

# LGNSW 2020 Annual Conference Motions Submission Guide

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# LGNSW Annual Conference Motions Submission Guide

## 1. Introduction

The Local Government NSW (LGNSW) Annual Conference is the pre-eminent policy making event for the local government sector. Resolutions of Conference help determine the policies and priorities for LGNSW and the sector. It is a key event for local government where councillors come together to share ideas and consider issues that shape the way the sector functions and is governed.

LGNSW member councils are invited to submit motions to the Conference to advance the sector wide policy agenda. Motions are strategic local government issues which affect members state-wide and introduce new or emerging policy issues and actions.

This guide outlines the process for councils to submit motions for LGNSW's Annual Conference.

## 2. Deadlines

Members are encouraged to submit motions [online](#) by **12 midnight (AEST) on Monday 28 September 2020** to allow assessment of the motions and distribution of the Business Paper before the Conference. However, in line with the LGNSW Rules, the latest date motions can be accepted for inclusion in the Business Paper is **12 midnight (AEDT) on Sunday 25 October 2020** (28 days prior to Conference).

## 3. Criteria for motion submission

The LGNSW Board has resolved that motions will be included in the Business Paper for the Annual Conference only where they:

1. are consistent with the objects of the Association (see Rule 4 of the Association's rules<sup>1</sup>);
2. relate to local government in NSW and/or across Australia;
3. concern or are likely to concern local government as a sector;
4. seek to advance the local government policy agenda of the Association and/or improve governance of the Association;
5. have a lawful purpose (a motion does not have a lawful purpose if its implementation would require or encourage non-compliance with prevailing laws);
6. are clearly worded and unambiguous in nature, and
7. do not express preference for one or several members over one or several other members.

Council members are encouraged to review Action Reports<sup>2</sup> from previous Conference(s) before submitting motions for this year's Annual Conference to ensure the proposed motion wording reflects any recent developments and does not duplicate existing positions.

## 4. How to write a motion

Motions adopted at the Annual Conference inform LGNSW's advocacy actions on behalf of the local government sector. LGNSW includes the exact wording of motions when writing to ministers, departments and agencies post-conference and so it is important that the wording of motions clearly outlines your council's policy intent or objective.

The format of motions, as much as possible, should call on a specific body (e.g. LGNSW, state government, federal government, a specific Department or Minister) and have a specific outcome

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<sup>1</sup> LGNSW registered rules: [fwc.gov.au/registered-organisations/find-registered-organisations/local-government-nsw-lgnsw](http://fwc.gov.au/registered-organisations/find-registered-organisations/local-government-nsw-lgnsw)

<sup>2</sup> Action Reports outline the advocacy actions taken by LGNSW for each Conference Resolution and the outcomes of these actions. Action Reports are available via the previous Conference pages of the LGNSW Annual Conference webpage <https://www.lgnsw.org.au>.

that the motion is aiming to achieve. The motion should state whether it is seeking to change a LGNSW Fundamental Principle<sup>3</sup>. The wording should be unambiguous.

*Examples of clearly-worded Annual Conference motions:*

**Minister for Rural and Regional NSW**

That LGNSW lobbies the NSW State Government to appoint a Minister for Rural and Regional NSW with suitable resources to undertake meaningful representative activities.

**Natural Disaster Funding, Day Labour**

That LGNSW requests the Australian and NSW governments reinstate the claimable expense for the use of council staff during their normal working hours to attend to natural disaster relief and recovery funded works and reverse the present policy that effectively requires the mandatory use of contractors for recovery works.

**Companion Animal Act matters**

That LGNSW advocates that the NSW Government takes the following steps to improve the management of companion animals:

- establish an integrated on-line statewide registration process as an improved service to companion animal owners;
- resolve difficulties with the *Companion Animals Act 1998* definition of an “Authorised Officer”, by using the definition contained in the *Impounding Act 1993* as the definition in both Acts, allowing councils choice in the business model for its area; and
- review the dismissal of charges under section 10 of the *Crimes (Sentencing Procedure) Act 1999* in relation to offences under the *Companion Animals Act 1998*.

For more examples see Business Papers from past Conferences on the LGNSW website.

## 5. Demonstrating evidence of council support for motion

The member submitting the motion must provide accompanying evidence of support for the motion. Such evidence may include an attachment note or extract from the minutes of the Council meeting, at which the member Council resolved to submit the motion for consideration by the Conference. In the absence of a council meeting, the evidence should be a letter signed by both the Mayor and General Manager.

LGNSW has developed a template council report for members to use to resolve at their own council meetings to submit motions to LGNSW for Conference at [Attachment C](#) of this Guide.

## 6. How to submit a motion

LGNSW members are invited to submit motions through an [online portal](#)<sup>4</sup> from **17 July 2020**.

Each motion submission should include responses to the following eight fields:

1. Council name
2. Contact details of relevant officer
3. Motion category (*e.g. planning, economic, environment etc. This assists with assigning motions to the relevant policy staff and grouping related motions in the Conference Business Paper.*)
4. Motion title (*a few words*)
5. Motion (*a sentence or two which states the issue and the call to action*)
6. Background note (*a paragraph or two to explain the context and importance of the issue to the local government sector*)
7. Indicate if the motion conflicts with one or more of the Fundamental Principles<sup>3</sup>
8. Evidence of council support for the motion (*e.g. council meeting minutes*)

A sample motion submission form is at [Attachment B](#).

<sup>3</sup> For more information on LGNSW's Fundamental Principles please see **Part 9** of this guide.

<sup>4</sup> Online motion submission portal: <https://lgnsw-grants.fluidreview.com/>

Once a motion has been submitted it cannot be edited without contacting LGNSW so please review the content carefully before submission.

## 7. How LGNSW manages incoming motions

The LGNSW Board has established a sub-committee and delegated the function of managing incoming motions for the Annual Conference to this sub-committee. The Chief Executive will refer motions to the sub-committee that are outside the criteria, or if it is unclear whether they meet the criteria. The sub-committee will make the final decision on inclusion of those motions into the Annual Conference Business Paper.

Prior to the sub-committee making a final decision, LGNSW may contact the council that submitted the motion to seek clarity on its intent or wording.

Incoming motions which seek to change any long-held Fundamental Principles<sup>3</sup>, will be brought to the attention of the motions sub-committee and highlighted in the Business Paper for members' information.

Motions which are consistent with current LGNSW actions or existing LGNSW positions may still be published in the Business Paper but may not be considered further as they already form part of LGNSW's advocacy on behalf of the sector.

## 8. What happens to motions at the LGNSW Annual Conference

Standing orders are outlined at the front of the Business Paper and adopted at the commencement of each Annual Conference. They outline the manner in which the Conference deals with motions. The standing orders adopted at the 2019 Conference can be found in [Attachment A](#).

We are currently working through the details of how members will be engaged on motions and how motions will be dealt with as part of the revised conference format and we will communicate further with members about this over the coming months.

## 9. Post-conference: Updates to the LGNSW Policy Platform

LGNSW's Policy Platform consolidates the voices of councils across NSW, reflecting the collective positions of local government on issues of importance to the sector. Importantly, the Policy Platform guides LGNSW in its advocacy on behalf of the local government sector.

The Policy Platform consists of two parts: LGNSW's Fundamental Principles, and the more targeted Position Statements.

- **Fundamental Principles** are the overarching principles that direct LGNSW's response to broad matters of importance to the local government sector. These Fundamental Principles are endorsed (or amended) by LGNSW members at the Annual Conference.
- **Position Statements** contain the more detailed positions of LGNSW on specific issues. Position Statements are subordinate to LGNSW's Fundamental Principles but are more agile and are targeted at specific policy issues as they arise. Position Statements are formed and updated through:
  - Resolutions of the Annual Conference
  - Issues raised by members outside of Annual Conference, including through LGNSW surveys of members
  - Input from the LGNSW Board
  - Positions developed in response to government policy or emerging issues
  - Positions developed in the process of making LGNSW submissions.

Position Statements are endorsed by the LGNSW Board.

### ***Changing Fundamental Principles***

Councils submitting motions to the Annual Conference will be asked to indicate whether the motion conflicts with any of LGNSW's Fundamental Principles.

Where a motion conflicts or may conflict with a Fundamental Principle, this will be clearly highlighted for delegates in the Conference Business Paper. If the motion is adopted as a resolution, then the relevant Fundamental Principle will be changed.

It is expected that changes to the Fundamental Principles will be uncommon, given their broad focus and general acceptance among the local government sector.

### ***Changing Position Statements***

Following each Annual Conference, LGNSW will review resolutions of that Conference to determine whether the intent of each resolution is adequately covered by existing Position Statements. Where the Position Statements do not adequately include the intent of a resolution, LGNSW will update an existing Position Statement or draft a new Position Statement, to be endorsed by the LGNSW Board as part of the LGNSW Policy Platform.

LGNSW members will be informed of updates to the LGNSW Policy Platform.

## **10. Post-conference: Determining LGNSW Advocacy Priorities**

Following the LGNSW Annual Conference, LGNSW will review the resolutions and identify key areas of focus to guide LGNSW's advocacy for the coming year. These areas of focus will also be informed by member feedback, the strategic plan, position statements, emerging issues, and Board input.

This broad review will result in the development of LGNSW's Advocacy Priorities for the following year, for endorsement by the LGNSW Board and communication to members.

As LGNSW undertakes advocacy actions on each of the Conference resolutions throughout the year, these actions and their outcomes will be published in LGNSW's Action Report<sup>5</sup>.

## **11. Further information**

For further information on the motion submission process, please contact Elle Brunsdon, Policy Officer at [elle.brunsdon@lgnsw.org.au](mailto:elle.brunsdon@lgnsw.org.au).

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<sup>5</sup> LGNSW's Action Reports are available via the previous Conference pages of the LGNSW Annual Conference webpage <https://www.lgnsw.org.au>.

## Frequently Asked Questions

- **How do I know if my motion conflicts with a Fundamental Principle?**

Identifying whether a motion conflicts with a Fundamental Principle can be difficult, particularly if you are unfamiliar with them. The knowledge expert within council is best placed to identify this (for example, if the motion relates to a planning matter, this question should be answered by the Planning Manager). Knowledge experts are encouraged to review the Fundamental Principles in LGNSW's Policy Platform. It can be helpful to review the relevant Position Statements as well to gain a further understanding of LGNSW's position on a particular matter to help identify whether your motion is conflicting.

- **What is the deadline for submitting motions?**

Members are encouraged to submit motions [online](#) by **12 midnight (AEST) on Monday 28 September** to allow assessment of the motions and distribution of the Business Paper before the Conference. However, in line with the LGNSW Rules, the latest date motions can be accepted for inclusion in the Conference Business Paper is **12 midnight AEST on Sunday 25 October 2020** (28 days prior to Conference).

LGNSW can receive up to 300 motions for an Annual Conference. Submitting motions as early as possible helps LGNSW to manage the large volume of motions received within a short period of time and allows LGNSW to seek clarification on any motions if required.

- **I'm unsure which motion category or sub-category I should select in the online portal**

We have aligned the motion categories with the general council department streams. However, there may not be a suitable sub-category for your motion. Should this be the case, please feel free to leave this blank.

- **Who should be the council contact for motions?**

We recommend the council contact is someone who is available during the months that motions are open, and able to respond promptly to communications between the knowledge expert, your council and LGNSW. Some councils have identified the General Manager and others have identified the Governance Officer – it is a decision for each council.

- **Will the COVID-19 pandemic affect the motions process?**

LGNSW's Annual Conference motions process is an important policy setting process for the local government sector. The Annual Conference is moving online this year to allow members to come together as a sector to discuss priority issues, celebrate achievements, vote and hear from key speakers while still meeting COVID-19 health and safety requirements.

Please continue to submit motions, register as voting delegates and sign up to attend, as these elements will still be part of the Conference this year (albeit treated differently) and, importantly, they will continue to inform LGNSW's priorities for the coming year.



## Attachment A – Excerpt of LGNSW 2019 Annual Conference Standing Orders

As the 2020 LGNSW Annual Conference will be held online in a revised format, the 2020 standing orders may be different than the 2019 standing orders set out below. We are currently working through the details of how members will be engaged on motions and how motions will be dealt with as part of the revised conference format and we will communicate further with members about this over the coming months.

### **Manner of dealing with Conference Business**

11. Conference Business will be dealt with in any order at the discretion of the Chairperson.
12. Nothing in these Standing Orders shall prevent the Chairperson from dealing with motions concurrently.

### **In the case of motions**

13. The Chairperson, upon coming to a motion set out in the Business Paper, must ask whether there is any dissent to the proposed resolution the subject of the item and, if no dissent be signified, may at any time, declare the motion carried.
14. Where dissent is signified, the Chairperson shall require the motion to be moved and seconded.
15. If the motion is moved and seconded, the Chairperson may, at any time during debate, make such inquiries as to the nature of the dissent so as to confine any debate to the issues genuinely in dispute or to explore amendments to the proposed resolution which satisfactorily accommodate the moving and dissenting Delegates and Delegates generally.
16. Movers of motions shall be permitted two (2) minutes to introduce their proposed resolution into debate and one and a half (1.5) minutes in reply. All other speakers shall each be permitted to speak once for one and a half (1.5) minutes. The Conference may, on application by a speaker, permit that speaker to have one, but only one, further period of one and a half (1.5) minutes in which to speak.
17. A Delegate seconding a motion shall not be permitted to speak until at least one Delegate has spoken in dissent.
18. The Chairperson may, during the course of debate direct a speaker to confine his or her speech so as to:
  - a. limit repetition of matters addressed by other speakers;
  - b. limit debate about matters or issues not genuinely disputed.
19. Except as otherwise provided herein, it shall not be in order to move that any resolution be immediately put until at least two Delegates, in addition to the mover and the seconder, shall have had an opportunity to speak on the resolution then before the Conference.
20. A Delegate can, without notice, move to dissent from the ruling of the Chairperson on a point of order. If that happens, the Chairperson must suspend the business before the Conference until a decision is made on the motion of dissent;
  - a. If a motion of dissent is passed, the Chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been discharged as out of order, the Chairperson must restore the motion or business to the agenda and proceed with it in due course; and
  - b. Despite any clause to the contrary, only the mover of a motion of dissent and the Chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply.
21. A Delegate may not substitute from the floor of the Conference a new motion for one listed in the Business Paper unless the new motion is substantially the same, and dealing with the same subject matter, as the original motion, and the new motion is accompanied by written evidence that it has the support of the member concerned.



22. *When an amendment is before the Conference, no further amendment shall be discussed until that amendment has been dealt with.*
23. *No more than one amendment upon any motion shall be considered unless notice of such further amendment is given before the amendment then under discussion has been dealt with.*
24. *The mover of an amendment which has been adopted as the motion shall (as in the case of the mover of an original motion) have the right of reply to any further amendments submitted.*

***New motions from the floor of Conference***

25. *At least 24 hours' notice shall be given before dealing with any new motions introduced during the Conference (Rule 28(d)).*
26. *Where a Member seeks to introduce a new motion during the Conference, they shall submit the motion and evidence that the motion has the support of the member concerned, to the Association's Chief Executive (or the Chief Executive's nominee), in writing.*
27. *The Chief Executive (or the Chief Executive's nominee), upon receiving a new motion submitted during the Conference, shall immediately record the time that they receive the motion and make arrangements for copies of the motion to be provided to Delegates.*

***Motions that reflect existing LGNSW policy***

28. *Motions submitted for inclusion in the Business Paper to the Conference which reflect existing LGNSW policy (Category 2 motions) shall remain existing LGNSW policy unless superseded or replaced by a subsequent Conference resolution.*

***In the case of all other Conference Business***

29. *All other Conference Business will be dealt with at the discretion of the Chairperson.*

***Manner of voting***

30. *Only Members' nominated voting Delegates and members of the Board may debate and vote on motions.*
31. *Except as hereinafter provided voting on any matter shall be on the show of cards.*
32. *The Chairperson may direct that voting on any matter be taken by show of voting cards or by use of electronic voting.*
33. *After a show of voting cards or on conclusion of an electronic vote the Chairperson may either:*
  - a. *declare the question resolved in the affirmative or negative; or*
  - b. *if voting cards have been used, call for a new vote using electronic voting.*
34. *A Division may be called following a vote on the show of cards by no less than 10 Delegates.*
35. *A Division will be taken by use of electronic voting.*

***Suspending Standing Orders***

36. *Standing Orders may be suspended by a majority of those present, provided the meeting is in quorum. A motion to this effect shall be open to debate.*

***Outstanding business***

37. *In the event that the Conference, having commenced in quorate, subsequently loses a quorum and is unable to consider any item(s) of business properly put before the Conference, they shall be referred to the Association's Board for consideration.*

## Attachment B - Sample Motion Submission Form

During the motion submission period, this form is available on the online motion submission portal:  
<https://lgnsw-grants.fluidreview.com/>

### Council Name

### Contact Details of Relevant Council Officer

### Motion Category *(drop down list)*

- Industrial relations and employment
- Governance and accountability
- Economic
- Infrastructure and planning
- Social and community
- Environment
- Don't know

### Motion Title

### Motion Wording

### Motion Background

*Maximum 1 or 2 paragraphs*

Please note: LGNSW may make minor amendments to the title and background of the motion for clarity.

## Fundamental Principles conflict?

*Fundamental Principles<sup>6</sup> are the overarching principles that are important to our members and direct our response to key issues. To change a Fundamental Principle, a motion to conference is required.*

### Does this motion conflict with one or more of the Fundamental Principles?

- No. The motion does not conflict with the Fundamental Principles.
- Unsure
- Yes, this motion does or may conflict with the Fundamental Principles (select all that apply below)

#### **Economic**

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

#### **Infrastructure**

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

#### **Planning**

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

#### **Environment**

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

#### **Social and Community**

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

#### **Governance**

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

#### **Accountability**

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

<sup>6</sup> For more information on LGNSW's Fundamental Principles please see **Section 9** of this guide.

## Attachment C – Template – Council Meeting Report

<b>Item number</b>	XX	<b>Division</b>	XX
<b>Responsible officer</b>	XX	<b>Confidentiality</b>	XX
<b>Date</b>	XX	<b>Reference</b>	XX
<b>Subject</b>	2020 Local Government NSW Annual Conference		

### **Purpose of report/summary**

To provide Council with the opportunity to nominate motions, voting delegates and remote attendance for the upcoming Local Government NSW (LGNSW) Annual Conference.

### **Overview**

The 2020 LGNSW Annual Conference will be held online on Monday 23 November 2020.

The LGNSW Annual Conference is the pre-eminent policy making event for the local government sector, allowing councils to unite and use their collective voice to highlight the issues that matter most to communities, and direct action where it is needed

For Council to participate fully in the Annual Conference, it is recommended the Council register attendees, nominate voting delegates and submit motions within the timeframes specified in this paper.

### **Registration to attend the Conference**

Conference attendees are invited to register from 17 July 2020. Further information on registration and costs is available at [lgsw.org.au](http://lgsw.org.au).

The 2020/21 Council budget contains provision for all Councillors to attend the Conference should they wish to do so.

Attached to this report is a copy of Conference Registration Brochure (Attachment X) and a copy of the draft program for the Conference (Attachment X).

### **Registration as a voting delegate**

Voting delegates must be registered to remotely attend the Conference and be registered as a voting delegate.

Confirmation has been received from LGNSW that Council will have XX<sup>7</sup> voting entitlements at the Conference to vote on motions.

It is proposed that Council nominates the Mayor and XX number of Councillors to attend remotely.

The deadline to provide LGNSW with the names of voting delegates is **12 noon (AEDT) on Tuesday 3 November 2020**. Additional nominations received after the closing date cannot be accepted. However, the names of voting delegates may be substituted at any time, in line with Rule 34 of the LGNSW Rules.

Voting delegates may not appoint a proxy to attend or vote at formal business sessions on their behalf.

### **Conference Motions Submission Guide**

Council is invited to submit motions to the Annual Conference to advance the sector wide policy agenda. Motions are strategic local government issues which affect members state-wide and introduce new or emerging policy issues and actions.

<sup>7</sup> Find your council's voting entitlements via the Annual Conference page of the LGNSW website: [lgsw.org.au](http://lgsw.org.au).

Important information on the motions process, including submitting motions, motion criteria and a sample submission form are available in the *LGNSW 2020 Annual Conference Motions Submission Guide* at Attachment XX.

### **Deadlines**

Members are encouraged to submit motions online by **12 midnight (AEST) on Monday 28 September 2020** to allow assessment of the motions and distribution of the Business Paper before the Annual Conference. However, in line with the LGNSW rules, the latest date motions can be accepted for inclusion in the Conference Business Paper is **12 midnight (AEDT) on Sunday 25 October 2020**.

### **Draft motions for consideration for LGNSW Annual Conference**

Having regard to the above motion requirements set out by the LGNSW Board, the following draft motions are provided for consideration by Council:

#### *Proposed motion 1*

Motion category

Motion title

Motion Background note

Indicate if the motion conflicts with one or more of the Fundamental Principles

#### *Proposed motion 2*

Motion category

Motion title

Motion Background note

Indicate if the motion conflicts with one or more of the Fundamental Principles

{please repeat for the number of proposed motions required}

### **Recommendations**

1. Approve registration of Councillors for the 2020 LGNSW Annual Conference
2. Confirm one of the voting delegates at the LGNSW Conference to be the Mayor
3. Determine the other ~~XX~~ Councillors to attend the Conference as Council's voting delegates
4. Adopt the proposed motions for submission to the 2020 LGNSW Business Paper
5. Determine any additional motions for submission at this meeting
6. That the Mayor be given delegated authority to submit any further proposed motions after consulting with Councillors prior to the deadline for submitting motions.