final response. The Legal Officer has given this advice directly to the Shoalhaven GM.</p>
<p><i>60 – Court imposed easements over council owned, community classified land – Canterbury</i> That the Local Government Association make strong representations to the NSW Minister for Finance and Services requesting that Section 88K of the <i>Conveyancing Act 1919</i> be amended so that if an easement is sought over Council owned, community classified land, the Court need satisfy itself (having greater regard to the adverse effect on the general public’s right of access to and use of such community classified land) that it is in the public interest to impose the easement over the Council land.</p>	<p>The President wrote to the Hon Greg Pearce MLC, Minister for Finance and Services and Minister for the Illawarra on 6 December 2012.</p>	<p>The Parliamentary Secretary for Treasury and Finance responded on behalf of the Minister for Finance and Services and Minister for the Illawarra on 19 March 2013. The Parliamentary Secretary noted that “section 88K of the <i>Conveyancing Act 1919</i> is an enabling section that allows the Supreme Court to exercise its discretion to impose an easement in circumstances where the owner of burdened land is unable or unwilling to do so. I note your suggestion that the section be amended, so that if an easement is sought to be imposed over community land, the Court must satisfy itself that it is in the public interest to do so, considering the general public’s access and use of the land. Public interest is the key consideration in any section 88K application. Recent Supreme Court decisions have held that the public interest test is focused on the use of benefited land, rather than the land to be burdened. The Court considers the effect of the easement on burdened land before it exercises its discretion to impose an easement on community land. In light of your concerns, I have been advised that officers from the Department of Finance and Services will review relevant cases and consider whether an amendment to the section is justified.”</p>
<p><i>61 – Prescribed fines for illegal and unauthorised building works – Canterbury</i> That the Local Government Association makes strong representations to the NSW Government to review its hierarchy of prescribed fines regarding illegal and unauthorised building works. The current prescribed fine structure is grossly</p>	<p>The President wrote to the Hon Brad Hazzard MP, Minister for Planning and Infrastructure and Minister Assisting the Premier on Infrastructure NSW on 6 December 2012.</p>	<p>The Minister for Planning and Infrastructure and Minister Assisting the Premier on Infrastructure NSW responded on 7 March 2013 noting that the “NSW Building Professionals Board has recently reviewed the application of its disciplinary powers under the <i>Building Professionals Act 2005</i>, to ensure consistency in the application of penalties for findings of “unsatisfactory professional conduct” or “professional misconduct” under the Act.”</p>

<p>inadequate to serve as a deterrent to people knowingly engaging in unauthorised building works.</p>		
<p><i>62 – Increase penalties for illegal building work – Holroyd</i> That the Local Government Association of NSW call on the New South Wales State Government to introduce a revised penalty structure for all types of illegal building work.</p>	<p>The President wrote to the Hon Brad Hazzard MP, Minister for Planning and Infrastructure and Minister Assisting the Premier on Infrastructure NSW on 6 December 2012.</p>	<p>The Minister for Planning and Infrastructure and Minister Assisting the Premier on Infrastructure NSW responded on 7 March 2013 noting that the “NSW Building Professionals Board has recently reviewed the application of its disciplinary powers under the <i>Building Professionals Act 2005</i>. To ensure consistency in the application of penalties for findings of “unsatisfactory professional conduct” or “professional misconduct” under the Act.”</p>
<p><i>63 – Heritage – Strathfield Lost</i></p>	<p>No further action required</p>	
<p><i>64 – Sustainable population policy – Ashfield</i> That the Local Government Association calls upon the State Government to develop a sustainable population policy that is supported by:</p> <ul style="list-style-type: none"> • Investment in key physical and social infrastructure needs identified as part of thorough analysis for regions that are likely to experience high population growth; • Increasing use of renewable energy and reviewing the Building Code of Australia to achieve "greener" buildings; • Protecting valuable agricultural land; and • Long term funding for the establishment of satellite cities and continued regional development to reduce development pressures within existing urban areas. 	<p>The President wrote to the Hon Barry O’Farrell MP, Premier and Minister for Western Sydney and the Hon Brad Hazzard MP, Minister for Planning and Infrastructure and Minister Assisting the Premier on Infrastructure NSW on 6 December 2012.</p>	<p>The Minister for Local Government responded on behalf of the Premier on 27 February 2013 noting that the resolution has been forwarded to the relevant agencies for consideration and appropriate action.</p> <p>The Minister for Planning and Infrastructure and Minister Assisting the Premier on Infrastructure NSW responded on 7 March 2013 noting that the Department “is currently in the early stages of preparing 41 Growth Infrastructure Plans (GIP) which will be aligned to the State Infrastructure Plan and the future sub-regional delivery plans.</p> <p>In relation to new residential buildings, the Department is presently in the process of reviewing the stringency of the BASIX Building Sustainability Index. The review will include a cost benefit analysis on the effectiveness of improving new home construction to achieve more efficient use of energy and water resources and promote an increase in the use of renewable energy. Local Government will be consulted during this review process.</p> <p>Strategic Regional Land Use Plans were released on 11 September 2012 for the Upper Hunter and the New England North West regions. The Department is currently investigating Biophysical SAL mapping and in the process of preparing Regional Strategies in order to protect our valuable agricultural land.</p> <p>The Department is strongly focused on the delivery of new homes and new jobs in regional centres by enabling the capacity of areas for increased growth.”</p>
<p><i>65 – NSW Waste Levy – Blue Mountains</i></p>	<p>The President wrote to the</p>	<p>The Minister for the Environment and Minister for Heritage responded on 13</p>

<p>That the Local Government Association lobby the NSW Government to remove the NSW Waste Levy from Councils who can demonstrate a track record in sustainable waste management practices that have delivered results to their community.</p>	<p>Hon Robyn Parker MP, Minister for the Environment and Minister for Heritage on 6 December 2012.</p>	<p>February 2013 noting that “Exempting Local Government Areas from payment of the levy would lead to market distortions and penalise recycling operations whose viability is supported by the application of the levy. The NSW Government commissioned KPMG to undertake an independent review into the operation of the waste levy. The review included a substantial public consultation phase. The NSW Government is currently considering the recommendations of the KPMG report which includes funding priorities from the levy revenue.”</p>
<p><i>66 – Illegal dumping fines for corporations – Wollondilly</i> That the Local Government Association write to the Minister of Environment and Heritage requesting that the maximum penalty under the <i>Protection of the Environment Operations Act</i> that Councils staff can issue for illegal dumping by corporations be increased to \$10,000 and that the penalty for individuals be increased to \$5,000. This is to act as an increased deterrent to companies and businesses who dump waste illegally. That this motion be forwarded to the Local Government Conference.</p>	<p>The President wrote to the Hon Robyn Parker MP, Minister for the Environment and Minister for Heritage on 6 December 2012.</p>	<p>The Minister for the Environment and Minister for Heritage responded on 13 February 2013 noting that “Goal 22 of <i>NSW 2021</i> contains a target to reduce the incidence of large scale illegal dumping. Penalty Infringement Notices (PINs) are just one of a suite of tools that the EPA and councils may employ to combat illegal dumping. Significant penalties are available through the courts for serious or repeat offenders, including \$1,000,000 in the case of a corporation and \$250,000 in the case of an individual. One of the key terms of reference of the levy review was an assessment of the potential approaches for helping combat illegal dumping, particularly of asbestos waste. The NSW Government is currently considering the recommendations of the KPMG report which includes funding priorities from the levy revenue.”</p>
<p><i>67 – The New Planning System for NSW - Green Paper – Lake Macquarie</i> That the Local Government Association calls on the NSW Government to work with Local Government immediately to ensure: 1. Councils’ decision-making responsibilities are not diminished in the drafting of the White Paper and Exposure Bill for the new planning system. Particular concern is raised with the following proposals in the Green</p>	<p>The President wrote to the Hon Brad Hazzard MP, Minister for Planning and Infrastructure and Minister Assisting the Premier on Infrastructure NSW on 6 December 2012.</p>	<p>The Minister for Planning and Infrastructure and Minister Assisting the Premier on Infrastructure NSW responded on 7 March 2013 noting that “a key focus of the new planning system will be to strengthen the relationship between State and Local Governments. The implementation of the new planning system will be done in partnership with Local Government. Codes development is a critical tool in reducing assessment times and reducing costs to our communities. This will be further investigated through the White Paper. Under the new Planning System, Joint Regional Planning Panels will continue to have a significant role and be actively represented by local Members.</p>

<p>Paper:</p> <p>2.</p> <p>a) Deemed approval provisions for merit-assessed development that has not been determined in 21 days.</p> <p>b) Encouraging reliance on unelected Expert Panels in lieu of Council decisions on development proposals.</p> <p>c) Reducing Council and community involvement in decision-making, particularly at the local level.</p> <p>3. Councils have adequate capacity to levy development contributions to provide the necessary facilities and services to ensure the social sustainability of future communities. Particular concern is raised with the option under strong consideration for development contributions within the Green Paper.</p>		<p>A fundamental review of the development contributions framework is being undertaken as part of the new Planning System.”</p>
<p><i>68 – Green Paper: A New Planning System for NSW – Marrickville</i></p> <p>1. That the State Government ensures that the new Act genuinely achieves the stated objectives of the Green Paper and does not include mechanisms that enable the development industry to avoid proper planning assessment by councils via rezonings in sub regional plans.</p> <p>2. That the new Act provides that individual Council’s determine the membership and terms of reference of any IHAP established to evaluate development applications in-lieu</p>	<p>The President wrote to the Hon Brad Hazzard MP, Minister for Planning and Infrastructure and Minister Assisting the Premier on Infrastructure NSW on 6 December 2012.</p>	<p>The Minister for Planning and Infrastructure and Minister Assisting the Premier on Infrastructure NSW responded on 7 March 2013 noting that the “White Paper and Exposure Bill once released for comment will further detail the objectives and direction leading on from the Green paper. The direction set up through the Green Paper is maintained in the White Paper and the Exposure Bill. The development of the new Planning System will consider matters in relation to IHAPs. A Community Participation Charter is being considered as part of the preparation of the White Paper to ensure the community is actively involved in the planning process. The White Paper will consider the expansion of the certification of development and sensitive areas such as heritage conservation areas and areas of ecological significance.</p>

<p>of elected Councillors.</p> <p>3. That the new Act does not diminish the level of community consultation that occurs as part of land use planning.</p> <p>4. That the new Act does not facilitate the expansion of certification of development to merit based matters or in sensitive areas such as heritage conservation areas and areas of ecological significance.</p> <p>5. That areas of state significance i.e. SEPP14 and SEPP26 be retained as a matter of importance in the new Act</p>		<p>The new Planning System intends to replace all SEPPs with Policy Statements to effectively and clearly articulate policy intent to our communities. Matters in relation to SEPP 14 and SEPP 26 will be considered in the context.”</p>
<p><i>69 – Complying development regime - defer expansion – Rockdale</i></p> <p>That the Local Government Association oppose any further expansion of the complying development regime until such time as the independent review of building regulation proposed in the Green Paper has been completed, and the recommendations of that review have been made public and Councils have the opportunity to respond and have their concerns considered.</p>	<p>The President wrote to the Hon Brad Hazzard MP, Minister for Planning and Infrastructure and Minister Assisting the Premier on Infrastructure NSW on 6 December 2012.</p>	<p>The Minister for Planning and Infrastructure and Minister Assisting the Premier on Infrastructure NSW responded on 7 March 2013 noting that “amendments to the Codes SEPP were widely exhibited at the end of 2012. A total of 204 submissions were received from a wide range of stakeholders including the LGSA, residents and councils. The Department will carefully consider these submissions when drafting revisions to the Codes SEPP.</p> <p>The White Paper will incorporate extensive consultation in a similar way to the Green Paper. The Department welcomes LGSA and community input to refine this significant planning reform when it is released for exhibition.”</p>
<p><i>70 – Revocation of all expired mineral/petroleum exploration licences – Shoalhaven</i></p> <p>That the Local Government Association calls on the NSW State Government to revoke all expired mineral/petroleum exploration licences and should the licences be reapplied for this be done in an appropriate way that includes consultation with the Local Government authority and the public</p>	<p>The President wrote to the Hon Chris Hartcher MP, Minister for Resources and Energy, Special Minister of State and Minister for the Central Coast on 6 December 2012.</p>	<p>The Minister for Resources and Energy, Special Minister of State and Minister for the Central Coast responded on 3 June 2013 noting that “in accordance with section 131 of the <i>Mining Act 1992</i> (MA) and section 20 of the <i>Petroleum (Onshore) Act 1991</i> (POA) an exploration licence remains in force until any renewal application is determined.</p> <p>Cancellation of a title or failure to renew a title cannot be on grounds other than those specified in the MA or the POA. The grounds for a Minister to not renew an exploration licence are stringent and require that there be substantial non-compliance or breaches of licence conditions. Renewal applications are considered on their merits in line with current policies and guidelines.</p>

<p>in which the proposal is being considered.</p>		<p>When a new application for an exploration licence is submitted, an invitation for public comment is made in an advertisement circulating in the local area. This is not the case for renewals, as a public comment process has previously taken place.</p> <p>Local councils can register with the Department to receive alerts about original exploration licence applications, renewals, or changes. More than 30 Councils are currently registered.”</p>
<p><i>71 – Approval by Councils of coal seam gas applications – Wollondilly</i></p> <p>That the Local Government Association write to the relevant Ministers seeking to change legislation to ensure that any new coal seam gas exploration and mining applications must be approved by means of a council development application. Furthermore this motion be included at the next Local Government Conference.</p>	<p>The President wrote to the Hon Brad Hazzard MP, Minister for Planning and Infrastructure and Minister Assisting the Premier on Infrastructure NSW and the Hon Chris Hartcher MP, Minister for Resources and Energy, Special Minister of State and Minister for the Central Coast on 6 December 2012.</p>	<p>The Minister for Planning and Infrastructure and Minister Assisting the Premier on Infrastructure NSW responded on 7 March 2013 noting that the NSW Government “has strengthened coal seam gas regulation in NSW through its Strategic Regional Land Use Policy, which was announced in September 2012. A key element of the policy has been the finalisation and release of the Upper Hunter and New England North West Regional Land Use Plans. These plans identify and map Strategic Agricultural Land (SAL, including biophysical SAL and Critical Industry Clusters (CICs).</p> <p>A new Gateway process is being introduced to provide an independent, scientific and upfront assessment of how a mining or coal seam gas proposal will impact the agricultural values of the land on which it is proposed to be located. It will consider proposals at a very early stage, before a development application can be lodged. The Gateway assessment will be undertaken by an independent panel of experts in fields such as agricultural science, water and mining.</p> <p>On the 19 February 2013, the NSW Government announced several significant initiatives around the regulation of coal seam gas activities in addition to the measures already announced as part of the Strategic Regional Land Use Policy. These new initiatives include the banning of all new coal seam gas exploration and production activity in or within 2 kilometres of existing and future residential areas. Coal seam gas activity will also be banned within the areas identified as the Upper Hunter equine and viticulture critical industry clusters. The ban will be implemented via an amendment to the Mining State Environmental Planning Policy. This amendment is currently being drafted and will be publicly exhibited for comment shortly.”</p> <p>The Minister for Resources and Energy, Special Minister of State and Minister for the Central Coast responded on 3 June 2013 noting that “under State</p>

		<p>environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) the NSW Government requires that development consent is obtained from the Minister for Planning and Infrastructure before any exploration of more than five wells or any petroleum production activity can take place. Many activities related to coal seam gas exploration and production are considered state significant development, which imposes the requirement for development consent to be obtained before the activities can proceed. Development consent is obtained under the <i>Environmental Planning and Assessment Act 1979</i> from the Minister for Planning and Infrastructure and may be subject to consideration by the Planning Assessment Committee.</p> <p>Even where development consent may not be required, many petroleum exploration licences cover large areas which cross local government boundaries. If local councils were the approving authority, it could increase red tape for applicants, as the titleholder could be subject to differing requirements for one exploration licence area. Further, the NSW Department of Trade and Investment has the expertise to undertake assessment of exploration proposals that do not require development consent.</p> <p>As part of the development consent process, proponents are required to prepare and submit a comprehensive environmental assessment that addresses all potential impacts of their proposal, including potential impacts on water resources and the community. This planning process also allows for thorough community and agency consultation.</p> <p>As well, the NSW Government has introduced stringent controls to address community concerns about the environmental impacts of coal seam gas activities. The Strategic regional Land Use Policy imposes compliance with a range of recently developed requirements for proponents to assess the impacts of exploration and mining on agriculture. Where the land is considered strategic agricultural land, the proposal must pass a further assessment known as a 'gateway process' before it can be submitted for development consent. If it does not pass the gateway process, it may not be permitted to progress.</p> <p>The coal seam gas industry in NSW is now subject to the toughest controls in Australia."</p>
72 – Asbestos removal – Kiama	The President wrote to the	The Parliamentary Secretary for Treasury and Finance responded on behalf of the

<p>That the Local Government Association seek the support of Councils in establish a list of buildings with asbestos roofing and that the State Government be requested to provide funding to establish the list to assist in replacing these roofs and safely disposing of the asbestos.</p>	<p>Hon Greg Pearce MLC, Minister for Finance and Services and Minister for Illawarra on 6 December 2012.</p>	<p>Minister for Finance and Services and Minister for the Illawarra on 19 March 2013. The Parliamentary Secretary noted that “the Federal Government’s Asbestos Management Review Report, released August 2012, contains 12 recommendations, including the establishment of a national asbestos agency and the development of a national strategic plan. It is expected that a national strategic plan will be agreed upon by June 2013.</p> <p>The plan is being developed by a cross-government reference group comprising representatives from each state and territory, and the Australian Local Government Association. The group has been convened to assist with reviewing the recommendations and their practical implementation.</p> <p>The Review recommends the national strategic plan provide for the staged removal of all asbestos-containing materials from all government and commercial structures by 2030.</p> <p>The Review also recommends that an Asbestos Content Report (ACR) be undertaken by a competent assessor to determine and disclose the existence of asbestos-containing materials in residential properties constructed prior to 1987. The ACR will support a property labelling system that will alert workers, potential purchasers and tenants to the presence of asbestos at the point of sale, lease or prior to renovation.</p> <p>The residential measures were recommended to be administered by the relevant Local Government Area (LGA) or equivalent jurisdiction with each LGA being responsible for maintaining a database for their area.</p> <p>I am advised the NSW Government is committed to improving the management, monitoring and response to asbestos issues in New South Wales. It will consider its position once the national strategic plan and supporting cost-benefit analysis are available for public comment.</p> <p>The Heads of Asbestos Coordination Authorities (HACA) was established in 2011 and tasked with developing coordinated prevention programs for the NSW community. The Model Asbestos Policy for NSW LGAs was launched on 26 November 2012 during Asbestos Awareness Week. It will assist LGAs to develop their own policies or to review existing asbestos policies or to review existing asbestos policies to ensure they are current and consistent with new work health and safety legislation.</p>
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		I am advised that the Local Government and Shires Association of NSW, together with the HACA Working Group, will assist LGAs and their staff to adopt and implement the model policy over the course of 2013.”
<p><i>73 – Asbestos demolition approvals and certification not identified in Green Paper – Holroyd</i></p> <p>That the Local Government Association call on the New South Wales State Government to provide for a separate form of approval and certification for demolition (which commonly involves asbestos materials) in the new Planning Act to be the responsibility of local Councils.</p>	<p>The President wrote to the Hon Brad Hazzard MP, Minister for Planning and Infrastructure and Minister Assisting the Premier on Infrastructure NSW on 6 December 2012.</p>	<p>The Minister for Planning and Infrastructure and Minister Assisting the Premier on Infrastructure NSW responded on 7 March 2013 noting that the “next stage of the development of the new planning system, the release of a White Paper and Exposure Bill for public comment, is focused on detailing the framework for a new planning system for NSW.</p> <p>Individual development considerations such as asbestos handling and removal are considerations for specific policy development which occurs once the planning framework is in place.”</p>
<p><i>74 – Disclosure of energy and sustainability performance on sales of residential properties – Armidale Dumaresq</i></p> <p>Lost</p>	No further action required	
<p><i>75 – Affordable housing – Marrickville</i></p> <p>Lost</p>	No further action required	
<p><i>76 – Assisting Local Government to adapt to a changing climate – Lake Macquarie</i></p> <p>That the Local Government Association calls on the NSW Government to:</p> <ul style="list-style-type: none"> • work with the Federal Government to immediately develop a coordinated policy, research and information to assist Local Governments to adapt to climate change; • develop policy and planning guidelines (including sea level rise and ocean flooding planning levels) to assist Local Governments to make land-use decisions in response to the climate change; and • establish a Local Climate Adaptation Fund 	<p>The President wrote to the Hon Robyn Parker MP, Minister for the Environment and Minister for Heritage on 6 December 2012.</p>	<p>The Minister for the Environment and Minister for Heritage responded on 13 February 2013 noting that “NSW 2012 sets the NSW Government target to minimise the impacts of climate change in local communities. The NSW Government is:</p> <ul style="list-style-type: none"> - Delivering fine scale climate change projections and impact information for NSW and making it available to local councils and the public by 2014 through a web interface that will synthesise, interpret and present the data. - Undertaking regional projects to understand vulnerability due to climate change and collaborate with councils to develop strategies to build resilience to extreme events and hazards and understand how to minimise the impacts of climate variability. -Building the adaptive capacity of Local Government, by providing guidance for climate change risk assessment, climate data information workshops and communication initiatives, for example the Witness King Tides project.

<p>to enable Local Governments to fund its obligations in response to climate change impacts (including growing infrastructure maintenance costs).</p>		<p>- Developing urban green cover guidelines for urban designers and managers to minimise heat impacts. The NSW Government announced Stage 1 of its coastal reform package on 8 September 2012. Work on coastal reforms is ongoing, including consideration of policy and planning guidelines concerning sea level rise and ocean flooding planning levels. The NSW Government is also working with the Federal Government via the Select Council on Climate Change to support an effective response to climate change policy issues. In November 2012, the Select Council adopted a Work Program for Management of the Coastal Zone) see: http://www.climatechange.gov.au/government/initiatives/sccc/meetings/20121116/workprogram.aspx</p>
<p><i>77 – Improving management of biodiversity offsets – Lake Macquarie</i> That the Local Government Association calls on the NSW Government to support Local Government’s application of biodiversity offsets as a tool for land use planning and development assessment to compensate for loss of biodiversity values resulting from development projects, by: 1. Establishing a practical framework for offsets, recognised in legislation such as the <i>Environmental Planning and Assessment Act 1979</i> or its replacement, and 2. Determining appropriate biodiversity offset principles and ratios in consultation with Local Government, and 3. Enabling Local Government authorities to apply a levy for areas with multiple owners and small development projects to secure biodiversity offsets, and</p>	<p>The President wrote to the Hon Brad Hazzard MP, Minister for Planning and Infrastructure and Minister Assisting the Premier on Infrastructure NSW and the Hon Robyn Parker MP, Minister for the Environment and Minister for Heritage on 6 December 2012.</p>	<p>The Minister for the Environment and Minister for Heritage responded on 13 February 2013 noting the following points: “Points 1 and 2: The NSW Government has a clear <i>NSW 2012</i> commitment to develop a common set of offsetting principles and align offsetting practices. The LGSA will be consulted during 2013 on these principles and the practice of offsetting. Point 3: Biodiversity levies are currently being considered in the context of the development of an offsets policy. Point 4: The Office of Environment and Heritage (OEH) supports Local Government’s desire to become offset providers and will pursue suitable mechanisms to facilitate this through the development of an offsets policy. At present, councils can use the <i>Threatened Species Conservation Act</i> biobanking agreements over council-owned land as a means of providing offsets. Biobanking agreements are designed specifically for the purpose of providing a secure, funded management framework over offset lands. Biobanking agreements can be used regardless of whether or not a biobanking statement is obtained and the full biobanking regime utilised.” The Minister for Planning and Infrastructure and Minister Assisting the Premier on Infrastructure NSW responded on 7 March 2013 noting that “NSW 2021 commits the Government to “Develop a common set of offsetting principles and</p>

<p>4. Ensuring appropriate mechanisms are in place to enable Local Government authorities to become providers of biodiversity offsets.</p>		<p>align offsetting practices.” The Department is represented on an inter-agency Working Group as chaired by Department of Premier and Cabinet which is informing the policy development of a common assessment methodology. Once finalised, the policy will provide greater flexibility and include reasonable limits to the quantity of offsets required for any one project.”</p>
<p><i>78 – Ban or impose a levy on free single-use plastic shopping bags – Lane Cove</i> Withdrawn</p>	<p>No further action required</p>	
<p><i>79 – Plasback recycling initiative – Shoalhaven</i> That the Local Government Association support the Plasback recycling initiative that removes silage wrap and the associated bailing twine from land fill and reuses it for other useful products and further that the Association make representation seeking the Plasback initiative being recognised as a program that can be funded under waste and sustainability improvement payments to Local Government (WASIP).</p>	<p>The President wrote to the Hon Robyn Parker MP, Minister for the Environment and Minister for Heritage on 6 December 2012.</p>	<p>The Minister for the Environment and Minister for Heritage responded on 13 February 2013 noting that the waste levy review “included a review of the delivery effectiveness of the Waste and Sustainability Improvement Program (WaSIP), and future funding priorities for waste and resource recovery initiatives, programs and infrastructure. The NSW Government is currently considering the KPMG recommendations from the levy review in relation to the funding of resource recovery initiatives.”</p>
<p><i>80 – Fly-in fly-out in Local Government Area – Lithgow</i> Lost</p>	<p>No further action required</p>	
<p><i>81 – Strategic location of State Government agencies – Liverpool</i> That the issue be referred to the executive.</p>		
<p><i>82 – Regional Development Australia (RDA) - Western Sydney Regional Plan – Fairfield</i> Lost</p>	<p>No further action required</p>	
<p><i>83 – Bays Precinct – Leichhardt</i> Lost</p>	<p>No further action required</p>	
<p><i>84 – Rocks Reading Room – Leichhardt</i></p>	<p>No further action required</p>	

Lost		
<p><i>85 – Hunting of feral animals on public land – Willoughby</i></p> <p>That the issue be referred to the Executive and cover subsequent motions 86 and 87.</p>		
<p><i>86 – Amateur shooters in National Parks – Shoalhaven</i></p> <p>In the interest of public safety and animal welfare the Local Government Association present a written submission to the NSW Government.</p> <p>a) expressing the concern of members in respect to recent decision to allow amateur shooters into National Parks;</p> <p>b) urging the NSW government to increase funding to effectively control feral animals in NSW National Parks, Reserves and State Conservation Areas, using feral animal control methods that are scientifically rigorous, strictly monitored, which are undertaken as humanely as possible; and</p> <p>c) requesting that public risk assessments be undertaken of the current proposals as a matter of priority before the commencement of any activities involving amateur members of the public shooting in National Parks.</p> <p>Executive note: Covered by Resolution 85</p>	No further action required	See response to Resolution 85
<p><i>87 – Shooting in National Parks – Leichhardt</i></p> <p>That the Local Government Association:</p> <ul style="list-style-type: none"> · Note that the NSW Government is to allow 	No further action required	See response to Resolution 85

<p>shooting in National Parks and other conservation reserves.</p> <ul style="list-style-type: none"> · Note that it is irresponsible for any government to be proposing an activity which will be endanger members of the public and others who use conservation reserves for recreational purposes, including local school groups and local residents. · Oppose this dangerous proposal by the NSW government. · Write to the Premier of NSW and the Environment Minister in opposition to the proposal to allow private shooting in national parks and conservation reserves, a move which will endanger visitors and dissuade them from using these public lands. <p>Executive note: Covered by Resolution 85</p>		
<p><i>88 – LGSA supports Certified Free Range products – Manly</i></p> <ol style="list-style-type: none"> 1. That the Local Government Association and its member Councils actively support a campaign to build community awareness of and participation in, the purchase of food products bearing a label that indicates that they are a Certified Free Range product. 2. That the Local Government Association and its member Councils write to the major supermarket chains encouraging their inclusion of Certified Free Range producers in their supply chain. 		

<p><i>89 – Special Leave for victims of family violence – Canterbury</i></p> <p>That the Local Government Association support the provision by councils for access to up to twenty days of special leave for employees who are victims of domestic violence, to help them address the family violence issues, with the granting of leave subject to appropriate conditions.</p>		
<p><i>90 – Civil Liability Allowance – Manly</i></p> <p>That the Local Government Association remove clause 14 (xiv) from the Local Government (State) Award 2010, together with the explanatory note.</p>		
<p><i>91 – Term contracts – Manly</i></p> <p>That the Local Government Association reintroduce into the Local Government (State) Award, a provision for the appointment of a person on a maximum-term contract that has been evaluated as Professional/Specialist Band 3 Level 4, or the Executive Band 4.</p>		
<p><i>92 - Workers Compensation Legislation Amendment Bill 2012 – Canterbury</i> Lost</p>	No further action required	
<p><i>93 – Casualisation of Australian workforce – Ashfield</i></p> <p>That the Local Government Association calls upon the State Government to take meaningful steps to reverse the trend to casualisation of the Australian workforce particularly for youth, and work collaboratively with Local Government to</p>		

develop local and regional strategies to address this issue.		
<i>94 – Increase in electricity pricing – Orange</i> That the Local Government Association request a review of the Independent Pricing and Regulatory Tribunal (IPART) determination to allow significant increases in electricity pricing.	The Secretary General wrote to Mr Peter Boxall AO, the Chairman of IPART on 6 December 2012.	
<i>95 – Public transport fares – Orange</i> That the Local Government Association lobby the State Government to investigate the discrepancies in public transport fares charged by Countrylink and CityRail to travel between regional areas and Sydney.	The President wrote to the Hon Duncan Gay MLC, Minister for Roads and Ports and the Hon Gladys Berejiklian MP, Minister for Transport on 6 December 2012.	The Minister for Transport responded on 28 February 2013 noting that “CityRail and CountryLink offer different services with different costs, which are reflected in their separate fare structures. The CityRail network serves Sydney and surrounding regions. It extends to Scone and Dungog in the north, Bathurst in the west and Goulburn and Bombaderry in the south. While the area covered by the CityRail network is extensive, most CityRail customers travel relatively short distances. Seats cannot be booked and customers may be required to stand for part of their journey. The CountryLink network serves other areas of NSW, as well as operating services between these regions and the Sydney CBD. CountryLink operates services for relatively long distance journeys. Seats must be pre-booked, ensuring that customers are guaranteed a seat for their whole journey and giving customers access to different classes of seats, including sleeper berths on express passenger train (XPT) services, as well as on-board dining and buffet car.”
<i>96 – NSW Fire and Rescue funding – Cessnock</i> With regard to the funding of the NSW Fire and Rescue the NSW Local Government Association writes to the Premier requesting: a) That as Local Councils are a significant funder of NSW Fire & Rescue the NSW Government enter into formal consultations with Councils before adopting policies (such as TOLing) which affect the	The President wrote to the Hon Michael Gallacher MLC, Minister for Police and Emergency Services and Minister for the Hunter on 6 December 2012.	The Parliamentary Secretary for Police and Emergency Services responded on 17 December 2012 noting that the Association’s correspondence had been received and was receiving attention. The Parliamentary Secretary for Police and Emergency Services responded on 7 February on behalf of the Minister for Police and Emergency Services and Minister for the Hunter noting that “the practice of taking fire stations temporarily offline is not new. Across NSW, Fire and Rescue NSW has a large network of fire stations and on any given day, up to 20 fire stations can be offline without compromising community safety, so that fire fighters can attend training or exercises, or undertake activities like bushfire hazard reduction burns. This practice affects only a small number of permanent fire stations in

<p>services available to our local communities. and</p> <p>b) Requesting suspension of the policy of Taking stations Off Line (TOLing) which has been expanded as a cost saving measure to meet the current Governments required budget cuts of \$25m per year, until formal consultations can take place regarding the impact on local communities.</p>		<p>metropolitan areas.</p> <p>The decision to take stations temporarily offline is made daily following a comprehensive risk assessment by senior Fire and Rescue NSW officers. It is an operational decision and one that is the responsibility of the Fire and Rescue NSW Commissioner and his senior officers. I have every confidence that the residents of NSW remain well protected from fires and other emergencies by Fire and Rescue NSW.</p> <p>I also note your request for the practice of TOLing to be suspended. Every government agency in NSW is required to identify labour expense savings and it is the responsibility of the heads of each agency to determine the best way to achieve these savings.</p> <p>I am advised that the decision to temporarily take fire stations offline to curb spiralling overtime costs was not taken lightly and followed months of negotiations and discussions between Fire and Rescue NSW and the Fire Brigade Employees' Union to identify alternative cost-saving measures. These discussions unfortunately did not result in any other viable means of reducing costs.</p> <p>This arrangement represents a responsible use of resources, including the funding provided by local councils, which will achieve substantial and immediate savings and has been implemented to address unsustainable and unacceptable increases in the overtime budget. In 2011/12, Fire and Rescue NSW was more than \$7 million over its overtime budget and already this financial year, around 80% of the overtime budget has already been spent. Such budget blowouts flow on to councils in the subsequent year, something which I am sure you would agree should be avoided if possible.</p> <p>Fire and Rescue NSW's main objective is to maximise fire fighter attendance, thereby reducing the need for strategies such as TOLing. I am pleased to advise that since this practice was introduced on 19 November 2012, there has been a major decrease in absenteeism, meaning that on most shifts, only one or two, and often no fire engines, have had to be temporarily taken off line. Should these positive trends continue, the need to take fire stations offline temporarily will be greatly reduced, while achieving required cost-savings."</p>
<p><i>L01 – Sea level rise planning benchmarks – Port Macquarie - Hastings</i></p>		

Referred to the Executive.		
<i>L02 – Coal Seam Gas – Greater Taree</i> Withdrawn	No further action required	
<i>L03 – Private certification – Great Lakes</i> Referred to the Executive.		
<i>L04 – Floodplain risk mitigation and management study plan for the Hawkesbury Nepean catchment – Hawkesbury</i> Referred to the Executive.		
<i>L05 – NSW State Infrastructure Strategy – The Executive</i> Referred to the Executive.		

Local Government Association Annual Conference – October 2012

Resolution Action and Response Summary Sheet

Category 2 Motions referred to the Executive

The motions covered in this section have been judged to be category 2 motions because they are covered by the existing Policy Statements, covered by Conference resolutions from recent years and/or covered by considerable recent representations, lobbying or submissions; or because they did not meet the criteria of being of national, state or regional significance.

The Executive considered these motions and has resolved how to proceed on each of the motions as set out under 'Executive resolution'

Resolution
<p><i>96 – National Disability Insurance Scheme – Willoughby</i> That the Local Government Association support the call for the introduction of a National Disability Insurance Scheme.</p> <p>Comment: This motion is an initiative the LGA has been active on since 2010. It is covered by Conference resolutions and covered by representations. The NSW and Australian Governments are aware of our position as this initiative moves into the pilot phase.</p> <p>Executive resolution: That further representations be made if the necessity arises.</p>
<p><i>97 – Policy dealing with development assessment – Ashfield</i> That the Local Government Association calls upon the State Government to develop a policy dealing with respect to development assessment that requires the State to:</p> <ul style="list-style-type: none">• To develop policy guidelines to promote "best practice" development assessment models which provide for an appropriate balance between "tick the box" simple complying development types and merit based assessments for proposals that will have more substantial environmental impacts.• Review the type of development applications that are dealt with at State level with the aim of restoring accountability and transparency to the planning assessment process, to maximise public involvement at the grass roots level and to ensure the perception of probity.• Provide federal funding to implement a single on-line computerised development application lodgement and tracking and determination system (similar to that adopted in the United Kingdom).• Prepare model planning legislation which can be adopted by all States so that the regulatory environment is standardised. <p>Comment: These issues have been directly addressed in the Associations' submission to the <i>NSW Planning System Review- Green Paper</i>. Section 9 offers an Alternative Assessment Framework suggested by the Association that integrates state planning development standards and local guidelines in the one</p>

place.

Executive resolution: That further representations be made at the *White Paper* stage of the *Planning System Review* if required.

98 – Access to Kingsford Smith Airport by regional air services – Armidale Dumaresq

That the Local Government and Shires Associations strongly support the retention of the current regional access to Kingsford Smith Airport.

Comment: The Associations are currently developing a comprehensive NSW Local Government Aviation Policy Discussion Paper which will address the full range of aviation-related policy issues.

Executive resolution: That the motion be considered as part of the NSW Local Government Aviation Policy Discussion Paper currently being developed.

99 – Equitable and integrated access to capital city airports – Wagga Wagga

That the Local Government Association lobby the Federal Government to guarantee equitable and integrated access to capital city airports for regional airlines for the economic development and social and medical requirements of regional centres.

Comment: The Associations are currently developing a comprehensive NSW Local Government Aviation Policy Discussion Paper which will address the full range of aviation-related policy issues.

Executive resolution: That the motion be considered as part of the NSW Local Government Aviation Policy Discussion Paper currently being developed.

100 – Sydney’s second airport – Liverpool

That the Local Government Association lobby the NSW Government to acknowledge the impact that noise restrictions have on land owners surrounding the former airport site, and be proactive about removing unnecessary restrictions that are associated with the Badgerys Creek airport that is no longer proceeding.

Comment: The Associations are currently developing a comprehensive NSW Local Government Aviation Policy Discussion Paper which will address the full range of aviation-related policy issues.

Executive resolution: That the motion be considered as part of the NSW Local Government Aviation Policy Discussion Paper currently being developed.

101 – Funding for local roads accessed by higher mass limit and quad axle combination vehicles – Bankstown

That the Local Government Association calls upon the Federal and the State Governments to establish a road usage-based link between maintenance funding for local roads and access to these roads by higher mass limit (HML) and quad axle group combination of heavy vehicles.

That the introduction of any permit scheme, which is currently underway, to allow wider use of HML vehicles in NSW roads be accompanied with a pricing regime to charge operators through the use of satellite tracking systems under the Intelligent Access Program (IAP).

Comment: This motion falls within existing LGSA policy in relation to the impact of heavy vehicles and funding of local roads.

Executive resolution: Representations will continue to be made on this issue with the Minister for Roads and through the Associations' membership of the Transport for NSW Road Freight Industry Council.

102 – Boat and trailer parking on public roads – Canada Bay

That the Local Government Association lobby the Minister for Roads and Maritime Services to review the regulations regarding parking of trailers in residential areas.

Comment: This motion falls within existing LGSA policy and has been subject of numerous previous motions to conference.

Executive resolution: Representations will continue to be made on this issue with the Minister for Roads and through the RMS Local Government Liaison Committee.

103 – Supporting population growth – Strathfield

That the Local Government Association petition the State Government to ensure regional governance framework for the planning and provision of key infrastructure supports sustainable population growth through the development of effective partnerships between the State representative, State agencies and local councils.

Comment: This issue has been raised in the Associations' submission to the *NSW Planning System Review - Green Paper*. (See Sections 8 and 10).

Executive resolution: That further representations be made at the *White Paper* stage of the *Planning System Review* if required.

104 – Vegetation Management Plans – Parramatta

That the Local Government Association lobby Australian energy providers to amend their Vegetation Management Plans so that it stipulates a maximum clearance allowed for tree pruning. This will ensure the protection and conservation of our urban forests and prevent further distress to the community.

Comment: This motion is an initiative the LGA has been active on for approximately 10 years. It is covered by Conference resolutions and covered by representations. The NSW Government and energy providers are aware of our position.

Executive resolution: That further representations be made if the necessity arises.

105 – Local Government – Port Macquarie-Hastings

That the Local Government Association seeks continued support and increase the current level of Financial Assistance Grants (FAG) to ensure a sufficient level of direct funding between the Federal Government and Local Government.

Comment: The LGA continues to call for an increase of the quantum of Australian Government Financial Assistance Grants and a fair share of total Australian Government taxation revenue (at least 1 percent of taxation revenue net of GST) through submissions and representations to relevant reviews and inquiries. It is also covered by the *Destination 2036 Action Plan* at initiative 6a with LGSA as the co-ordinating agency.

Executive resolution: That further representations calling for an increase of the quantum of Australian Government Financial Assistance Grants be made including, directly as well as through ALGA, to the current Australian Government Review of Financial Assistance Grants.

106 – Financial Assistance Grant scheme – Blue Mountains

That the Local Government Association lobby, on behalf of all NSW Councils, for an increase to the FAGS program funding to Local Government .

Comment: The LGA continues to call for an increase of the quantum of Australian Government Financial Assistance Grants and a fair share of total Australian Government taxation revenue (at least 1 percent of taxation revenue net of GST) through submissions and representations to relevant reviews and inquiries. It is also covered by the *Destination 2036 Action Plan* at initiative 6a with LGSA as the co-ordinating agency.

Executive resolution: That further representations calling for an increase of the quantum of Australian Government Financial Assistance Grants be made including, directly as well as through ALGA, to the current Australian Government Review of Financial Assistance Grants.

107 – Sharing of commonwealth taxes with Local Government – Willoughby

That the Local Government Association call on the Federal Government to share commonwealth taxes on a percentage share basis with Local Government throughout Australia, either through fixed grants or general grants.

Comment: The LGA continues to call for an increase of the quantum of Australian Government Financial Assistance Grants and a fair share of total Australian Government taxation revenue (at least 1 percent of taxation revenue net of GST) through submissions and representations to relevant reviews and inquiries. It is also covered by the *Destination 2036 Action Plan* at initiative 6a with LGSA as the co-ordinating agency.

Executive resolution: That further representations calling for an increase of the quantum of Australian Government Financial Assistance Grants be made including, directly as well as through ALGA, to the current Australian Government Review of Financial Assistance Grants.

108 – Infrastructure funding – Port Macquarie- Hastings

That the Local Government Association continues to lobby the Federal Government for a process whereby there is direct and equitable funding from Personal Income Tax (or similar) to Local Government across Australia specifically for the purpose of renewal and maintenance of the roads and bridges network. In doing so the Federal Government recognise the insurmountable task that faces regional Councils in otherwise funding the renewal of failed road and bridge networks.

Comment: The LGA continues to call for a fair share of total Australian Government taxation revenue by way of Australian Government Financial Assistance Grants (FAGs) set at at least 1 percent of total taxation revenue (net of GST) not only of revenue from personal income tax as mentioned by council. FAGs

should remain untied to allow councils to spend them as needed. Furthermore, the LGA continues to call for permanent Roads to Recovery grants covering road infrastructure as well as for the introduction of a permanent Community Infrastructure Renewal Program covering other essential infrastructure.

Executive resolution: That further representations be made on these funding requests.

109 – Funding for library services – Liverpool

That the Local Government Association advocate to the NSW Government for significantly increased funding for public library services to support both capital and recurrent library projects and services.

Comment: This issue is covered by the existing Policy Statements, Conference resolutions from recent years and recent representations.

Executive resolution: That further representations be made in the Associations' pre-budget submission

110 – Funding for libraries – Broken Hill

That the Local Government Association lobby the State Government to increase funding of Public Library Services.

Comment: This issue is covered by the existing Policy Statements, Conference resolutions from recent years and recent representations.

Executive resolution: That further representations be made in the Associations' pre-budget submission

111 – Review of the \$30,000 Section 94 Cap – Blacktown

That the Local Government Association call upon the NSW State Government to review the current Section 94 Cap of \$30,000 for new release areas to include consideration of local development factors (such as roads and drainage) which can severely impact on Section 94 costs.

Comment: The LGA opposed the introduction of the Section 94 caps on the grounds that they did not take into account local development factors. This was argued in submissions and other representations. The LGSA's recent submission in response to the Planning Review *Green Paper* makes a renewed call for removal of the caps.

Executive resolution: That further representations continue to be made during the Planning Review Process.

112 – Section 94 Cap – Liverpool

That the Local Government Association lobby the NSW Government to reconsider the Section 94 Cap and include the provision of critical community facility and open space embellishments in light of the significant shortfall in the provision of infrastructure that will occur as a result of capped contributions.

Comment: The LGA opposed the introduction of the Section 94 caps on the grounds that they did not take into account local development factors. This was argued in submissions and other representations. The LGSA's recent submission in response to the Planning Review *Green Paper* makes a renewed call for removal of the caps.

Executive resolution: That further representations continue to be made during the Planning Review Process.

113 – Carbon Tax – Holroyd

That the Local Government Association lobby IPART to ensure the full costs of the carbon tax are included in the IPART Local Government Cost Index.

Comment: The LGA successfully argued for consideration of the cost impacts of carbon tax in the determination of the IPART Local Government Cost Index. It is recognised that the provision that IPART finally determined did not fully reflect cost increases. Discussions have been held and it is expected that costs will be more fully recognised in the next determination.

Executive resolution: That further representations be made if the necessity arises.

114 – Cost shifting for Local Government – Broken Hill

That the Local Government Association continues to lobby the Minister for Local Government opposing cost shifting in all its forms and any proposed changes to the current Inter-Government Agreement between the NSW Government and the Local Government and Shires Association.

Comment: The LGA continues to measure cost shifting onto NSW Local Government by other spheres of government in LGSA' annual cost shifting survey and continues to call on the NSW Government and others to end cost shifting including by way of addressing this issue in an intergovernmental agreement. It was also included in the Associations' response to the Independent Local Government Review Panel's *Strengthening Your Community*

Executive resolution: That representations be made to the NSW Minister for Local Government when the 2010/11 cost shifting survey results are released in the fourth quarter of 2012.

115 – Fair rating of properties designed and used for long term residential use – Great Lakes

That the Local Government Association pursue changes to the *Local Government Act* to ensure that all properties designed and used for long term residential use be either individually rated or if rated as a single entity subject to a base amount/minimum rate for each dwelling/unit.

Comment: It is a long standing policy position of the LGA to call for the establishment of a mechanism for councils to levy rates (rate equivalents) on individual units or dwellings on single properties with multiple units/dwellings for residential use. The LGA has made numerous representations to the NSW Government calling for such a mechanism to be included in the *Local Government Act*. This has been consistently rejected arguing that this would have significant adverse impacts on the affordability of such units/dwellings (e.g. retirement villages).

Executive resolution: That further representations be made on this issue, particularly during the upcoming review of the *Local Government Act*.

116 – Electricity and water price increases and its effect on Local Government – Broken Hill

That the Local Government Association lobby the State and Federal Governments to review the current disparity between utility cost increases and those increases allowed to Council Rates.

Comment: Electricity and water utility cost increases are reflected in IPART’s Local Government Cost Index which takes account of increases in these cost categories and which is the basis for determining the annual rate pegging limit. Utility cost increases are not a directly relevant benchmark for rate increases.

Executive resolution: That no action be taken.

117 – Mining Royalties for Regions – Broken Hill

That the Local Government Association lobby the State Government to establish a “Royalties for Regions” where a percentage of Mining Royalties from existing and new mines be paid directly back to Councils where the mine is situated.

Comment: The LGSA, along with the Association of Mine Related Councils are the primary advocates of a “Royalties for Regions” program for NSW. This is a matter of existing policy and is subject to ongoing representations (e.g. representations in LGSA State Budget submissions and separate representations in relation to the inadequacy of the NSW Governments poor substitute, “Resources for Regions” program).

Executive resolution: That further representations be made where appropriate.

118 – Recovery and clean-up costs associated with emergency incidents – Bankstown

That the Local Government Association calls upon the State Government to come forward and take over the responsibility of fully funding the recovery and clean-up costs associated with major incidents and emergencies. Currently, this is not funded adequately, if at all, by any of the emergency agencies. One example is fire damaged buildings that are often a public safety hazard and need to be demolished quickly.

Comment: The LGA has repeatedly advocated for a review of the Natural Disaster Relief and Recovery Arrangements (NDRRA) to ensure effectiveness and equity in the assistance provided. The LGA provided comments to the Attorney General as part of the recent review of the NDRRA determinations.

Executive resolution: The LGA review the new NDRRA determinations when they are available and conduct advocacy as required.

119 – Funding for the upgrade of levee banks – Wagga Wagga

That the Local Government Association make appropriate representations to the NSW Government to enable funding which will allow the timely upgrade of levee banks to protect essential public and private infrastructure and housing.

Comment: This motion is an initiative the LGA has been active on for over 10 years. It is covered by Conference resolutions and covered by representations. The NSW Government is aware of our position.

The LGA in conjunction with the Floodplains Management Association (FMA) has and continues to jointly advocate for funding increases to the Floodplain Management Grants (FMGs) managed by the OEH as part of the Natural Disaster Resilience Program (NDRP). In 2012 FMG announced \$24.35 million in funding for 101 local councils, including \$1,122,700 for Wagga Wagga City Council.

Executive resolution: The LGA continue to jointly advocate with the FMA to seek improvements for funding and support for flood levees.

120 – Local Government election costs – Holroyd

That the Local Government Association lobby IPART to ensure the full costs of the 2012 Local Government elections are included in the IPART Local Government Cost Index.

Comment: This issue is covered by recent representations.

Executive resolution: That further representations be made in the Associations' pre-budget submission.

121 – Planning reform and EP&A Act – Pittwater

That the Local Government Association lobby the State Government to ensure the Planning Reform outcomes do not diminish the current "objects" of the *Environmental Planning and Assessment Act*, in particular promotion of orderly development, proper management, protection of the environment, affordable housing, infrastructure provision and ecologically sustainable development.

Comment: This issue is core issue raised in the Associations' submission to the *NSW Planning System Review - Green Paper*.

Executive resolution: That further representations be made at the *White Paper* stage of the *Planning System Review* if required.

122 – Consistency in policy – Liverpool

That the Local Government Association lobby the NSW Government to create a consistent legislative and policy direction for land use planning.

Comment: This issue is raised in the Associations' submission to the *NSW Planning System Review - Green Paper*.

Recommendations: That further representations be made at the *White Paper* stage of the *Planning System Review* if required.

123 – Development decisions – Canterbury

That the Local Government Association actively campaigns for decisions about development to be made as close to the affected communities as possible.

Comment: This issue is a core issue raised in the Associations' submission to the *NSW Planning System Review - Green Paper*.

Recommendations: That further representations be made at the *White Paper* stage of the *Planning System Review* if required.

124 – Proposed changes to NSW Planning Laws – North Sydney

That the Local Government Association object to the proposed changes to NSW Planning Laws as they appear to exclude individuals and councils from objecting to a development that may affect the community and will provide developers with "fast track" approval to build.

Comment: This issue is well covered in the Associations' submission to the *NSW Planning System Review - Green Paper*.

Executive resolution: That further representations be made at the *White Paper* stage of the *Planning System Review* if required.

125 – Increased flexibility in the implementation of the Standard Instrument for Local Environmental Plans – Armidale Dumaresq

That the Local Government Association lobby the NSW Government, as part of the current Planning System review, to provide more flexibility in the implementation of the Standard Instrument LEP to reflect local circumstances; and specifically to consider the need to allow rural and regional Local Governments the option to have a general purpose industrial zone, which also provides for bulky goods retailing.

Comment: The Minister of Planning and Infrastructure set up a Local Planning Panel of Local Government and State Government planners in mid 2011 to address the lack of flexibility in the roll out of the LEP Standard Instrument Program. The Associations' staff has been an observer to the panel that has recently finalized its recommendations. Many of the issues have been covered in the recommendations.

Executive resolution: No further action required.

126 - Standard Instrument Local Environmental Plans – Lake Macquarie

That the Local Government Association consider the following:

1. Local Governments express concern that the standard instrument provisions do not adequately reflect the planning and management requirements for land with conservation values and environmental hazards.
2. The NSW Government undertake an independent review of its standard instrument Local Environmental Plan, particularly in relation to environment and conservation zones, with a view to enabling more appropriate provisions for environmentally sensitive or hazardous land, including a greater range of zones.

Comment: The Minister of Planning and Infrastructure set up a Local Planning Panel of Local Government and State Government planners in mid 2011 to address the lack of flexibility in the roll out of the LEP Standard Instrument Program. The Associations' staff has been an observer to the panel that has recently finalized its recommendations. Many of the issues have been covered in the recommendations.

Executive resolution: No further action required.

127 – Standard LEPs and new Planning Act – Pittwater

That the Local Government Association lobby the State Government to provide assurance that current Standard Instrument LEPs adopted and those currently under drafting in various Local Government Areas will be recognised in the new Planning Act with minimal changes needed to 'convert' to the proposed "Local land use Plans".

Comment: The benefits to the sector of retaining the LEP Template under the new planning system has been communicated by the Associations to the Local Planning Panel.

Executive resolution: No further action required.

128 – Standard LEP - Zone for aquifer protection – Great Lakes

That the Local Government Association requests the Department of Planning introduce a new zone to the Standard Template LEP to provide for aquifer protection.

Comment: The Minister of Planning and Infrastructure set up a Local Planning Panel of Local Government and State Government planners in mid 2011 to address the lack of flexibility in the roll out of the LEP Standard Instrument Program. The Associations' staff has been an observer to the panel that has recently finalized its recommendations. Many of the issues have been covered in the recommendations.

Executive resolution: No further action required.

129 – Gateway plan making – Leichhardt

That the Local Government Association forward a submission to the NSW Department of Planning and Infrastructure opposing the idea that a developer can seek an independent review to appeal a Council decision on rezoning.

Notes that never in NSW has there been the right for developers to seek to appeal an adverse decision on rezonings by a Council. The only state that allows developers to appeal zoning determinations is Queensland.

Makes it absolutely clear in its submission that decisions to allow rezonings - mostly spot rezonings that can deliver developers millions of dollars in increased land values - cannot be handed to an unelected State Government dominated appeal panel like the Joint Regional Planning Panel. This will put incredible pressure on Councils and must be specifically opposed in the submission.

Comment: This issue is well covered in the Associations' submission to the *NSW Planning System Review - Green Paper*. See Section 9.

Recommendations: That further representations be made at the *White Paper* stage of the *Planning System Review* if required.

130 – E-planning – Strathfield

That the Local Government Association petition the State Government to design and implement an ePlanning framework that assists all stakeholders.

Comment: The LGSA have partnered with the NSW Department of Planning and Infrastructure in the design, development and implementation of an ePlanning framework for NSW. This includes the eHousing Code project that has now grown to include 25 councils and the development of the e Planning Road Map for NSW.

Executive resolution: That ongoing representations be made for funding the roll out of ePlanning capability as the opportunity arises.

131 – Development Control Plans – Wollongong

The Local Government Association call on the State Government to give Development Control Plans legislative status as local clauses in a Local

Environmental Plan, with variations allowed through clause 4.6 Variations to Development Standards.

Comment: This issue is covered in the Associations' submission to the *NSW Planning System Review - Green Paper*. See Section 9. An alternate assessment framework is suggested that will enable local plans (such as the current DCPs) to be integrated with the state development controls at the regional level to ensure that local planning matters are equally addressed as state planning controls.

Executive resolution: That further representations be made at the *White Paper* stage of the *Planning System Review* if required.

132 – Coal Seam Gas – Holroyd

That the Local Government Association call upon the State Government to reinstate a moratorium on coal seam gas extraction to ensure the protection of New South Wales agricultural land.

Comment: The Associations highlighted these issues in their submission to the NSW Government's draft Strategic Regional Land Use Plans for the Upper Hunter and New England/North West regions in March 2012, and recommended a balanced approach – one which advocates the need to protect farmland and the environment, while recognising the valuable source of wealth and employment generation that mining and gas have the potential to offer to local communities. The Associations have advocated the precautionary principle should be given an important consideration in assessments and decisions about new mining exploration and production licences.

Executive resolution: That further representations be made when the opportunity arises.

133 – Coal Seam Gas – Armidale Dumaresq

That the Local Government Association continue to lobby the NSW Government to introduce a moratorium on coal seam gas exploration and extraction and, at least, endorse recommendation 35 of the NSW Legislative Council inquiry into Coal Seam Gas (May 2012) "That the NSW Government issue no further production licences until a comprehensive framework for the regulation of the coal seam gas industry is implemented"; in addition that the State Government enforces the cessation of activities when the licences expire.

Comment: The Associations highlighted these issues in their submission to the NSW Government's draft Strategic Regional Land Use Plans for the Upper Hunter and New England/North West regions in March 2012, and recommended a balanced approach – one which advocates the need to protect farmland and the environment, while recognising the valuable source of wealth and employment generation that mining and gas have the potential to offer to local communities. The Associations have advocated the precautionary principle should be given an important consideration in assessments and decisions about new mining exploration and production licences.

Executive resolution: That further representations be made when the opportunity arises.

134 – Smoke detection in Class 2 and 3 buildings with semi-enclosed and open basement car parks – Holroyd

That the Local Government Association call on the Australian Government to amend the Building Code of Australia to require smoke detection and alarm

systems in semi enclosed and open basement car parks for Class 2 and 3 buildings.

Comment: The Australian Building Codes Board is currently conducting a review into the provisions for smoke alarms in the National Construction Code. Included in the review is the adequacy of current requirement for smoke alarms in Class 2 & 3 buildings.

Executive resolution: That a submission be made to the review.

135 – Unightly or derelict buildings – Wollongong

The Local Government Association call on the State Government to give Councils the power under the *Environmental Planning and Assessment Act* to direct owners to rectify seriously unsightly and derelict buildings and should they fail to do so, Council can act to rectify with the costs to be recovered from the owners or remain a charge on the land.

Comment: Extending council's demolition powers under the *Environmental Planning and Assessment Act 1979* will be raised in relation to the Review of the NSW Planning System. The Associations intend to raise this issue in response to the White Paper that is expected to be released in the next 3 months.

Executive resolution: That the matter be included in the Associations response to the Planning System White Paper.

136 – Introduction of Container Deposit Scheme – Holroyd

That the Local Government Association advocate that the State and Federal Governments, having considered the findings of the recent Regulatory Impact Statement on Packaging, introduce a National container deposit scheme (CDS) without delay.

Comment: This motion is an initiative the LGA has been active on since 1993. It is covered by many Conference resolutions and has been subject to ongoing representations. The NSW and Australian Governments are well aware of our position on container deposit legislation. The issue is currently at a pivotal point, as Ministers have agreed to make a decision in early 2013. LGA has been very proactively putting the case for CDL in every available forum.

Executive resolution: That ongoing representations be made as opportunities arise.

137 – Container Deposit Scheme – Orange

That the Local Government Association lobby the State Government to introduce a deposit on plastic containers.

Comment: This motion is an initiative the LGA has been active on since 1993. It is covered by many Conference resolutions and has been subject to ongoing representations. The NSW and Australian Governments are well aware of our position on container deposit legislation. The issue is currently at a pivotal point, as Ministers have agreed to make a decision in early 2013. LGA has been very proactively putting the case for CDL in every available forum.

Executive resolution: That ongoing representations be made as opportunities arise.

138 – Container Deposit Legislation – Broken Hill

That the Local Government Association lobbies the Minister for Environment, to support the development of a National Container Deposit Scheme (CDS).

Comment: This motion is an initiative the LGA has been active on since 1993. It is covered by many Conference resolutions and has been subject to ongoing representations. The NSW and Australian Governments are well aware of our position on container deposit legislation. The issue is currently at a pivotal point, as Ministers have agreed to make a decision in early 2013. LGA has been very proactively putting the case for CDL in every available forum.

Executive resolution: That ongoing representations be made as opportunities arise

139 – Review of city and country fuel pricing – Orange

That the Local Government Association continue to lobby the State and Federal Governments to conduct a comprehensive and independent inquiry into the discrepancies between City and Country fuel prices.

Comment: This motion has been subject of numerous previous conference resolutions.

Executive resolution: That Representations continue to be made on this issue with the State and Australian Governments.

140 – Amendment of the Protection of the Environment Operations ACT 1997 – Dubbo

That the *Protection of the Environment Operations Act 1997* be amended to the effect that:

1. Any register kept by a regulatory authority under Part 9.5 of that Act may be made available for public inspection on an internet website of the regulatory authority;
2. Information contained in a register may be provided to members of the public in any other manner approved by the regulatory authority.
3. That the State Government be requested to “name and shame” in Parliament those persons who dump commercial quantities of litter into the environment.

Comment: This motion has been accidentally misclassified as a category 2 motion. It will be included in the business paper for consideration at conference.

Executive resolution: That the comment be noted.

141 – Governor Macquarie Drive – Liverpool

That Governor Macquarie Drive in Chipping Norton be reclassified from a Regional Road to a State Road.

Comment: Conference does not normally progress issues of a local nature such as the reclassification of a location-specific local road. However representations could be made to the Minister for Roads and Roads and Maritime Services NSW for the commencement of a new State-wide Road Reclassification Review process given the previous review commenced nearly 10 years ago in 2003. This would provide all councils including Liverpool the opportunity to nominate roads for reclassification.

Executive resolution: Representations be made to the Minister for Roads and Roads and Maritime Services NSW for the commencement of a new State-wide Road Reclassification Review process.

142 – Upgrading of Hume Highway and Hoxton Park intersection – Liverpool

That the Hume Highway and Hoxton Park Road Intersection to be upgraded to a graded separated intersection.

Comment: Conference does not normally progress issues of a local nature such as the funding or treatment of a location-specific state road intersection.

Executive resolution: That no further action be taken.