

Local Government Association of NSW Annual Conference 2012

Record of Decisions

1 - The Executive

That standing orders as written on page 6 be adopted.

CARRIED

2 - Campbelltown

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.

CARRIED

3 - Lane Cove

*LOCAL GOVERNMENT ASSOCIATION CONSTITUTION

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 new One Association Constitution.

CARRIED

4 - NSW Aboriginal Land Council

*ABORIGINAL AFFAIRS POLICY

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.

CARRIED

5 - NSW Aboriginal Land Council

*ABORIGINAL AFFAIRS POLICY UNDER ONE ASSOCIATION

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:

- 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 service delivery for Aboriginal people
- 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

CARRIED

6 - Ashfield***EARLY CHILDHOOD HEALTH SERVICES**

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.

CARRIED

7 - Canterbury***RIGHTS OF PEOPLE WITH INTELLECTUAL DISABILITIES**

That the Local Government Association actively campaigns for the rights of people with intellectual disabilities to be 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.

CARRIED

8 - Willoughby***RECOGNITION OF ABORIGINAL AND TORRES STRAIT ISLANDER PEOPLES**

WITHDRAWN

**9 - Lane Cove
PLAN*****DEVELOPMENT OF A LOCAL GOVERNMENT RECONCILIATION ACTION**

WITHDRAWN

10 - Bankstown***UNIFORM ACCESS FOR ALL COUNCILS TO RMS' DRIVER & VEHICLE INFORMATION SYSTEMS (DRIVES)**

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.

CARRIED

11 - Leichhardt***AFFORDABLE AND SUPPORTED HOUSING**

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.

CARRIED

12 - Fairfield***ROADS AND MARITIME SERVICES (RMS) DRIVES**

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 *Companion Animals Act 1998* & the *Environmental Planning and Assessment Act 1979*.

CARRIED

13 - Holroyd

***BREED ASSESSMENT OF DOGS**

That the Local Government Association call on the government to give council greater powers for dealing with dangerous dogs irrespective of breed.

CARRIED

14 - Fairfield

***MICROCHIP OWNERS REGISTRATION FORM**

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.

CARRIED

15 - Ku-ring-gai

***ABANDONED SHOPPING TROLLEYS**

LOST

16 - Canterbury

***AMENDMENT OF COPYRIGHT ACT**

That the Local Government Association makes representations to the Federal Attorney General to request an amendment to the *Copyright Act* to provide an exemption to Local Government bodies to enable them to supply copies of plans and associated documents submitted with development applications.

CARRIED

17 - Fairfield

***ACCESS TO INFORMATION AND COPYRIGHT**

That the Local Government Association make representation to the Attorney General to amend the *Copyright Act* 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.

COVERED BY RESOLUTION 16

18 - Sutherland Shire

***COPYRIGHT ISSUES RELATING TO THE GIPA ACT**

1. That the Local Government Association lobby the Federal Government for an appropriate amendment to the *Copyright Act 1968 (Cth)* to extend protections under the Act to Local Government, similar to those currently available to Commonwealth or State governments for copying copyrighted materials in the services of the Crown.

As an interim measure until point 1 occurs:

2. That the Local Government Association lobby the State Government for an appropriate amendment to the *Environmental Planning and Assessment Act 1979* to amend the requirements for a development application to specify that all documents submitted must be accompanied 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.

COVERED BY RESOLUTION 16

19 - Holroyd ***AMENDMENT TO THE DAY 10 ASSESSMENT PERIOD FOR COMPLYING DEVELOPMENT APPLICATIONS**

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.

CARRIED

20 - The Executive ***RURAL FIRE SERVICE - REVIEW OF LOCAL GOVERNMENT ENGAGEMENT**

That the Association advocate operational disengagement with the RFS with the:

- 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 local budget expenditure.

Further, that the Association:

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:
 - 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.

CARRIED

21 - Liverpool ***COORDINATION OF ALL INFRASTRUCTURE**

1. That the Local Government Association establishes a State Infrastructure Delivery Committee to assist in the efficient and coordinated delivery of infrastructure across the State.
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.
3. Write to the State Government asking to conduct a wholistic study in relation to flood mitigation across western Sydney catchments including the Hawkesbury and Liverpool areas.

CARRIED

22 - Leichhardt ***PUBLIC UTILITIES**

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.

CARRIED

23 - Penrith ***A LONG TERM STRATEGY FOR SYDNEY'S WASTE DISPOSAL NEEDS**

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 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.

CARRIED

24 - Holroyd

***MOTORISED SCOOTERS AND ELECTRIC WHEELCHAIRS**

LOST

25 - Liverpool

***INTERMODAL FREIGHT FACILITIES**

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.

CARRIED

26 - Leichhardt

***SYDNEY AIRPORT**

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 Infrastructure and Transport urging that the Government:

- 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.

CARRIED

27 - Willoughby

***ENERGY EFFICIENT STREET LIGHTING**

That the Local Government Association, having regard to the continuing cost to Local 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:

- i) introduce legislation banning the use of inefficient luminaires by utilities in street lights with the ban to be effective from 2015;
- 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.

CARRIED

28 - Penrith***LEADERSHIP FOR SUSTAINABLE STREET LIGHTING**

That the Local Government Association call on the Minister for Resources and Energy to establish a Steering Committee on 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.

CARRIED

29 - Bankstown***REVIEW OF AUSTRALIAN STANDARD FOR STREET LIGHTING TO FACILITATE DEPLOYMENT OF ADVANCED LIGHTING TECHNOLOGIES**

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.

CARRIED

30 - Newcastle***RETURNING PUBLIC STREET LIGHTS TO COUNCIL**

That the Local Government Association call on the State Government to introduce legislation to:

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.

CARRIED

31 - Bankstown***REVIEW OF NSW PUBLIC LIGHTING CODE**

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.

CARRIED

32 - Ku-ring-gai***ABOVE GROUND UTILITIES CABLING**

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.

CARRIED

33 - Willoughby***DISTRIBUTED RENEWABLE ENERGY PRODUCTION**

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.

CARRIED

34 - Lake Macquarie

***FACILITATING ENERGY EFFICIENCY AND RENEWABLE ENERGY**

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

- 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 costs (including by setting reasonable discount rates for decentralised energy comparable to large scale capital investment decisions) and including consideration of environmental impacts; and
- 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).

CARRIED

35 - Fairfield

***RATES**

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.

CARRIED

36 - Penrith ORGANISATIONS

***TENDERING WITH RESPECT TO ELECTED LOCAL GOVERNMENT**

That section 377(1) of the *Local Government Act 1993* – General power of 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.

This can be simply achieved by the following amendment to the clause:

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:

The acceptance of tenders which are required under this Act to be invited by the council, INSERT THE WORDS

..... 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.

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.

CARRIED

37 - Port Macquarie-Hastings***COASTAL EROSION**

That the Local Government Association 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.

CARRIED

38 - Fairfield***COMMUNITY BUILDING PARTNERSHIP**

That the Local Government Association affirms its position asking for the NSW Government to reinstate funding for the Community Building Partnership project in full.

CARRIED

39 - Fairfield***REVENUE RECOGNITION FOR OPERATING GRANTS**

That the Local Government Association recommends that the Division of Local 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.

CARRIED

40 - Wollongong***RESOURCING**

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.

CARRIED

41 - Holroyd***RECOUPING COSTS FOR SERVICES**

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.

CARRIED

42 - North Sydney***SWIMMING POOL INSPECTION FEES**

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.

CARRIED

43 - Holroyd***PRIVATE CERTIFIERS – REPORTING REQUIREMENTS**

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.

CARRIED

44 - Holroyd***ACCUMULATION OF TAXES AND WASTE PROCESSING AND DISPOSAL**

That the Local Government Association calls on the NSW Government and the Federal Government to consider the cumulative impact of the *POEO Act* 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.

CARRIED

45 - Clarence Valley

***CARBON PRICING MECHANISM (CPM)**

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.

CARRIED

46 - Murrumbidgee

***STRATEGIC WASTE MANAGEMENT AND RESOURCE RECOVERY**

That the Local Government Association lobby the Government to amend the *Local Government Act* and the definition of Domestic Waste to include Street Litter Bins and Park Litter Bins.

CARRIED

**47 - Rockdale
AND TIME**

***INDEPENDENT LOCAL GOVERNMENT REVIEW - GREATER OPPORTUNITIES**

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.

Carried

48 - Warringah

***REGIONAL ORGANISATIONS OF COUNCILS (ROC)**

That the Local Government Association notes that:

1. Warringah Council supports ROC governing bodies that are made up of elected Councillors and are more representative of the size of the communities of the constituent Councils that they represent.
2. Warringah Council requests the Government communicates directly to Council and not via a ROC.

WITHDRAWN

49 - Wollongong

***FULL TIME COUNCILLORS**

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.

CARRIED

50 - Gosford

***MAYORAL/DEPUTY MAYORAL TERM**

That the Local Government Association lobby the State Government for the relevant legislation to be amended to allow for either a one-year or two-year Mayoral/Deputy Mayoral term where the Mayor/Deputy Mayor is elected by the Councillors.

CARRIED

51 - Holroyd

***COUNCILLOR FEES TIED TO ATTENDANCE AT COUNCIL MEETINGS**

That the Local Government Association lobby the State Government to address deliberate sustained councillor non-attendance as part of the development of a new *Local Government Act*.

CARRIED

52 - Leichhardt

***COUNCILLOR PECUNIARY INTEREST**

LOST

53 - Blacktown

***ESTABLISHMENT OF A UNIFORM MODEL CODE OF CONDUCT FOR NSW**

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.

CARRIED

54 - Kiama

***PRE-POLL FOR LOCAL GOVERNMENT ELECTIONS**

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.

CARRIED

55 - Lane Cove

***ADVERTISING REQUIREMENTS FOR LOCAL GOVERNMENT**

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.

CARRIED

56 - Hornsby

***USE OF ALTERNATIVE MEDIA FOR STATUTORY ADVERTISING**

COVERED BY RESOLUTION 55

57 - Wagga Wagga

***LEGISLATIVE AMENDMENTS REGARDING PROVIDING PUBLIC NOTICES**

COVERED BY RESOLUTION 55

**58 - Shoalhaven
ACT 1998**

***AMENDMENT TO PRIVACY AND PERSONAL INFORMATION PROTECTION**

That the issue be referred to the Executive for further investigation.

CARRIED

59 - Shoalhaven

***AMENDMENT OF PRIVACY AND PERSONAL INFORMATION PROTECTION
ACT 1998 TO ALLOW CCTV IN PUBLIC AREAS**

That the issue be referred to the Executive.

CARRIED

**60 - Canterbury
CLASSIFIED LAND**

***COURT IMPOSED EASEMENTS OVER COUNCIL OWNED, COMMUNITY**

That the Local Government Association make strong representations to the NSW Minister for Finance and Services requesting that Section 88K of *the Conveyancing Act 1919* 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.

CARRIED

61 - Canterbury

***PRESCRIBED FINES FOR ILLEGAL AND UNAUTHORISED BUILDING WORKS**

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 inadequate to serve as a deterrent to people knowingly engaging in unauthorised building works.

CARRIED

62 - Holroyd

***INCREASE PENALTIES FOR ILLEGAL BUILDING WORK**

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.

CARRIED

63 - Strathfield

***HERITAGE**

LOST

64 - Ashfield

***SUSTAINABLE POPULATION POLICY**

That the Local Government Association calls upon the State Government to develop a sustainable population policy that is supported by:

- 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.

CARRIED

65 - Blue Mountains

***NSW WASTE LEVY**

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.

CARRIED

66 - Wollondilly

***ILLEGAL DUMPING FINES FOR CORPORATIONS**

That the Local Government Association write to the Minister of Environment and Heritage requesting that the maximum penalty under the *Protection of the Environment Operations Act* 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.

CARRIED

67 - Lake Macquarie

***THE NEW PLANNING SYSTEM FOR NSW - GREEN PAPER**

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 Paper:
2.
 - a) Deemed approval provisions for merit-assessed development that has not been determined in 21 days.
 - b) Encouraging reliance on unelected Expert Panels in lieu of Council decisions on development proposals.
 - c) Reducing Council and community involvement in decision-making, particularly at the local level.
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.

CARRIED

68 - Marrickville

***GREEN PAPER: A NEW PLANNING SYSTEM FOR NSW**

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.
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 of elected Councillors.
3. That the new Act does not diminish the level of community consultation that occurs as part of land use planning.
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.
5. That areas of state significance i.e. SEPP14 and SEPP26 be retained as a matter of importance in the new Act

CARRIED

69 - Rockdale

***COMPLYING DEVELOPMENT REGIME - DEFER EXPANSION**

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.

CARRIED

70 - Shoalhaven LICENCES

***REVOCATION OF ALL EXPIRED MINERAL/PETROLEUM EXPLORATION**

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 in which the proposal is being considered.

CARRIED

71 - Wollondilly ***APPROVAL BY COUNCILS OF COAL SEAM GAS APPLICATIONS**

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.

CARRIED

72 - Kiama ***ASBESTOS REMOVAL**

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.

CARRIED

73 - Holroyd ***ASBESTOS DEMOLITION APPROVALS AND CERTIFICATION NOT IDENTIFIED IN GREEN PAPER**

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.

CARRIED

74 - Armidale Dumaresq ***DISCLOSURE OF ENERGY AND SUSTAINABILITY PERFORMANCE ON SALES OF RESIDENTIAL PROPERTIES**

LOST

75 - Marrickville ***AFFORDABLE HOUSING**

LOST

76 - Lake Macquarie ***ASSISTING LOCAL GOVERNMENT TO ADAPT TO A CHANGING CLIMATE**

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

- 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 to enable Local Governments to fund its obligations in response to climate change impacts (including growing infrastructure maintenance costs).

CARRIED

77 - Lake Macquarie ***IMPROVING MANAGEMENT OF BIODIVERSITY OFFSETS**

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 *Environmental Planning and Assessment Act 1979* 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
4. Ensuring appropriate mechanisms are in place to enable Local Government authorities to become providers of biodiversity offsets.

CARRIED

78 - Lane Cove ***BAN OR IMPOSE A LEVY ON FREE SINGLE-USE PLASTIC SHOPPING BAGS**

WITHDRAWN

79 - Shoalhaven ***PLASBACK RECYCLING INITIATIVE**

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).

CARRIED

80 - Lithgow ***FLY-IN FLY-OUT IN LOCAL GOVERNMENT AREA**

LOST

81 - Liverpool ***STRATEGIC LOCATION OF STATE GOVERNMENT AGENCIES**

That the issue be referred to the Executive.

CARRIED

82 - Fairfield ***REGIONAL DEVELOPMENT AUSTRALIA (RDA) - WESTERN SYDNEY REGIONAL PLAN**

LOST

83 - Leichhardt ***BAYS PRECINCT**

LOST

84 - Leichhardt ***ROCKS READING ROOM**

LOST

85 - Willoughby ***HUNTING OF FERAL ANIMALS ON PUBLIC LAND**

That the issue be referred to the Executive and cover subsequent motions 86 & 87

CARRIED

86 - Shoalhaven***AMATEUR SHOOTERS IN NATIONAL PARKS**

COVERED BY RESOLUTION 85

87 - Leichhardt***SHOOTING IN NATIONAL PARKS**

COVERED BY RESOLUTION 85

88 - Manly***LGSA SUPPORTS CERTIFIED FREE RANGE PRODUCTS**

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.

CARRIED

89 - Canterbury***SPECIAL LEAVE FOR VICTIMS OF FAMILY VIOLENCE**

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.

CARRIED

90 - Manly***CIVIL LIABILITY ALLOWANCE**

That the Local Government Association remove clause 14 (xiv) from the Local Government (State) Award 2010, together with the explanatory note.

CARRIED

91 - Manly***TERM CONTRACTS**

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.

CARRIED

92 - Canterbury***WORKERS COMPENSATION LEGISLATION AMENDMENT BILL 2012**

LOST

93 - Ashfield***CASUALISATION OF AUSTRALIAN WORKFORCE**

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 develop local and regional strategies to address this issue.

CARRIED

94 - Orange***INCREASE IN ELECTRICITY PRICING**

That the Local Government Association request a review of the Independent Pricing and Regulatory Tribunal (IPART) determination to allow significant increases in electricity pricing.

CARRIED

95 - Orange

***PUBLIC TRANSPORT FARES**

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.

CARRIED

96 - Cessnock

***NSW FIRE AND RESCUE FUNDING**

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 services available to our local communities.

and

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.

CARRIED

L01 - Port Macquarie-Hastings

***SEA LEVEL RISE PLANNING BENCHMARKS**

REFERRED TO EXECUTIVE

L02 - Greater Taree

***COAL SEAM GAS**

WITHDRAWN

L03 - Great Lakes

***PRIVATE CERTIFICATION**

REFERRED TO THE EXECUTIVE

L04 - Hawkesbury

***FLOODPLAIN RISK MITIGATION AND MANAGEMENT STUDY PLAN FOR THE HAWKESBURY NEPEAN CATCHMENT**

REFERRED TO THE EXECUTIVE

L05 - The Executive

***NSW STATE INFRASTRUCTURE STRATEGY**

REFERRED TO THE EXECUTIVE