

LGNSW Annual Conference 2020

Record of Decisions

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Decisions of motions considered by Conference

F1 LGNSW Board	Standing Orders
That the Standing Orders as set out in the preceding pages be adopted.	

Decision: Carried

F2 LGNSW Board	Constitution
That Local Government NSW, being a registered organisation under the <i>Fair Work (Registered Organisations) Act 2009</i> (Cth) (the “ Association ”):	
1. Amend the Association’s rules in the terms proposed below.	
2. In furtherance of 1 above, make application to the Fair Work Commission to amend the Association’s rules.	

Decision: Carried

Association business

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

Decision: Carried

2 LGNSW Board	LGNSW Fundamental Principles
That the LGNSW Fundamental Principles, as set out below, be endorsed:	
Economic	
• A - Local government must have control of its revenue raising and investment decisions and be fairly funded by the Commonwealth and State/NSW Governments to meet its infrastructure and service responsibilities.	
• B - Local government promotes local and regional economic development and employment growth.	
Infrastructure	
• C - Local government is best placed to plan for, deliver and manage essential local infrastructure.	
Planning	
• D - Local government is best placed to lead and influence local and regional planning processes according to the needs and expectations of local communities	
• E - Our communities’ quality of life is a priority of local government planning.	

Environment

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

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

Decision: Carried

3 Mosman Municipal Council

Local Government State Award

That Local Government NSW conducts an independent review of the current arrangements and procedures for negotiating and finalising the Local Government State Award, and any interim or variation to that award, by a suitably experienced consultant such as a former tribunal member, to ensure best practice governance and transparency for its members is achieved.

Decision: Carried

4 Kyogle Council

LGNSW Board reform

That:

1. Local Government NSW (LGNSW) explores options for amending the LGNSW Rules (State and Federal) with the objective of:
 - a. Ensuring that the composition of the Board includes an approximately equal number of urban based, regionally based and rurally based representatives; and
 - b. motions debated and passed at LGNSW Annual Conferences are pursued by the Board with priority motions being determined by the number of votes received to establish the political agenda of LGNSW.

- Local Government NSW provides to the 2021 or 2022 LGNSW Annual Conference a report addressing the matters raised in 1 above, and also a motion if the LGNSW Board considers it appropriate.

Decision: Lost

5 Murray River Council **Future conferences and training online**

That Local Government NSW gives consideration to:

- Future conferences being online or having an online component to enable councillors who cannot travel to participate, and
- Future training offerings for councillors online to enable more councillors to participate in learning and development activities without the inconvenience and cost of travel.

Decision: Carried

National Cabinet

6 Newcastle City Council **Local government exclusion from National Cabinet**

That Local Government NSW:

- Notes with disappointment that local government is not represented on the newly formed National Cabinet and seeks their assistance in requesting that First Ministers review the decision to exclude local government;
- Seeks meetings with the Prime Minister and the Premier to discuss in more detail the importance of having local government representation on National Cabinet and the value of partnerships with councils in achieving the objectives of the National Cabinet and the national reform agenda; and
- Notes that the Australian Local Government Association, Local Government NSW and other state/territory local government associations will continue to advocate for local government representation on the National Cabinet and for local government's interests in all relevant forums.

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

City of Canterbury-Bankstown **Local government representation on the National Cabinet**

That Local Government NSW advocates to the NSW and Australian Governments to highlight the critical necessity for local government representation on the newly formed National Cabinet, and request that First Ministers review the decision to exclude local government.

Wollondilly Shire Council **Local government representation at the National Cabinet table**

That Local Government NSW lobbies the Prime Minister's Office and advocates strongly for the inclusion of a local government representative in the National Cabinet: a representative whose first and foremost consideration is the impact of decisions on councils and the communities they represent.

Decision: Carried

Disaster management, recovery and resilience

7 Blayney Shire Council **Emergency management reform**

That Local Government NSW advocates to the NSW Government, specifically Resilience NSW to transfer responsibility for emergency management to the NSW Government to deliver the following outcomes:

- Decentralisation of emergency management roles to regional NSW providing stronger local knowledge and employment in the regions.
- Improved capacity for resilience and recovery planning with that resource capable to transition directly into leading recovery (instead of local government).

- Significant efficiency gains in the emergency management space with a greater capacity for more on-ground professional emergency management personnel in each local government area or agreed combined areas.
- More consistent emergency management outcomes regardless of the size or capacity of the council (which itself is highly variable).
- Improved strategy and delivery of emergency services infrastructure through integration.
- Improved alignment by allowing local councils and the NSW Police to focus on their core roles.
- Improved facilities, support and training for emergency service volunteers.
- A significant boost to the financial sustainability of all councils in NSW.
- A greater capacity within local councils to develop and implement permanent resilience improvements (e.g. on critical infrastructure).
- Local councils still have a critical role to play in emergency management planning and response through a 'seat at the table', and,
- That the transfer of responsibility includes removal of the \$120 million local government annual contribution to emergency services and the transfer of ownership of Rural Fire Services and State Emergency Services infrastructure from local government to the NSW Government.

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

Coolamon Shire Council

Emergency Management Reform

That Local Government NSW advocates for, and lobbies the NSW Government for a full review of the way emergency management is conducted in NSW. This review must address the way emergency management is to be co-ordinated and funded in a sustainable way.

Weddin Shire Council

New Resilience NSW agency

That Local Government NSW calls on the NSW Government to:

1. Clearly outline the role and funding structure for Resilience NSW, and
2. Confirm that councils will not be required to contribute towards the funding requirements of Resilience NSW.

Greater Hume Council

Introduction of a Fire and Emergency Services Levy

That Local Government NSW makes a case with NSW Government for the introduction of a broad based property levy to fund the Emergency Services Levy as previously proposed.

Cootamundra-Gundagai Regional Council

Emergency Services Levy

That Local Government NSW calls on the NSW Government to:

1. Work with NSW councils to redesign the funding mechanism and implement a broad base property tax to replace the Emergency Services Levy on both local government and insurance policies.
2. Until such time as such a mechanism is introduced any proposed increases to the Emergency Services Levy shall be limited to the annual rate peg percentage increase to local government. Further, any increase greater than the rate peg percentage increase be paid by the NSW Government.

Weddin Shire Council

Emergency Services Levy

That Local Government NSW calls on the NSW Government to:

1. Limit yearly increases in the Emergency Services Levy to sustainable levels, and
2. Scrutinise the expenditure of the Rural Fire Service, State Emergency Services and Fire and Rescue NSW to ensure any costs passed onto councils are sustainable and justified.

Kempsey Shire Council

Review of the Fire and Emergency Services Levy

That Local Government NSW seeks a review of the Fire and Emergency Services Levy due to the disproportionate impact on local government to reduce the impost on local government and local communities with a view to establishing a fairer system in consultation with local councils and Local Government NSW.

Bellingen Shire Council

Fire and Emergency Services Levy

That Local Government NSW advocates to the NSW Government regarding the disproportionate effect of the Fire and Emergency Services Levy on regional councils, and seeks an urgent review to reduce the impost on local communities to establish a fairer and more equitable system.

Carrathool Shire Council

RFS Emergency Services Levy

That Local Government NSW continues to lobby the NSW Government to reduce and curtail the excessive increases in the bush fire levy that are impacting on the capacity of council to fund. The levy increases are out of all proportion with NSW

Government constraints on councils ability to raise rate income and should only be increased in line with rate peg percentage increases.

Fairfield City Council **Cost shifting of Emergency Services Levy to local government**

That Local Government NSW lobbies the NSW Government to introduce a fairer and more transparent broad based property levy to landowners to cease cost shifting to the Emergency Services Levy to local government.

Decision: Carried

8 Bega Valley Shire Council **NSW Bushfire Inquiry endorsement**

That Local Government NSW endorses the NSW Government's Bushfire Inquiry Report and urges Resilience NSW to proceed with implementation of the Inquiry's recommendations as a matter of urgency.

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

Snowy Valleys Council **NSW Bushfire Inquiry**

That Local Government NSW lobbies the NSW Government to ensure that local government is appropriately funded and well placed to implement prevention, response and recovery initiatives resulting from the recommendations of the Royal Commission into Natural Disaster Arrangements and the NSW Bushfire Inquiry.

Snowy Valleys Council **Local and State Government bushfire management of Crown Lands**

That Local Government NSW lobbies the NSW Government to partner with councils and commit funding to better plan for bushfire management of Crown Lands, with a particular emphasis on the control of vegetation and weeds (in accordance with the Biosecurity Act 2015) to help mitigate the bushfire risk to community.

Decision: Carried

9 Tenterfield Shire Council **Cultural burning to facilitate fire management**

That Local Government NSW calls upon the NSW Government to support cultural burning on Crown Lands, National Parks and State Forest held lands in every State of Australia, and the training and employment of indigenous people to carry out this important task.

Decision: Carried

10 Shoalhaven City Council **Coast and estuary grants funding**

That Local Government NSW lobbies the NSW Government to release the additional unallocated funding from the Coastal and Estuary Grants Program to flood affected local government areas.

Decision: Carried

11 The Hills Shire Council **Review of the 10/50 Vegetation Clearing Scheme**

That Local Government NSW lobbies the NSW Government to review the 10/50 Vegetation Clearing Scheme to ensure landowners in high-risk areas are able to take steps to prepare themselves for bushfire events.

Procedural motion – That motion 11 be put.
Carried

Decision: Lost

12 Tenterfield Shire Council

Funding increase to drought proof Australia

That Local Government NSW advocates for the State and Federal Governments to increase funding for pasture research to assist in drought proofing Australia.

Amendment from Leeton:

That Local Government NSW advocates for the State and Federal Governments to increase funding for agricultural research, including pasture research to assist in drought proofing Australia.

Amendment becomes the motion

Decision: Carried

13 Warren Shire Council

Equality of drought and COVID-19 pandemic support

That Local Government NSW petitions the Federal Government to ensure equality of financial support for drought impacted individuals, families, producers and service providers on the same basis as that being provided to employees, families, the unemployed and business during the Covid-19 pandemic and that the government:

1. Immediately address the inequity that exists between the drought response and that to the COVID-19 crisis.
2. Develop strategies for future droughts that reflect the importance of the regions and that values them accordingly.
3. Focus on primary criteria and actions that relate to loss of income and protecting people in drought when they are most vulnerable.
4. Safeguard and protect our human resources and vital Australian food and fibre production capacity and its security.

Decision: Carried

14 Shoalhaven City Council

Asset Protection Zones

That Local Government NSW requests the NSW Government to carry out the following actions to local government areas in NSW with respect to Asset Protection Zones (APZ):

1. To exempt hazard reduction burns and the construction of asset protection zones, required as a result of a duly adopted standard, from the provisions of the EPCB Act and the NSW Environmental Legislation, internal Government Agency Policies, or any other limitations within other Acts or Regulations which restrict any authorised authority from constructing and maintaining APZs or undertaking hazard reduction burns.
2. Adopt as a general policy that Urban settlements requiring the provision of an APZ at the interface with natural areas, such APZ be at least 200m and to have such APZs managed as Park Lands.
3. To either repeal or create an easement over any section of a National Park where part of the Park falls within a 200m APZ and vest the management of that land in the local council.
4. To enact Legislation to require a private land holder (including Aboriginal Land) to create and maintain a parkland like cleared area of generally 200m to act as an APZ between the subject land and the interface with any urban development requiring the provision of an APZ, where a property owner fails to comply with this requirement an authorised authority may carry out the work and charge the land holder for the works, with the exception of Aboriginal Land where the clearing will remain a cost on the authority.
5. To require any Government Authority who manages forested areas to properly maintain and improve the construction of fire trails, this is to include the removal of any obstructions other than locked gates.
6. To consider the construction of strategic fire breaks through forested areas including National Parks of a similar width to a major electricity easement.

Amendment from Kempsey:

That Local Government NSW requests the NSW Government to carry out the following actions to local government areas in NSW with respect to Asset Protection Zones (APZ):

1. To exempt hazard reduction burns and the construction of asset protection zones, required as a result of a duly adopted standard, from the provisions of the EPCB Act and the NSW Environmental Legislation, internal Government Agency Policies, or any other limitations within other Acts or Regulations which restrict any authorised authority from constructing and maintaining APZs or undertaking hazard reduction burns.
2. Adopt as a general policy that Urban settlements requiring the provision of an APZ at the interface with natural areas, such APZ be at least 200m and to have such APZs managed as Park Lands.
3. To enact Legislation to require a private land holder (including Aboriginal Land) to create and maintain a parkland like cleared area of generally 200m to act as an APZ between the subject land and the interface with any urban development requiring the provision of an APZ, where a property owner fails to comply with this requirement an authorised authority may carry out the work and charge the land holder for the works, with the exception of Aboriginal Land where the clearing will remain a cost on the authority.
4. To require any Government Authority who manages forested areas to properly maintain and improve the construction of fire trails, this is to include the removal of any obstructions other than locked gates.
5. To consider the construction of strategic fire breaks through forested areas including National Parks of a similar width to a major electricity easement.

Amendment becomes the motion

Decision: Carried

15 Wollondilly Shire Council Service Award for Individual First Responders

That Local Government NSW advocates for the establishment of a Local Government Service Award for Individual First Responders in the form of a medal or ribbon to be worn on their uniform recognising their conduct or action to protect their community. There is currently no appropriate acknowledgement of first responders at a local government level.

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

Blacktown City Council First responders medal

That Local Government NSW consults relevant Ministers and authorities as appropriate to create a local government medal to be awarded by a local council to Rural Fire Service and State Emergency Services volunteers and first responders, to recognise their service, their sacrifice and their contribution to NSW during natural disasters and other emergencies.

**Procedural motion – That motion 15 be put
Carried**

Decision: Carried

Local government elections

16 Georges River Council Protecting democracy at the 2021 local government elections

That Local Government NSW:

- (a) Calls for the NSW Government to protect local democracy by ensuring councils and communities retain choice in their method of voting to encourage more people to participate in the electoral process.
- (b) Calls for the NSW Government to ensure local government elections are conducted in a manner as similar as possible to State elections to make democratic participation simple for voters and support voter turnout.
- (c) Opposes the introduction of universal postal voting which risks disenfranchising voters through discouraging voter participation and diminishing the status of local government.
- (d) Calls for the NSW Government to fund any increase in the costs of local government elections beyond the rate peg imposed on councils.

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

Broken Hill City Council**Universal postal voting for local government elections**

That Local Government NSW strongly oppose the introduction of universal postal voting for future NSW local government elections.

Lithgow City Council**Universal postal voting**

That Local Government NSW writes to the NSW Minister for Local Government expressing strong opposition to the concept of universal postal voting for NSW local government elections.

Procedural motion – That motion 16 be put.

Carried

Decision: Carried

17 Kempsey Shire Council**COVID-19 action utilising universal postal voting**

That Local Government NSW advocates to the NSW Government to permit the usage of universal postal voting for local government elections by the State Electoral Commission and councils, if the safety of electors is at risk due to the possible ongoing COVID-19 pandemic.

Decision: Lost as a result of carried motion 16

Point of Order – quorum check – 253 voting delegates confirmed.

18 Georges River Council**Electronic signatures on Electoral Commission documents**

That Local Government NSW lobbies the NSW Electoral Commission and the NSW Government to:

- (a) improve compliance outcomes and ensure accessibility for all members of the community, all existing processes (including forms) for candidates and public office holders be reviewed to ensure that they are simple and easy to understand
- (b) reduce the administrative burden on citizens seeking to be involved in Local Government by amending all relevant legislation and regulations to permit electoral documents, including periodic disclosures, to be signed and lodged electronically.

Decision: Carried

19 Wingecarribee Shire Council**Removal of preference voting**

That Local Government NSW calls on the NSW Government to amend local government electoral legislation, so that councillors are elected on a first past the post basis to remove preference deals.

Procedural motion – That motion 19 be put.

Carried

Decision: Lost

20 Narrandera Shire Council**NSW electorate districts redistribution process**

That Local Government NSW lobbies the NSW Government to undertake a formal review of the redistribution process in NSW, seeking to ensure that regional/rural areas west of the Great Dividing Range are represented adequately into the future.

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

Leeton Shire Council**Review of NSW electoral district boundaries**

That Local Government NSW advocates for rural and regional state electoral districts to more accurately reflect local government area 'communities of interest' and for larger districts to be reduced in area.

Decision: Carried

Waste and recycling

21 City of Canterbury-Bankstown

Improving recycling systems in NSW

That Local Government NSW advocates to the NSW Government to increase the proportion of the waste levy reinvested in recycling and waste management.

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

City of Canterbury-Bankstown

Permanent Fund to Address Illegal Dumping

That Local Government NSW make representations to the NSW Government requesting a permanent and secure funding stream, to be funded from the Waste Levy, for councils to address the growing issue of illegal dumping through ongoing targeted programs of deterrence, enforcement and clean up.

Blacktown City Council

Resourcing for the NSW Circular Economy Policy

That Local Government NSW calls on the NSW Government to urgently develop and implement an action plan and funding strategy to support the implementation of its NSW Circular Economy Policy.

Bourke Shire Council

Recycling Services

That Local Government NSW lobbies the NSW Government to consider the allocation of a subsidy to rural and remote councils to assist them in the establishing and maintaining recycling services within their local government areas.

Central Coast Council

Waste Levy

That Local Government NSW calls on the NSW Government to allow councils to retain the full Waste Levy during the current COVID-19 crisis.

Lismore City Council

Waste Levy reinvestment

That Local Government NSW lobbies the NSW Government to demonstrate how it has invested in recycling industries and ensure a greater share of the S88 POEO Act 1997 NSW Waste Levy is reinvested back into recycling technologies and;

1. Mandates the reduction in front end waste from food packaging;
2. Provides equitable distribution of waste levy funds back to councils in a non-competitive environment
3. Establishes a policy that ensures that monies collected from one or more councils is not used to subsidise revenue positive investments in other councils
4. Mandates closed loop requirements for food manufacturers to manage waste.

Cessnock City Council

Waste Levy to fund landfill rehabilitation costs

That Local Government NSW calls upon the NSW Government to fund local government investigation, evaluation, the formulation of Remedial Action Plans and the remediation of historic orphan waste management sites through funding allocations from the NSW Waste Levy.

Blacktown City Council

Protecting our ratepayers from the impact of the waste export ban

That Local Government NSW calls on the NSW Government to urgently develop and implement a waste and resource recovery infrastructure plan to minimise the impact of the waste export ban on local government.

Procedural motion – That covered motion from Federation Council not be considered with motion 21.

Carried

Amendment from Canterbury-Bankstown

To support existing LGNSW Policy that 100% NSW Waste Levy should be returned to councils, Local Government NSW advocates to the NSW Government to increase the proportion of the waste levy reinvested in recycling and waste management.

Amendment becomes the motion

Amendment from Cessnock

That Local Government NSW advocates to the NSW government to increase the proportion of the waste levy re-invested in recycling and waste management. This funding would include but not limited to illegal dumping, the circular economy and the rehabilitation of historic orphan dump sites.

Amendment becomes the motion

Amendment from Canterbury-Bankstown

To support existing LGNSW Policy that 100% NSW Waste Levy should be returned to councils, Local Government NSW advocates to the NSW Government to increase the proportion of the waste levy reinvested in recycling and waste management. This funding would include but not limited to illegal dumping, the circular economy and the rehabilitation of historic orphan dump sites.

Amendment becomes the motion

Decision: Carried

21a Federation Council

Waste to Energy

That Local Government NSW requests the NSW Government to more urgently progress concrete actions and strategy to enable projects to develop including a strategic pathway towards funding regional waste management solutions also involving Joint Organisations, and the Federal Government.

Decision: Carried

22 The Hills Shire Council

Energy from waste

That Local Government NSW urges the NSW Government to encourage and facilitate private sector investment in Waste to Energy facilities as both a more sustainable alternative to landfill and recognition that the waste stream is too diverse and contaminated to make all but a few products recyclable.

Procedural motion – That motion 22 be put.

Carried

Decision: Lost

23 Randwick City Council

Proposals for incineration of waste in urban Sydney

That the Conference opposes partnerships between the waste disposal industry and other industries for cogeneration plants (or “Energy Recovery Plants”) similar to the Matraville proposal between Opal Paper Mill and the waste company Suez Group on the grounds that they are essentially repackaged waste incineration plants. In doing so the association notes that emissions from such plants are a health danger to local communities and an obstacle to achieving the infrastructure and circular economy solutions advocated for under clause 12.1.a) of the Waste and Recycling Position Statement of our adopted Local Government NSW Platform Policy.

Decision: Carried as a result of lost motion 22.

Economic stimulus

24 Federation Council

COVID-19 recovery

That Local Government NSW lobbies the NSW Government to develop a comprehensive COVID-19 recovery package to assist communities and businesses recover from the economic impacts of COVID-19.

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

Federation Council

COVID-19 costs

That Local Government NSW lobbies the NSW Government to develop, in consultation with Local Government NSW, a reimbursement package for councils who are incurring additional costs as a result of COVID-19 risk measures, including assistance to NSW Police for Border Closures.

Decision: Carried

25 Liverpool City Council**Covid-19 impacts and Fit for the Future guidelines**

That the LGNSW Conference:

- i. Notes the collapse in revenues and seek a rates guarantee to ensure financial liquidity, financial assistance to maintain existing employment levels and explicit inclusion of local government in any future stimulus packages;
- ii. Support Local Government NSW's campaign to suspend Fit for the Future (FFF) guidelines given current circumstances, including writing to the Minister for Local Government as appropriate; and
- iii. Note that councils believe FFF targets and benchmarks are now outdated and should be abandoned as councils will be increasingly unable to meet targets and benchmarks during the pandemic.

Amendment from Liverpool:

That the LGNSW Conference:

- i. Notes the collapse in revenues and seek a rates guarantee to ensure financial liquidity, financial assistance to maintain existing employment levels and explicit inclusion of local government in any future stimulus packages;
- ii. Support Local Government NSW's campaign to suspend Fit for the Future (FFF) guidelines given current circumstances, including writing to the Minister for Local Government as appropriate; and
- iii. Note that councils believe FFF targets and benchmarks are now outdated and should be reviewed as councils will be increasingly unable to meet targets and benchmarks during the pandemic.

Amendment becomes the motion

Decision: Carried

26 Blue Mountains City Council**Active Transport Infrastructure**

1. That Local Government NSW advocates to the State and Federal Governments to create clear and dedicated funding programs to support the building of active transport infrastructure, such as footpaths and shared paths/cycleways;
2. That these programs should be considered as part of the economic stimulus packages that are critical in keeping the economy going in response to the COVID-19 pandemic as well as the impacts of the Black Summer bushfires; and
3. That this program provides full grant funding rather than 50/50 shared cost arrangements, to enable councils to deliver on their Pedestrian Access and Mobility Plans.

Decision: Carried

27 Goldenfields Water County Council**Water County Council grant funding**

That Local Government NSW advocates on behalf of Water County Councils to be included in, and receive an equitable share of grant funding provided by Federal and NSW Governments.

Decision: Carried

28 Tweed Shire Council**Economic stimulus for regenerative landscape management**

The Local Government NSW lobbies the Federal and NSW Governments to request a specific and significant funding stream be made available for regenerative landscape management as an economic stimulus to be administered at local government level.

Decision: Carried

29 Gilgandra Shire Council**First generation dying swimming pools in regional NSW**

That Local Government NSW pursue designated funding from the NSW Government for the urgent replacement of first generation dying swimming pools in regional NSW.

Decision: Carried

30 Snowy Valleys Council**Eligibility criteria for Job Retention Allowance**

That Local Government NSW lobbies the NSW Government to amend the eligibility criteria for the Job Retention Allowance funds to allow a fairer distribution to impacted councils who have not had to 'stand down' staff as a result of the pandemic.

Decision: Carried

Procedural motion – refer remaining motions to the LGNSW Board for consideration.

Lost

31 Cabonne Council**Stronger Country Communities funding - additional round**

That Local Government NSW:

1. Thanks the NSW Government for providing \$400 million towards local infrastructure projects across regional NSW via the Stronger Country Communities fund.
2. Acknowledges that the NSW Government's Stronger Country Communities fund has enhanced regional communities and stimulated regional economies that have been hit hard by drought and bushfires.
3. Lobbies the NSW Government to commit to an additional round of Stronger Country Communities funding, due to the economic impacts of COVID-19. This would allow the previous 93 eligible regional councils as well as incorporated and not-for-profit organisations in those local government areas to access \$1 million in funding for community infrastructure projects.
4. Calls on the NSW Government to include in the criteria that infrastructure projects must stimulate regional economies by employing local tradespeople and buying local supplies.

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

Bourke Shire Council**Stronger Country Communities**

That Local Government lobbies the NSW Government to continue the Stronger Country Communities Program to ensure that the benefits that have been able to flow to rural communities since its inception continue to do so.

Amendment from Inner West

That Local Government NSW:

1. Thanks the NSW Government for providing \$400 million towards local infrastructure projects across regional NSW via the Stronger Country Communities fund.
2. Acknowledges that the NSW Government's Stronger Country Communities fund has enhanced regional communities and stimulated regional economies that have been hit hard by drought and bushfires.
3. Lobbies the NSW Government to commit to an additional round of Stronger Country Communities funding, due to the economic impacts of COVID-19. This would allow the previous 93 eligible regional councils as well as incorporated and not-for-profit organisations in those local government areas to access \$1 million in funding for community infrastructure projects.
4. Calls on the NSW Government to include in the criteria that infrastructure projects must stimulate regional economies by employing local tradespeople and buying local supplies.
5. Notes that all state Government funding should be administered in a fair, transparent and competent manner. In the last round some Councils who meet the guidelines to qualified for a grant from the NSW Government's Stronger Communities Fund were excluded from applying. We also note the decision making process for the allocation of funds in now a matter before the NSW Auditor General.

Amendment becomes the motion

Procedural motion – That motion 31 be put.

Carried

Decision: Carried

32 Newcastle City Council	Gateway City classification
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That Local Government NSW:

1. Calls on the NSW Government to establish a consistent geography and classification across all NSW Government funding sources that enables equitable access for all local government areas (LGAs). This would provide more integrity to the process and enable new opportunities for LGAs like Newcastle and Wollongong, who have been effectively shut out from a range of funding sources; and
2. Asks the NSW Government to create a Gateway City classification to recognise that LGAs like Newcastle and Wollongong are major regional economic centres that sit between a metropolitan and regional classification. Gateway Cities will play a critical role in the future economic resilience and competitive opportunities of the state, particularly with the ongoing impacts of COVID-19. This would improve the efficiency and value for money of NSW Government grants;

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

Wollongong City Council	Gateway Cities classification
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That Local Government NSW writes to the Premier of NSW to request the NSW Government:

1. Consider creating a Gateway City classification for LGA's like Wollongong and Newcastle to recognise the contribution they make to their respective regions and the nation.
2. Include a Gateway City classification in the Restart NSW program to provide LGA's like Wollongong and Newcastle with access to funds that support regionally significant projects.

Procedural motion – That motion 32 be put.

Carried

Decision: Carried

33 Lane Cove Council	Post-COVID stimulus funding to promote the arts
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That Local Government NSW lobbies the NSW Government for post-COVID stimulus funding to promote the arts (art galleries, performances, exhibitions, festivals) in our communities.

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

Bega Valley Shire Council	Regional Arts NSW support
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That Local Government NSW calls on the NSW Government to support Regional Arts NSW to continue as an effective model representing the network of Regional Arts Development Organisations (RADOs).

Wagga Wagga City Council	Arts and entertainment sector support
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That Local Government NSW advocates to State and Federal Governments to support the arts and entertainment sector throughout NSW, especially in regional areas due to COVID-19.

Lismore City Council	Regional arts recovery from COVID-19
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That Local Government NSW:

1. Recognises the unique role regional arts organisations play in supporting the arts and cultural sector and providing community access to arts and cultural activity across NSW. And, that while the COVID-19 crisis has had an immediate and devastating impact on the arts and creative industries across the country, acknowledges regional artists and arts organisations have experienced particular challenges impacting their access to audiences, markets and income generation.
2. Strongly advocates for increased funding and support for the recovery initiatives of regional arts organisations and individuals as they emerge from this crisis.

Decision: Carried

Economic policy affecting local government

34 Georges River Council **Inquiry into the Local Government Rating System in NSW**

That Local Government NSW calls on members of the NSW Legislative Council to immediately establish an Inquiry into the NSW Local Government Rating and Revenue System to ensure that the long term financial sustainability of councils can be guaranteed and to address:

1. The response of the NSW Government to the IPART Review of the NSW Rating System (2016) that found 'the current system undermines council incentives to pursue growth and urban renewal, because they do not receive a commensurate increase in rates revenue to service new developments';
2. The findings of the August 2020 NSW Productivity Commission Green Paper that found 'the rate peg system does not currently compensate councils for having to service a larger pool of ratepayers, this leaves local governments with insufficient revenue to meet demand and an incentive to avoid housing growth';
3. The lack of action arising from the findings of the Henry Review of Taxation, the NSW Treasury Corporation's assessment of the financial sustainability of NSW councils and the NSW Independent Local Government Review Panel's Final Report;
4. The financial impact on the 2016 amalgamated councils and their communities, of the 'rates path protection freeze' that prevented the introduction of fair and equitable rating systems within 20 amalgamated local government areas until 2020;
5. The intergenerational inequity arising from the lack of rating reform in NSW;
6. Whether the century-old rating system and the NSW Local Government Act 1993 remains fit for purpose;
7. The demand from communities that councils take on the increasing financial responsibilities of population growth, infrastructure requirements and provide an increasingly large and diverse range of services, and the impact that the rate peg has on those responsibilities; and
8. The impact of cost shifting from Federal and NSW Governments onto NSW councils without financial compensation.

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

Lake Macquarie City Council **Changes to Local Government Act from IPART Rating Review**

That Local Government NSW calls on the NSW Government to expedite the changes required to the Local Government Act 1993 to deliver the reforms supported in the NSW Government's response to the IPART Review of the Local Government Rating System.

Decision: Carried

35 Blue Mountains City Council **Fixing the Unfair Rating Systems in NSW**

That Local Government NSW:

1. Notes:
 - a. annual increases in overall rates charged by local councils are set each year by the NSW Government's Independent Pricing and Regulatory Tribunal (IPART) through the rate peg system. In 2020-2021 the rate peg increase was 2.6% to take account of costing of living/CPI increases;
 - b. at the same time, the NSW Valuer General's three yearly cycle of reassessment of land valuations to determine individual household rates means that individual rate payers may experience wildly different variations in their rates when compared to anticipated and published IPART rate peg increase. For example, in the Blue Mountains LGA, the NSW Valuer General's wholesale reassessment of land values meant that some individual households experienced rate increases of up to 40% (15 times more than the rate peg), while other households' ratings charges stayed the same and some households rates went down. Meanwhile, the overall ratings amount levied by the Council did not increase beyond the IPART rate peg of 2.6%;

- c. the NSW Government directed IPART to undertake a review of the NSW Ratings System in 2016 and it has taken four years for the NSW Government to respond and the Government is yet to implement any changes to improve the ratings system across NSW.
2. Calls on the NSW Government to fix the broken and unfair ratings system in NSW to make the ratings system fairer and predictable for all property owners across NSW.
3. Calls on the NSW Government to fully fund the excessive rate increases caused by the NSW Valuer General's reassessment of land values in local government areas, due to the economic impacts of the Black Summer bushfires, February floods and the COVID-19 pandemic.

Decision: Carried

Procedural motion – move forward motion 122.

Carried

122 Wingecarribee Shire Council Political party candidates at local government elections

That Local Government NSW calls on the NSW Government to amend electoral requirements so that:

- a. no political parties/groups run on the ballots; and
- b. all candidates are listed below the line as individual candidates.

Procedural motion – That motion 122 be put.

Carried

Decision: Lost

Procedural motion – move forward motion 114.

Lost

Procedural motion – move forward motion 108.

Lost

Procedural motion – proceed with motions in business paper order.

Carried

36 Bland Shire Council IPART Review of the Local Government Rating System

That Local Government NSW lobbies the NSW Government, in the strongest possible terms, to ensure that Recommendation 34 of the 2016 IPART Review of the NSW Local Government Rating System does not become legislation because of the severe and adverse financial impact this will have on all mining affected communities in NSW.

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

Broken Hill City Council 2016 IPART Review of the NSW Local Government Rating System

That Local Government NSW lobbies the NSW Government, in the strongest possible terms, to ensure that Recommendation 34 of the 2016 IPART Review of the NSW Local Government Rating System does not become legislation because of the severe and adverse financial impact this will have on all mining affected communities in NSW.

Lachlan Shire Council IPART Review of NSW Local Government Rating

That Local Government NSW lobbies the NSW Government to not adopt Recommendation 34 of the 2016 IPART Review of the NSW Local Government Rating System, due to the severe financial impact of the recommendation on mining affected communities in NSW.

Blayney Shire Council IPART Review into the Local Government Rating system

That, in relation to Recommendation 34 of the IPART Review into the Local Government Rating system, Local Government NSW lobbies the NSW government to either:

- a. not implement the recommendation; or if it is to be adopted
- b. meaningfully engage with all affected councils before doing so, including a careful consideration of the rationale for and impacts of the recommendation and solutions for any adverse impacts on the financial viability of affected councils.

Decision: Carried

37 Lachlan Shire Council **Re-ascertainment of mining land**

That Local Government NSW lobbies the NSW Government and the NSW Valuer General to limit or prohibit the retrospective revaluation or re-ascertainment of land values, for mining properties, beyond the current base valuation year.

Decision: Carried

38 Forbes Shire Council **Consideration of land value by the Valuer General**

That Local Government NSW lobbies the Valuer General to not take into account the approvals for water use and water supply works when determining rural land values.

Decision: Carried

39 Blue Mountains City Council **Crown Lands and Plans of Management**

That councils at the Local Government NSW Annual Conference:

1. Seek the NSW Government fully fund the costs associated with transfer of management of Crown Lands to local councils, including the costs of developing and implementing Plans of Management for Crown Land Reserves;
2. Seek the NSW Government recognise the difficulties being encountered by local government of NSW in meeting the requirements of the Crown Lands Management Act 2016 and extend the timeframe for adoption of Plans of Management for public reserves for which councils are appointed as Crown Land Manager; and
3. Seek the NSW Government improve training and support provided for appointed Native Title Managers within local government of NSW.

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

Greater Hume Council **Management of Crown Lands**

That Local Government NSW urgently requests the NSW Government to adequately resource the NSW Department of Planning, Industry and Environment so that Crown Land matters can be dealt with so as to reduce the large backlog of applications.

Shoalhaven City Council **Support for the completion of Crown Land Management Plans**

That Local Government calls on the NSW Government to provide greater funding to councils to complete Crown Land Management Plans.

Decision: Carried

40 Kyogle Council **Local government Financial Assistance Grants**

That Local Government NSW calls on the Federal Government to remove Part 1 Sec 6 2b of the Local Government Financial Assistance Act 1995 to remove the minimum per capita amount grant.

Procedural motion – That motion 40 be put.

Carried

Decision: Lost

41 Cootamundra-Gundagai Regional Council **Financial Assistance Grants**

That Local Government NSW calls on the NSW Government to reconsider the factors that determine the allocation of Financial Assistance Grants, being road distance and other terrain issues, so that local government areas with difficult terrain receive a fairer distribution of Financial Assistance Grants. This is for the reason that the cost to build a kilometre of road in undulating and mountainous country is substantially more expensive than in the tablelands.

Amendment from Broken Hill

That, if the Federal Government commits significant additional funding to Federal Assistance Grants to ensure no council is worse off, Local Government NSW calls on the NSW Government to reconsider the factors that determine the allocation of Financial Assistance Grants, being road distance and other terrain issues, so that local government areas with difficult terrain receive a fairer distribution of Financial Assistance Grants. This is for the reason that the cost to build a kilometre of road in undulating and mountainous country is substantially more expensive than in the tablelands.

Amendment becomes the motion

Decision: Carried

42 Cootamundra-Gundagai Regional Council Capital Improved Value

The NSW Government introduce a Capital Improved Value (CIV) to the NSW rating system as an option available to all councils. This is so that growth and rates and revenue outside the rate peg percentage be calculated on changes to the CIV as this would enable growth in the rate base to keep pace with real growth and associated increases in demand for council infrastructure and services. In light of such support increasing the income of city councils, then a redistribution of Financial Assistance Grants to rural councils be considered at the same time, to enhance financial sustainability for the sector.

Decision: Carried

43 Lismore City Council Australian made workwear

That Local Government NSW encourages councils to purchase Australian made workwear (and Personal Protective Equipment (PPE) to bolster the national manufacturing industry.

Decision: Carried

44 North Sydney Council Rates paid by educational institutions

That Local Government NSW calls for the NSW Government to ensure educational institutions acquiring additional land pay council rates on new acquisitions

Decision: Carried

45 Lismore City Council Maintenance payments in funding for construction projects

That Local Government NSW strongly advocates for:

1. A change to State and Federal Government funding regimes to include acceptance of a strong case for part funding of maintenance on construction projects over \$100 million for city councils and \$20 million for rural and regional councils.
2. The establishment of a 'means test' or equivalent to apply maintenance funding.

Decision: Carried

46 Lismore City Council Insurance for residents undertaking roadside maintenance

That Local Government NSW make representations to StateCover to offer an option for councils to provide insurance coverage for residents who undertake maintenance on roadside verges.

Procedural motion – That motion 46 be put.
Carried

Decision: Carried

47 Blacktown City Council **Change how a council's borrowing limit is calculated**

That Local Government NSW urgently calls on the NSW Government to amend how the Debt Coverage Ratio for local government is calculated, so external borrowings to forward fund Section 7.11 infrastructure do not limit other borrowings funded from general funds.

Decision: Carried

48 Blacktown City Council **Removing restrictions on power purchase agreements**

That Local Government NSW requests the Minister for Local Government to make a formal determination that entry into a renewable energy power purchase agreement structured as a contract for difference does not constitute an "investment" for the purposes of Section 625 of the Local Government Act 1993 (NSW) and the Ministerial Investment Order 2011, and to take the steps required to clarify this for NSW councils and enable their ability to enter such agreements.

Decision: Carried

Water and utilities

49 Narromine Shire Council **Statewide water security**

That Local Government NSW lobbies the NSW Government and Federal Government to expediate the lifting of flood mitigation zones to ensure statewide water security, including at Burrendong Dam.

Decision: Carried

Procedural motion – extend conference proceedings to 5pm.
Lost

Procedural motion – That motions 50 to 58 are put together.
Carried

50 Federation Council **Funding for critical water and sewer infrastructure**

That Local Government NSW requests the NSW Government to provide improved funding pathways for councils to be able to gain 60% + funding for replacement of critical water and sewer plants/major enabling infrastructure.

Decision: Carried (motions 50 to 58 were put together as a result of procedural motion).

51 Bourke Shire Council **Murray Darling Basin Plan**

That Local Government lobbies the Federal Government to expedite the finalisation of the Murray Darling Basin Plan to allow individuals and communities to plan for the future with an increased level of certainty.

Decision: Carried (motions 50 to 58 were put together as a result of procedural motion).

52 City of Sydney **Woronora reservoir**

1. That Local Government NSW notes:
 - (i) the NSW Government has recently granted planning approvals for an expansion of coal mining operations under Woronora reservoir, one of Sydney's key drinking water catchments;
 - (ii) the new expansion will see new coal faces established under the Woronora Dam, which supplies drinking water to Sydney. Up to three new underground coal faces will be established at the mine, with two of them running below the dam's water storage;
 - (iii) this decision to allow coal mining under the Woronora reservoir poses a direct threat to the drinking water of hundreds of thousands of Sydneysiders;

- (iv) mining activities under the reservoir could compromise the integrity of the water storages, potentially leading to leakages, and flow on environmental damage to the surrounding water table and the quality of drinking water supplies; and
- (v) the full impacts of the underground mining operations will not be known for several decades, and changes in the geological structures below the dam could continue well after the final coal has been extracted from the site; and

2. That Local Government NSW:

- (i) opposes the approval of long-wall coal mines under Sydney's drinking catchments;
- (ii) lobbies the NSW Government against the issue of long-wall mining approvals under Woronora reservoir, and other mines which have the potential to risk contaminating Sydney's drinking water supply; and
- (iii) opposes the approval of any mines which have the potential to contaminate drinking water supply of any community in NSW.

Decision: Carried (motions 50 to 58 were put together as a result of procedural motion).

53 Bourke Shire Council

Water security

That Local Government NSW lobbies the NSW Government to provide the required resources to expedite the planning and consultation period for the proposed Western Weirs Program.

Decision: Carried (motions 50 to 58 were put together as a result of procedural motion).

54 Tamworth Regional Council

Water recycling opportunities

That Local Government NSW requests the NSW Government to review the approval process to allow more rapid delivery of recycled water options; fund research into how water is recycled and treatment processes available for handling by-products from those processes and to commence a community education campaign across the State in relation to direct and in direct potable reuse.

Decision: Carried (motions 50 to 58 were put together as a result of procedural motion).

55 Murray River Council

Mandatory monitoring of sewerage/waste water

That Local Government NSW lobbies the NSW Government to:

1. provide financial support to local government in meeting the requirements of sewerage/waste water monitoring for the detection of pandemic related disease and illegal drugs; and
2. lobby the Federal Government for a national adoption of the scheme.

Decision: Carried (motions 50 to 58 were put together as a result of procedural motion).

56 Tamworth Regional Council

Independent Water Commission

That Local Government NSW petition the NSW Government to reinstate the role of Water Commissioner and establish an Independent Water Commission in order to provide an open and transparent process for the negotiation of water sharing plans that will deliver sustainable water security solutions for local communities.

Decision: Carried (motions 50 to 58 were put together as a result of procedural motion).

57 Lachlan Shire Council

Community water allocations

That Local Government NSW lobbies the NSW Government, WaterNSW and DPIE Water to review existing water allocation rules, for the purpose of providing community water allocations for regional and rural communities, where local economies and community wellness are adversely impacted by reduced water allocations.

Decision: Carried (motions 50 to 58 were put together as a result of procedural motion).

Planning

58 Randwick City Council

Overreach of NSW Government planning powers

That Local Government NSW:

1. Calls on the NSW Government to:
 - a. implement policies that ensure that planning decisions are community led and which recognise that local councils are best placed to make decisions about planning that is appropriate for their local area and constituents; and
 - b. review the Accelerated Planning Program, the Planning Reform Action Plan, and 2020 changes to the Environmental Planning and Assessment Act, the Independent Planning Commission, and Local and Regional Planning Panels and take immediate steps to ensure that even in times of crisis, planning approvals consider the impact of development on the environment, local communities and neighbouring residents.
2. Expresses its opposition to:
 - a. the 2020 changes to the Environmental Planning and Assessment Act which grant the Minister unprecedented powers to override planning decisions made by local councils, Planning Panels and the Independent Planning Commission;
 - b. the increase in the referral threshold of the Independent Planning Commission which significantly reduces the ability of communities to object to contentious developments;
 - c. reforms that will allow a new class of appeals for rezoning applications making it easier for developers to significantly change the character of local areas;
 - d. the NSW Government's Planning Acceleration Program which may deprive communities of the opportunity to have reasonable input into major developments; and
 - e. changes to Local Planning Panels that require panels to hold meetings in public only where a development application has attracted 10 or more unique submissions.

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

Wollongong City Council

Planning proposal appeal rights to Land and Environment Court

That Local Government NSW writes to the NSW Minister for Planning and Public Places with the request to:

1. Not proceed with the introduction* of appeal rights to the Land and Environment Court for planning proposals;
2. Investigate other system improvements to streamline the review process for planning proposals, including Parliamentary Counsel Office processes, agency referrals and higher benchmarks for planning proposals; and
3. Ensure that the cost of those proceedings be met by the NSW Government as the primary advocate for the planning proposal, should a new classification of planning appeal be introduced.

Wingecarribee Shire Council

Review of Planning Policies that threaten residential amenity

That Local Government NSW lobbies the Department of Planning, Industry and Environment to urgently review various planning policies that threaten the amenity and heritage significance of the State's rural and regional towns and villages from developments such as seniors housing, aged care facilities, health service facilities, boarding houses and the new 2020 Low Rise Housing Diversity Code.

Decision: Carried (motions 50 to 58 were put together as a result of procedural motion.

Decisions of motions referred to the Board for consideration

Planning

59 Penrith City Council **Review the diminishing powers of Councillors**

That Local Government NSW advocates to the NSW Government addressing the issue of diminishing powers of Councillors in local government specifically through the introduction of several new bodies created by the NSW Government to replace the functions of council.

That Local Government NSW also specifically advocates the return of the power of determination of development applications with a dollar value of less than \$5 million, to local councils in the Sydney and Wollongong areas.

Amendment

That Local Government NSW advocates for all planning powers to be returned to councils, and also specifically advocates the return of the power of determination of development applications with a dollar value of less than \$5 million, to local councils in the Sydney and Wollongong areas.

Decision: Amendment carried

60 Mosman Municipal Council **Changes to Local Planning Assessment Panels**

That Local Government NSW lobbies the NSW Government to support existing well-functioning Local Assessment Panels and allow Panel Chairs, in conjunction with councils, to establish their own thresholds for matters to be referred to the Panel, and processes for public determination of matters and remove the expectation that Panel Chairs can direct council on development application timing.

Amendment

That Local Government NSW continues to oppose mandatory planning panels, but while they exist, advocate for the NSW Government to allow for councils to establish their own thresholds for matters to be referred to the Panel, and processes for public determination of matters and remove the expectation that panel chairs can direct council on development applications timing.

Decision: Amendment carried

61 Central Coast Council **Local Planning Panels**

That Local Government NSW:

- a. Reaffirms its position that “the establishment and role of Local Planning Panels (LPPs) to remain a decision of the council – adoption of such independent panels by councils should be voluntary not mandatory”.
- b. Makes representation to the NSW Minister for Planning and Public Spaces and the Premier of NSW, to express its concern in relation to the change to the operations of NSW Planning Panels for the reasons noted below:
 - i. Requiring Panels to make determinations within 2 weeks of being provided an assessment report
 - ii. Provides no flexibility in scheduling were a Panel has a significant number of proposals for determination.
 - iii. This could reduce the Panel’s ability to apply proper due diligence to each case or obtain expert opinion.
 - iv. Changes to the system of referrals of matters to LPPs may increase the risk of corruption
 - v. Allowing, at the Chair’s discretion, applicants to attend a briefing, along with council staff, could remove the Panel’s independence. The Panels were set up to be independent of the internal workings of councils, not working with them and applicants.
 - vi. The setting of timeframes to finalise determinations may impose undue pressure on councils.
 - vii. Removing the requirement for modification to go back to the Panel will encourage ongoing modification instead of the community getting what is exhibited in the first place.
 - viii. The inclusions of “targets” will put an emphasis on pushing approvals through rather than due diligence in assessment.
 - ix. The changes impose unreasonable and unrealistic demands on councils that require additional resourcing that is not funded.

- x. The changes weaken planning processes, the integrity of the planning system and community confidence in planning.

Decision: Carried

62 Randwick City Council

Review of housing supply targets

That Local Government NSW makes an urgent request to the NSW Planning Minister to consider the findings of the Federal Government's National Housing Finance and Investment Corporation (NHFIC) report and consider the projected decreases in population growth and housing demand brought about the COVID-19 pandemic when planning for housing growth in NSW.

Decision: Carried

63 Bayside Council

Proposed State Environmental Planning Policy - Housing Diversity

That Local Government NSW:

1. welcomes the proposed State Environmental Planning Policy (SEPP) - Housing Diversity that is being considered by NSW Government as set out in the Explanation of Intended Effects (EIE); and
2. advocates for the following:
 - a. Support be provided for the introduction of new definitions as set out in the EIE for build to-rent, co-living and student housing.
 - b. Support be provided to remove the requirement for boarding houses to be mandated within the R2 Low Density Residential Zone, to amend the floor space ratio (FSR) bonus for boarding house development to a standard 20% and to include a requirement that boarding house developments are affordable.
 - c. That build-to-rent not be permissible in the B3 Business Core and that strata subdivision of build-to-rent be prohibited in perpetuity in all zones.
 - d. That the development standards in a Local Environmental Plan prevail to the extent of any inconsistency with the SEPP.
 - e. That the Apartment Design Guide (ADG) apply to build-to-rent, co-living, boarding houses and student housing.

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

City of Parramatta

Proposed Housing Diversity SEPP

That Local Government NSW advocates to the NSW Government to remove the provisions from the proposed Housing Diversity SEPP, as outlined in the Explanation of Intended Effect (EIE), that seek to increase the Land and Housing Corporation's powers to self-assess their development applications, and those that seek to amend the current requirements for designating a Land and Housing Corporation major project as state significant development (SSD).

Amendment

That Local Government NSW:

1. welcomes the proposed State Environmental Planning Policy (SEPP) - Housing Diversity that is being considered by NSW Government as set out in the Explanation of Intended Effects (EIE); and
2. advocates for the following:
 - a. Support be provided for the introduction of new definitions as set out in the EIE for build to-rent, co-living and student housing.
 - b. Support be provided to remove the requirement for boarding houses to be mandated within the R2 Low Density Residential Zone, to amend the floor space ratio (FSR) bonus for boarding house development to a standard 20% and to include a requirement that boarding house developments are affordable.
 - c. That build-to-rent not be permissible in the B3 Business Core and that strata subdivision of build-to-rent be prohibited in perpetuity in all zones.
 - d. That the development standards in a Local Environmental Plan prevail to the extent of any inconsistency with the SEPP.
 - e. That the Apartment Design Guide (ADG) apply to build-to-rent, co-living, boarding houses and student housing.
3. advocates to the NSW Government to remove the provisions from the proposed Housing Diversity SEPP, as outlined in the Explanation of Intended Effect (EIE), that seek to increase the Land and Housing Corporation's powers to self-assess their development applications, and those that seek to amend the

current requirements for designating a Land and Housing Corporation major project as state significant development (SSD).

Decision: Amendment carried

64 Mosman Municipal Council Payments to council Contribution Plans by developers

That Local Government NSW lobbies the NSW Government to urgently review the decision to allow the deferral of payments for local council Contributions Plans by developers.

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

Lane Cove Council Environmental Planning and Assessment (Local Infrastructure Contributions – Timing of Payments) Direction 2020

That Local Government NSW lobbies the NSW Government to re-examine the Ministerial Direction that defers payment of section 7.11 contributions and consider introducing a pathway for councils to apply for an exemption in certain circumstances to support the timely collection of funds and delivery of infrastructure. This would involve considering a process where a council that is collecting monetary contributions for infrastructure that directly relates to an individual development (e.g. funds to acquire land for a park in the immediate neighbourhood) can apply to the Minister for Planning and Public Spaces for an exemption that allows it to continue to collect payments at the Construction Certificate stage rather than upon the issuing of an occupation certificate.

Decision: Carried

65 Willoughby City Council Developer contributions

That Local Government NSW calls on the NSW Government to:

1. Support the use of 'value capture' as a means of allowing councils to apply a proportion of the value uplift gained from changes in planning controls to the provision of public infrastructure for the benefit the wider local community.
2. Establish a new threshold for Section 7.11 contributions under the Environmental Planning and Assessment Act to be set at \$45,000 before the IPART review process comes into play.

Amendment

1. Support the use of "value capture" as a means of allowing councils to apply a portion of the value uplift gained from changes in planning controls to the provision of public infrastructure for the benefit of the wider local community.
2. Support the removal of the cap on Developer Contributions as specified in 6.8 of LGNSW Policy Platform.
3. Advise DPIE that if a cap on Developer Contributions is to be applied and restricted to the options outlined in Improving the review of Local Infrastructure Contributions Plans – Discussion Paper (April 2020), Option 3 is the supported approach being:
 - Implement one single threshold of \$45,000 for all Section 7.11 contributions before the IPART review comes into play.

Decision: Amendment carried

66 Blacktown City Council Time taken to review Section 7.11 contribution plans

That Local Government NSW urgently calls on the NSW Government to reduce the process time taken to review Section 7.11 contributions plans.

Decision: Carried

67 Lismore City Council Local Activation Precincts

That Local Government NSW:

1. Supports the establishment of:
 - a. a \$10 million (minimum) to be allocated to a 'Business Ready Fund' to support the development of the Local Activation Precincts (LAP) initiative across regional cities;
 - b. strong planning agency involvement through undertaking detailed land use, master and infrastructure planning within an LGA, with the possibility of joint procurement of studies in collocated sites; and
 - c. an LAP Project Control Group that must include local government representatives to ensure collective decision-making.

2. Requests the NSW Government to:
 - a. commit to 2 rounds of the LAP program (total of 8 LAPs);
 - b. commit to the establishment of LAPs in regional cities only for the first 2 rounds;
 - c. Round One being an ongoing transparent assessment, at key milestones suggest communiqué (for every part of the implementation process);
 - d. Round Two being initiated again at implementation Stage 7 (approvals stage of the Government's process) of first round;
 - e. establish LAPs based on a local government area's endowments to attract major employers, drive local economies and create a diverse range of local jobs by working with local council;
 - f. ensure any LAP sites selected have a process to identify if the connecting road will need reclassification (as per regional roads panel); and
 - g. ensure that adequate engagement is undertaken across agencies to facilitate delivery of outcomes as quickly as possible.

Amendment

That Local Government NSW:

1. Supports the establishment of:
 - a. a \$10 million (minimum) to be allocated to a 'Business Ready Fund' to support the development of the Local Activation Precincts (LAP) initiative across regional NSW;
 - b. strong planning agency involvement through undertaking detailed land use, master and infrastructure planning within an LGA, with the possibility of joint procurement of studies in collocated sites; and
 - c. an LAP Project Control Group that must include local government representatives to ensure collective decision-making.
2. Requests the NSW Government to:
 - a. commit to 2 rounds of the LAP program (total of 8 LAPs);
 - b. commit to the establishment of LAPs in regional cities only for the first 2 rounds;
 - c. Round One being an ongoing transparent assessment, at key milestones suggest communiqué (for every part of the implementation process);
 - d. Round Two being initiated again at implementation Stage 7 (approvals stage of the Government's process) of first round;
 - e. establish LAPs based on a local government area's endowments to attract major employers, drive local economies and create a diverse range of local jobs by working with local council;
 - f. ensure any LAP sites selected have a process to identify if the connecting road will need reclassification (as per regional roads panel); and
 - g. ensure that adequate engagement is undertaken across agencies to facilitate delivery of outcomes as quickly as possible.

Decision: Amendment carried

68 Federation Council

Funding for strategic land use planning

That Local Government NSW requests the NSW Government to develop a strategy that would create a smaller scale version of the Special Activation Precincts to enable smaller towns to attract infrastructure funding to enable larger scale industrial subdivisions to occur to generate further employment/business.

Decision: Carried

69 City of Canterbury-Bankstown

Liveable Housing Design Guidelines

That Local Government NSW advocates for the NSW Government and Federal Government to:

- a. Support the inclusion of the Liveable Housing Design Guidelines in planning and building rules.
- b. Develop a search engine for dwellings certified as complying with the Liveable Housing Design Guidelines, and to make this information available at the point of sale.

Decision: Carried

70 Nambucca Valley Council**Unlawful Development**

That Local Government NSW lobbies the NSW Government to amend:

- 1 Part 15 of the Environmental Planning and Assessment Regulation 2000 to include a provision which enables a fee to be charged for a development application which seeks approval for the use of an unauthorised development that is at least the combined development application and certification work fees that would be payable for the same development if it had been commenced lawfully.
- 2 Section 7.12 of the Environmental Planning and Assessment Act 1979 to enable a condition to be imposed within a development consent that requires the applicant to pay a levy of the percentage of the value of the unauthorised development which the consent permits the continued use of.

Decision: Carried

71 Wollongong City Council**Reclassifications of council owned land**

Local Government NSW writes to the NSW Minister for Local Government to request that the reclassification of council owned land be delegated to council for determination and finalisation except when seven or more objections have been received during the exhibition of the proposed reclassification.

Decision: Carried

72 Shoalhaven City Council**Public housing redevelopment as economic stimulus**

That Local Government calls upon the NSW Government to redevelop old existing public housing stock to address current housing shortages and to act as economic stimulus for the regions.

Decision: Carried

73 Liverpool City Council**Sustainable housing development**

That Local Government NSW advocates to the NSW Government to amend the State Environmental Planning Policy (Exempt and Complying Development Codes) to limit housing developments to cover no more than 40% of block size in urban developments excluding secondary dwellings.

Amendment

That Local Government NSW advocates to the NSW Government to amend the State Environmental Planning Policy (Exempt and Complying Development Codes) to provide more discretion for Councils to amend a SEPP when applying it in their Local Government Area.

Decision: Amendment carried

74 Wollondilly Shire Council**SEPP amendments to address farm shed loophole**

That Local Government NSW requests the NSW Government to amend the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 to ensure that large scale earthworks on rural properties cannot be undertaken without a full development assessment process to properly consider and condition potential environmental, social and traffic impacts.

Decision: Carried

75 City of Parramatta**Statewide Planning Portal**

That Local Government NSW advocates for the NSW Government to consider and implement new options for NSW councils to notify the public, enhancing efficiency and ensuring consistency across councils.

Further, that this include advocating for the introduction of a state-wide notification website to ensure all information that is required to be advertised by councils, local and state planning panels, including information formerly required to be advertised in print media, can be found in one centralised location.

Decision: Carried

76 Lake Macquarie City Council**Integration platform for Planning Portal**

That Local Government NSW calls on the NSW Government to fund the development and implementation of integration platforms between the NSW Government Planning Portal and local government document management and application systems.

Decision: Carried

77 Hornsby Shire Council**Amendment to Clause 263 of the EP&A Regulation 2000**

That clause 263 of the Environmental Planning and Assessment Regulation 2000 be amended to include the following additional clause (7) - A council may impose a compliance levy of 0.2% of the Capital Investment Value of a proposed development with a minimum levy of \$75 payable on all development and complying development applications upon lodgement of an application in the NSW planning portal.

Decision: Carried

78 MidCoast Council**Manufactured Homes Estate definition**

That Local Government NSW lobbies the NSW Government to add the definition of a "Manufactured Home Estate" in the Standard Instrument – Principal Local Environmental Plan.

Decision: Carried

79 Singleton Council**SSD and/or SSI assessment process**

That Local Government NSW lobbies the Department of Planning, Industry and Environment to support local councils in the provision of advice into the State Significant Development (SSD) and/or State Significant Infrastructure (SSI) assessment process through the:

- a. Inclusion of fees for the reasonable costs incurred by a council for the review of SSD and SSI in the schedule of fees listed in Part 15, Division 1AA and/or Division 2 of the Environmental Planning and Assessment Regulation 2000; and
- b. Establishment of a council inter-agency committee to assist and support local councils in the provision of advice into the assessment process.

Decision: Carried

80 Federation Council**Essential Energy and Origin Energy**

That Local Government NSW requests the NSW Government to intervene and ensure more effective mechanisms exist to achieve more timely approvals and works from both Origin and Essential Energy to support developments.

Decision: Carried

81 Shellharbour City Council**Ability for councils to mandate BASIX provisions**

That Local Government NSW asks for the NSW Government to enact changes to BASIX which would allow councils to mandate certain BASIX provisions, determined by the council, in new developments. Such provisions may include shading over west-facing windows, solar panels and full in-wall and ceiling insulation.

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

Rous County Council**Increase water conservation requirements of BASIX**

That Local Government NSW lobbies the NSW Government to increase the water conservation requirements of BASIX to have a minimum rainwater tank size of 10,000 litres and connected to all toilets, outdoor taps and clothes washing machines (except where approved alternative water supplies are available, such as a connection to recycled water supply scheme).

Amendment

That Local Government NSW asks for the NSW Government to enact changes to BASIX which would allow councils to increase certain BASIX provisions, determined by the council, in new developments. Such provisions may include shading over west-facing windows, solar panels and full in-wall and ceiling insulation.

Decision: Amendment carried

82 City of Parramatta **Inclusive community engagement for development applications**

1. That Local Government NSW calls upon the NSW Government to take an inclusive consultation and engagement approach with the community, particularly when seeking submissions on Development Applications which currently requires a written submission be made.
2. Further, that Local Government NSW calls on the NSW Government to encourage councils to investigate technological options to receive submissions to proposals and plans placed on public exhibition from people with disability by way of audio recording or transcription recording.

Decision: Carried

Social and community

83 Leeton Shire Council **Health services in rural, regional and remote NSW**

That Local Government NSW:

1. Advocates for the Local Health Advisory Committee (LHAC) model to be revised to give local residents a far greater say in the scope and delivery of health services in their local communities.
2. Pursues a formal MOU with NSW Health and Primary Health Networks which provides the basis for collaboration between councils and NSW Health and Primary Health Networks.
3. Makes a submission to the Inquiry into health outcomes and access to health and hospital services in rural, regional and remote NSW.

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

Gilgandra Shire Council **MOU to ensure access to health services in regional NSW**

That Local Government NSW actively pursues a formal MOU with NSW Health and Primary Health Networks which provides the basis for collaboration between councils and NSW Health and Primary Health Networks on planning for regional GP, dental and other priority allied health services including designated funding to councils to support these services in regional areas of NSW.

Decision: Carried

84 Leeton Shire Council **NSW Health to retain public ownership of aged care facilities**

That Local Government NSW calls for NSW Health to retain ownership of its National Disability Insurance Scheme (NDIS) and State owned aged care facilities.

Decision: Carried

85 Lake Macquarie City Council **COVID-19 recovery: investing in night-time economy**

That Local Government NSW calls on the NSW Government to:

- a. accelerate the delivery of the Greater Sydney 24-hour Strategy,
- b. develop a Regional NSW Night-Time Economy Strategy, including toolkits and resources to support councils,
- c. establish a new role of Parliamentary Secretary for the night-time economy, and
- d. create a Night-Time Economy Advisory Panel with membership from local government and industries to support the work of the Parliamentary Secretary.

Decision: Carried

86 Wagga Wagga City Council **Accessible athletics fields**

That Local Government NSW advocates to State and Federal Governments to improve athletics facilities to increase accessibility and involvement for participants with a disability.

Decision: Carried

87 Willoughby City Council **Disabled parking permits**

That Local Government NSW advocates to NSW Government seeking a reform of the eligibility criteria used by medical professionals to issue disabled parking permits.

Decision: Carried

88 Gwydir Shire Council**Amendment to Aboriginal Land Rights Act 1983**

That Local Government NSW lobbies the NSW Government to amend the Aboriginal Land Rights Act 1983 to:

1. Permit land vested in an Aboriginal Land Council (ALC) to be appropriated or resumed with the approval of the ALC and where the Chief Executive Officer of the NSW ALC has issued a dealing approval certificate.
2. Lower the voting threshold in section 42G (5) for Local Aboriginal Land Councils to approve a land dealing for public projects proposed by the NSW Government or a local council, from “not less than 80%” to “not less than 50%” of the voting members of the ALC present at the meeting.
3. Consider alternatives to Native Title restrictions on certificates of title on land granted under the Aboriginal Land Rights Act 1983 where there is evidence that native title over the land has been extinguished.

Decision: Carried

89 Tenterfield Shire Council**Increased migration to regional areas**

That Local Government NSW supports Regional Development Australia (RDA) Committees in lobbying the NSW Government and others to develop a funded business case for measures to increase migration from metropolitan and overseas locations to regional communities, where latent infrastructure capacities, employment opportunities, quality of life and reduced costs of living remain undervalued in target markets.

Amendment

That Local Government NSW supports Regional Development Australia (RDA) Committees in lobbying the NSW Government and others to develop a funded business case for measures to increase migration from metropolitan and overseas locations to inland regional communities, where latent infrastructure capacities, employment opportunities, quality of life and reduced costs of living remain undervalued in target markets.

Decision: Amendment carried

90 Shoalhaven City Council**Long walking tourism in NSW National Parks**

That Local Government NSW encourages the NSW Department of Primary Industries to consider a business model around establishing and investing in long walks as tourist attractions in our NSW National Parks.

Amendment

That Local Government NSW advocates for the NSW State Government to establish and fund low-impact long walks as tourist attractions in our NSW National Parks.

Decision: Amendment carried

91 Liverpool City Council**Gaming and liquor licence applications**

That Local Government NSW:

1. Advocates to the NSW Government for increased local government decision making in gaming machine provisions, including the changed Local Impact Assessment Band that allows moving of or increase of poker machines within the respective local government areas;
2. Advocates to the NSW Government for local government's Social Impact Assessments to be prioritised in considerations relating to gaming machine provisions and determination of the band assessment's allocations; and
3. Considers a policy position, where public interest is in the forefront of all such decisions, including investigating measures of non-association with alcohol and gaming industries.

Decision: Carried

92 Hawkesbury City Council**Coercive control**

That Local Government NSW:

1. Notes the alarming increase in the prevalence of domestic abuse in NSW, including as a result of the COVID-19 pandemic, and the devastating impact this has on individuals and communities.
2. Recognises that coercive control is a form of domestic abuse but that it is not currently a criminal offence under NSW law.
3. Contacts the NSW Premier and NSW Attorney General calling for the criminalisation of coercive control in NSW, in line with The Domestic Abuse (Scotland) Act, currently considered the best-practice example of criminalising psychological, emotional and financial abuse as forms of domestic abuse.

Decision: Carried

93 City of Parramatta**Family and domestic violence prevention resources**

That Local Government NSW supports the current advocacy of the Australian Local Government Association and Domestic Violence NSW by seeking:

- a. a State or Federal funded Domestic Violence Officer, a role which currently exists in the local government associations in Victoria and Queensland; and
- b. funding and resources to assist councils with prevention of violence initiatives and the implementation of the newly released national Local Government Domestic and Family Violence Prevention Toolkit.

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

Cumberland City Council**Support for Domestic Violence NSW**

That Local Government NSW supports the current advocacy of the Australian Local Government Association and Domestic Violence NSW by seeking:

- a. A State or Federal funded Domestic Violence Officer, a role which currently exists in the local government associations in Victoria and Queensland, and
- b. Funding and resources to assist councils with prevention of violence initiatives and the implementation of the newly released national Local Government Domestic and Family Violence Prevention Toolkit.

Decision: Carried

94 Hawkesbury City Council**Sex work**

That Local Government NSW:

1. Notes that NSW decriminalised sex work 25 years ago. Decriminalisation in 1995 resulted in improved work safety, extremely low rates of HIV/STIs, increased transparency and better access to justice, health and services for sex workers.
2. Notes that sex workers still face discrimination and harassment on the basis of their occupation.
3. Acknowledges that the 2015 NSW Select Committee on the Regulation of Brothels recommended that NSW Health consult with Local Government NSW about any additional assistance, such as educational briefings, that it could give councils to assist them to make sound development assessment decisions around sex services premises from a public health perspective, and that the NSW Government supported that recommendation. Local Government NSW therefore requests that NSW Health provides these education briefings to Councillors in both the current and each subsequent council term.

Decision: Carried

95 Snowy Valleys Council**Local government's role in children's & youth services**

Following the much-welcomed April funding package from the NSW Government of \$82 million for 260 council-run early childhood education and care (ECED) services in response to the COVID-19 pandemic; that Local Government NSW:

1. Advocates to the NSW Government to continue to recognise the essential role of local government in early childhood education and care, and fund it accordingly, particularly as council-run services often cater to vulnerable, low-income families, regional and rural communities and children with disability; and
2. Enhances Local Government NSW's Strong and Inclusive Communities Position Statement, and the Services in Rural Communities Position Statement, by including the recognition that local government is an essential provider of services to young people 0–24 years old.

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

That Local Government NSW advocates to the NSW Government to continue to recognise the essential role of local government in early childhood education and care services and continue to provide funding beyond COVID-19, particularly as council-run services often cater to vulnerable, low-income families and children with disability.

Decision: Carried

96 Lake Macquarie City Council

Partnership with Headspace

That Local Government NSW calls on the State and Federal Governments to investigate and explore a partnership between local government and Headspace National Youth Mental Health Foundation to ensure young people in rural, remote, isolated and public transport-deprived areas gain access to appropriate and relevant youth mental health services.

Decision: Carried

97 Tamworth Regional Council

Medicare provider numbers

That Local Government NSW makes appropriate representations to the State and Federal Government Health Ministers to ensure the current review of the National Medical Workforce Strategy, and in particular how a "District of Workforce Shortage" is determined when allocating Medicare provider numbers, provides flexibility and opportunities for medical practitioners and specialists to relocate to regional and rural communities so that they are not disadvantaged in the delivery of adequate and essential medical services.

Decision: Carried

Transport and roads

98 Liverpool City Council

Fast track major rail projects

That Local Government NSW advocates to the State Government to provide funding and fast track major rail projects to support job creation, economic growth and stimulate urban renewal in key areas across the State.

Decision: Carried

99 Liverpool City Council

Tolls in NSW

That Local Government NSW advocates to the State Government for a toll-free period on all new toll roads, and the removal of tolls, or a cash back scheme or other measures on other key toll roads such as the M5 East, to alleviate the financial burden on residents and other road users that use these roads.

Decision: Carried

100 Blacktown City Council

Public road dedication free of cost

That Local Government NSW urgently calls on the NSW Government to amend the Environmental Planning and Assessment Act 1979 to allow for the requirement of public road dedication free of cost as a condition of consent.

Decision: Carried

101 Willoughby City Council

Electric scooters, skateboards and unicycles

That Local Government NSW calls on the NSW Government to legalise the use of electric scooters, electric skateboards and electric unicycles so that its usage can be safely expanded beyond the current restrictions where their non-motorised equivalents are permitted.

Decision: Lost

102 Willoughby City Council**Motorcycle parking on footpaths**

That Local Government NSW advocates to NSW Government to allow motorcycle or scooter parking on footpaths (unless otherwise signed) provided individuals do not obstruct pedestrian, public transport users, doorways, delivery vehicles or access to street infrastructure (such as parking meters and public bins) and parked cars.

Decision: Lost

103 Bayside Council**Cashless metered parking schemes**

That Local Government NSW advocates for the NSW Government to enable councils to establish and operate metered parking schemes for any road within its area of operations without the need to facilitate the payment of fees for parking in cash (notes or coins, or both).

Decision: Carried

104 Tenterfield Shire Council**Funding to correct historical errors in road mapping**

That Local Government NSW advocates to the State and Federal Governments for grant funding to assist councils deal with the costs incurred in correcting historical errors in mapping of actual roads so that ratepayers do not have to meet these costs.

Decision: Carried

105 Blue Mountains City Council**Road safety: use of speed zones**

That Local Government NSW advocates to the NSW Government and Transport for NSW to review the criteria for speed zones of less than 50km to include a category for local roads that are shared by pedestrians and other vulnerable road users due to design and topography of these roads.

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

Liverpool City Council**Standardisation of speed limits for schools, towns and CBDs**

That Local Government NSW lobbies for universal standardisation of speed limits in school areas, and shopping areas in CBDs in towns and suburbs throughout NSW.

Decision: Carried

106 Willoughby City Council**Speed limits on dual lane highways & main regional roads**

That Local Government NSW seeks endorsement from Transport for New South Wales (TfNSW) to amend the NSW Speed Zoning Guidelines to increase speed limits on dual lane and high quality highways to an upper limit from the current maximum 110km/h with the ability to have more variable speed limit zones to accommodate weather and other factors.

Decision: Lost

Industrial relations and employment**107 City of Parramatta****Payment of Councillor legal expenses**

That Local Government NSW advocates to the NSW Government for a review of the legal expenses, public liability and professional liability provisions of the Local Government Act 1993 and the Office of Local Government's guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW to:

- a. allow for the payment of legal expenses as they occur to enable Councillors to adequately respond to legal proceedings being taken against a Councillor in defending an action arising from their performance in good faith of a function under the Local Government Act or defending an action in defamation; and
- b. ensure adequate processes are in place to reimburse the council should the outcome of legal proceedings not be favourable to the Councillor.

Decision: Lost

108 Albury City Council **Personal accident insurance cover for elected representatives**

- That:
1. Local Government NSW lobbies the Minister for Local Government to amend the Local Government Act 1993 (NSW) to require all councils, county councils and joint organisations to have personal accident insurance cover for their elected representatives whilst performing their functions and responsibilities as a councillor in good faith and in accordance with the Local Government Act 1993 (NSW); and
 2. The insurance cover referred to in 1 above be equivalent to the level of insurance cover that employees receive under the NSW workers' compensation legislation.

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

Lismore City Council **Workers compensation for Councillors**

That Local Government NSW advocates for all councils to have workers compensation insurance for councillors and for multiple providers to provide this to councils to ensure market competition.

Decision: Carried

109 Gunnedah Shire Council **Rural apprenticeships**

- That Local Government NSW calls upon the Federal Government to mandate that:
- a. a percentage no less than 20% of funds committed to NSW TAFE support rural Institutes to allow apprenticeship courses to be run with no minimum student requirements; and
 - b. NSW TAFE allows composite classes within apprenticeship courses to be run in rural institutes.

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

Waverley Council **Support for TAFE NSW**

- That Local Government NSW:
1. recognises the importance of TAFE as an institution which provides a suitably skilled workforce for council operations and the wider community, including most trades.
 2. calls on the NSW Government to restore investment levels in TAFE, re-directing funding away from private providers into the public TAFE system and that student fees are re-set at realistic levels for affordable access to courses and that staff levels are increased to teach courses relevant to demands for services across the economy.

Decision: Carried

110 Bourke Shire Council **Continuing Professional Development**

That Local Government NSW make representations to the various professional bodies relating to local government employees who are required to obtain Continuing Professional Development (CPD) points, to consider the difficulties encountered by rural and remote council employees in attending accreditation courses and make provision for an allowance for travelling when allocating points.

Decision: Carried

Governance and accountability

111 Bourke Shire Council **Risk and Internal Audit Committees for councils**

That Local Government NSW calls on the Office of Local Government to review the guidelines to reduce the period of exclusion for both former elected members and staff from participating in Risk and Internal Audit Committees for councils.

Amendment

In order to support regional councils, that Local Government NSW calls on the Office of Local Government to review the guidelines to reduce the period of exclusion for both former elected members and staff from participating in Risk and Internal Audit Committees for councils.

Decision: Amendment carried

- a. That this Local Government NSW Conference calls on the Minister to:
 - i. reinstate the elected Councillors of Armidale Regional Council (ARC) at the end of their six month suspension and let the community decide at the September 2021 elections who should represent them;
 - ii. recognise that, as happens in Ryde, Councillors must have access to information to enable them to perform their functions as elected members of the governing body, and calls on the Minister to strengthen the requirement in the Act for General Managers to provide information to Councillors and so avoid the problems that allegedly happened in Armidale; and
 - iii. to ensure that the Office of Local Government has adequate resources to assist local councils if they encounter serious problems and respond to complaints in a timely manner.
- b. That the Conference gives leave for a representative of the suspended ARC Councillors to address this Conference for five minutes.

Amendment

- a. That this Local Government NSW Conference calls on the Minister to:
 - i. reinstate the elected Councillors of Armidale Regional Council (ARC) at the end of their six month suspension and let the community decide at the September 2021 elections who should represent them;
 - ii. recognise that, as happens in Ryde, Councillors must have access to information to enable them to perform their functions as elected members of the governing body, and calls on the Minister to strengthen the requirement in the Act for General Managers to provide information to Councillors and so avoid the problems that allegedly happened in Armidale; and
 - iii. to ensure that the Office of Local Government has adequate resources to assist local councils if they encounter serious problems and respond to complaints in a timely manner.
- b. That the Conference acknowledges and thanks the Minister for her announcement this morning to reinstate the Armidale councillors before Christmas 2020.

Decision: Amendment carried

That Local Government NSW:

1. Campaigns for the NSW Government to restore funding and ensure the independence of the NSW Independent Commission Against Corruption (ICAC). The campaign would include, but not be limited to:
 - a) building alliances with key stakeholders and peak bodies to develop a position statement and build a public campaign
 - b) providing resources to local councils to build grassroots support for the campaign.
2. Advocates through the Australian Local Government Association for the Federal Government to establish an independent anti corruption body with powers similar to those of the NSW ICAC.

Decision: Carried

That Local Government NSW makes representations to the Local Government Minister and Office of Local Government on behalf of Councillors concerning protection in Councillors' employment, businesses and private lives. Disclosure requirements need to be re-assessed. The minister and department should defend the reputation of Councillors' profession, and stand for the interests of councillors, rather than against them.

Amendment

That Local Government NSW makes representations to the Local Government Minister and Office of Local Government on behalf of Councillors concerning protection in Councillors' employment, businesses and private lives. Disclosure requirements need to be reviewed to support appropriate privacy protections, balanced with transparency requirements. The minister and department should defend the reputation of Councillors' profession, and stand for the interests of Councillors, rather than against them.

Decision: Amendment carried

115 Kyogle Council**Rural Ministerial Advisory Committee**

That Local Government lobbies the NSW Government to establish a rural Ministerial Advisory Committee to provide policy advice on, and make representations on behalf of, rural communities and the impacts of government decision making on those communities and that the committee be made up of representatives from rural regions across the State.

Decision: Carried

116 Wagga Wagga City Council**Code of Conducts complaints**

That Local Government NSW advocates to the Minister for Local Government and the Office of Local Government to conduct a review into the operation of investigation of Code of Conduct complaints including allocation of more resources from the NSW Government to address code of conduct complaints.

Decision: Carried

117 Shoalhaven City Council**Local government improvement summit**

That the NSW Government holds a summit on local government to discuss and formulate solutions to issues which stakeholders see as a hindrance to good functions of local government.

Decision: Carried

118 Central Coast Council**Legislative Reform**

That Local Government NSW actively campaigns for legislative reform that would:

- a. Make it an offence for a person to intentionally or recklessly threaten or incite violence towards any persons listed in (b) (i) below, in the exercise of any function under the Local Government Act or any other Act or any regulation conferring functions on a council.
- b. Make it an offence for a person to publish content that reasonable persons would regard as being, in all the circumstances, intimidating, menacing, harassing or offensive towards any of the following in the exercise of any function under the Local Government Act or any other Act or any regulation conferring functions on a council:
 - (i)
 - the Minister
 - the Departmental Chief Executive
 - a person authorised under section 746
 - an auditor appointed under Part 3 of Chapter 13
 - a council
 - a councillor
 - an administrator of a council appointed under this Act
 - an employee of a council
 - a police officer
 - a person duly authorised to perform the function for the purposes of the Act or regulation concerned.
- c. Impose, in addition to maximum penalties as provided in similar legislation eg Crimes (Domestic and Personal Violence) Act 2007, a further penalty to the effect that anyone convicted of such an offence be disqualified from holding public office as per s 275 of the Local Government Act 1993.

Decision: Carried

119 Georges River Council**Council meeting minutes**

That Local Government NSW lobbies the NSW Office of Local Government and the Minister for Local Government to amend the provisions of the Local Government Act 1993 and the Model Code of Meeting Practice for Local Councils in NSW to require councils to publish unconfirmed minutes of council and committee meetings to provide suitable legal protection to councils to act on decisions without breaching other legislation and to allow the public to view the decisions of council in writing in a timely manner.

Decision: Carried

120 Orange City Council Working With Children and Police checks for elected members

1. That Local Government NSW advocates for the NSW Government to introduce Working with Children and Police checks for elected members.
2. That reference is made to the National Principles for Child Safe Organisations developed by the Australian Human Rights Commission which provide a nationally consistent approach to embedding child safe cultures within organisations that engage with children.

Decision: Carried

121 Albury City Council Attendance at Council meetings by audio-visual link

That Local Government NSW calls on the NSW Government to amend the Model Code of Meeting practice for Local Councils in NSW to permit attendance and participation of councillors at council meetings and at meetings of committees of council by audio-visual link.

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

Wagga Wagga City Council Remote Council and Committee meetings

That Local Government NSW advocates for continuing to allow Councillors and staff to attend and participate in Council and Committee meetings by audio video links where it is reasonably practicable to do so and that the Office of Local Government NSW issue corresponding detailed practical guidance on managing remote meetings, which take into account the use of mobile technology.

Waverley Council Attending Council meetings online in exceptional circumstances

That Local Government NSW writes to the Minister for Local Government requesting that the Local Government Act be amended to allow for a Councillor, in exceptional circumstances, to attend ordinary Council and Committee meetings, with the approval of the Mayor and General Manager, via an online platform such as Zoom or Teams.

Orange City Council Voting protocols during COVID-19 and beyond

1. That Local Government NSW undertakes a review of temporary changes to Council governance arrangements as a result of COVID-19, including online meeting attendance, with a view to identifying positive impacts and any issues such as a limited options for voting in Mayoral and Deputy Mayoral elections.
2. That subject to the outcome of this review, Local Government NSW lobbies the NSW Government to implement permanent changes such as to allow for the option of online meeting attendance in specific circumstances and additional options for voting in Mayoral and Deputy Mayoral elections.

Decision: Carried

Environment**123 Lane Cove Council Noise complaints generated from park activities**

That Local Government NSW lobbies the NSW Government for the inclusion of specific provisions in the Protection of the Environment Operations (Noise Control) Regulation 2008 which stipulates that general activities within a park cannot be deemed 'intrusive' or 'offensive' during certain hours of the day.

Decision: Carried

124 Bellingen Shire Council Local Land Services Amendment (Miscellaneous) Bill 2020

That Local Government NSW expresses its concerns to the NSW Government regarding;

- the lack of transparency and prior consultation that has characterised the introduction of the Local Land Services Amendment (Miscellaneous) Bill 2020;
- the removal of the legal ability of councils to make considered local policy decisions regarding certain land uses within rural and environmental protection zones; and
- the adverse environmental impacts of the proposed legislation, in view of the findings of three recent reviews undertaken by the NSW Auditor General, the Natural Resources Commission and the NSW Parliamentary Inquiry into koalas.

Decision: Carried

125 Bellingen Shire Council**Koala conservation**

That Local Government NSW supports the findings and recommendations of the NSW Koala population and habitat in NSW report and urges urgent action by the NSW Government particularly given finding 2 which indicates that given the scale of loss to koala populations across NSW as a result of the 2019-20 bushfires and without urgent government intervention to protect habitat and address all other threats, the koala will become extinct in NSW before 2050.

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

Liverpool City Council**Koala sanctuary and wildlife hospital**

That Local Government NSW advocates for the creation of a Georges River Koala National Park and establishment of a well-resourced wildlife hospital in South West Sydney.

Decision: Carried

126 Strathfield Council**Ausgrid – tree matters**

That Local Government NSW requests Ausgrid establishes a new liaison program between councils and Ausgrid where tree matters (in proximity to electrical assets) can be raised and dealt with properly and information on upcoming pruning activities conveyed.

Decision: Carried

127 City of Canterbury-Bankstown**Funding for waterway maintenance on private land**

That Local Government NSW makes representations to the NSW Government requesting it identifies, or if absent, establishes a fund for residents to apply to for the purpose of improving or maintaining water quality in waterways that run through privately owned land then into public waterways in urban areas.

Decision: Carried

128 Gilgandra Shire Council**Impacts of the Biodiversity Offset Scheme**

That Local Government NSW lobbies the NSW Government to provide designated funding to support councils' offset costs associated with the Biodiversity Offset Scheme that may be prohibitive to new midsize development which can demonstrate a direct positive impact on population and job growth as well as diversification of regional economies.

Decision: Carried

129 Lachlan Shire Council**Biodiversity Conservation Act 2016**

That Local Government NSW lobbies the NSW Government to include exemptions in the Biodiversity Conservation Act 2016 for events and other minor development from requiring a test for determining whether proposed development or activities are likely to significantly affect threatened species or ecological communities, or their habitats.

Amendment

That Local Government NSW lobbies the NSW Government to undertake a review of the need to include exemptions in the Biodiversity Conservation Act 2016 for events and other minor development.

Decision: Amendment carried

130 Narrabri Shire Council**Impacts of Biodiversity Legislation**

That Local Government NSW:

1. Expresses concerns regarding the NSW Biodiversity Conservation Act and other land management legislation and all associated regulations and their impacts on farmers and economic development in NSW;
2. Calls for the immediate review of the Biodiversity Conservation Act and associated Regulations;
3. Calls for the involvement of local councils and farmers in any review of the Biodiversity Conservation Act and associated Regulations;
4. Calls for the immediate halt of retrospective prosecutions and all compliance actions under the now repealed Native Vegetation Act;

5. Calls for the end of so called “Restorative Justice” which unfairly requires farmers to lock up land under either Remediation Orders and/or Conservation Agreements;
6. Expresses it's support for the protection of basic and fundamental property rights and its support for the basic notion that Government should not acquire or restrict the use of private agricultural land without compensation.

Decision: Lost

131 Cabonne Council	Flood mitigation
That Local Government NSW advocates for the inclusion of a division within the Fisheries Management Act, providing flexibility and cooperation between local authorities and the Minister when considering flood mitigation and prevention works within townships and their localities.	

Decision: Carried

132 Inner West Council	Uranium mining ban in NSW must stay
That: <ol style="list-style-type: none"> a. NSW councils oppose any move to lift the ban on uranium mining in NSW. b. Local Government NSW, on behalf of councils, writes to the NSW Premier and all MPs urging them to support sustainable and clean energy and jobs solutions. 	

Decision: Carried

133 Hawkesbury City Council	IPART Terms of Reference
That Local Government NSW lobbies the NSW Government to include climate change considerations in approved terms of reference for investigations and reviews by the Independent Pricing and Regulatory Tribunal pursuant to the Independent Pricing and Regulatory Tribunal Act 1992.	

Decision: Carried

134 Lismore City Council	Landscape hydration
That Local Government NSW requests the NSW Government to: <ol style="list-style-type: none"> 1. Recognise the importance of landscape hydration techniques in improving the hydration of our rural lands which lowers the impact of drought, reduces water loss from run off, and improves the ecology and environment of previously degraded rural lands. 2. Recognise the role that local government can play in improving the environmental outcomes for our regions by partnering with farming bodies and land care groups to educate farmers and residents on methods of land regeneration including landscape hydration. 3. Provide grants to local government which enables councils to offer landscape hydration technique training opportunities for farmers and land care groups in our community. 	

Decision: Carried

135 Hawkesbury River County Council	NSW Weeds Action Program administration
That Local Government NSW lobbies the NSW Minister for Agriculture to urgently review the double handling of the NSW Weeds Action Program being undertaken by two NSW Government departments; NSW Primary Industries and Local Land Services, with a particular focus on the over burdensome reporting and auditing requirements applied to councils and County Councils.	

Decision: Carried

136 Yass Valley Council	Weed management funding
That Local Government NSW advocates to the NSW Government to increase the level of funding to local government to manage roadside weeds.	

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

That, in the wake of the 2019-2020 bushfires, Local Government NSW lobbies the Federal and State Governments to commit funding to take advantage of the unique opportunity to undertake effective and pre-emptive weed eradication initiatives to control the weed population, in particular blackberry, and reduce the potential fuel load for future fire seasons.

Decision: Carried

137 Randwick City Council

Global ban on the trade of wildlife

That Local Government NSW:

1. recognises that the demand for wild animals and wild animal products is a primary cause of the emergence and spread of zoonotic diseases such as COVID-19 and represents a severe risk to global health, and
2. Calls on the Federal Government to advocate for a global ban on the trade of wild animals and wild animal products.

Decision: Carried

138 Lachlan Shire Council

Review of the new punitive measures for dangerous dogs

That Local Government NSW lobbies the NSW Government to overturn the new punitive measures that have been introduced requiring an annual permit for owners of restricted dog breeds and dogs declared to be dangerous.

Decision: Lost

139 Hawkesbury City Council

Ban puppy farms

That Local Government NSW:

1. Notes that:
 - a) animal welfare and the care and control of companion animals are state responsibilities in NSW but that these responsibilities are largely met by local councils,
 - b) unscrupulous breeding in puppy farms financially impacts on councils due to increased compliance costs and shelter, rehabilitation and rehoming costs, and
 - c) puppy farms are cruel and inhumane.
2. Notes that:
 - a) the Domestic Animals Amendment (Puppy Farms and Pet Shops) Act 2017 (Vic) prohibited the sale of breeders' puppies in pet shops and restricts the number of fertile female dogs kept by breeders in Victoria,
 - b) Victoria's tougher regulations resulted in large-scale breeders indicating they are seeking sites in NSW to continue their activities, and
 - c) there is significant community concern that puppy farms have moved their operations to NSW to avoid regulation and scrutiny.
3. Urges the NSW Government to strengthen NSW Legislation to:
 - a) transition pet shops to registered not-for-profit adoption centres to rehome dogs and puppies from approved rescue organisations and shelters,
 - b) limit animals kept by breeders and owners, including by limiting numbers of fertile female dogs on premises,
 - c) ensure breeder identifications numbers are required for all litters, including the removal of loopholes for "one-off litters", and
 - d) instigate a common database and better co-ordination between enforcement agencies across jurisdictions.
4. Notes that euthanasia is a significant concern to councils and residents across NSW and is an animal welfare issue, and urges the NSW Government to act to reduce the rates of unwanted and abandoned animals by:
 - a) funding free desexing programs and education programs for pet owners, especially in areas with high dumping rates, and
 - b) supporting more "pet-friendly" rental accommodation.

Decision: Carried

That Local Government NSW lobbies the NSW Government to amend the Companion Animal Act 1998 to prohibit cats from roaming onto public places and private property.

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

Central Coast Council
Companion Animals Act change

That Local Government NSW requests the Office of Local Government to amend section 29 of the Companion Animals Act 1998 to include:

- The owner of a cat must take all reasonable precautions to prevent the cat from escaping from the property on which it is being kept.
Maximum penalty— 8 penalty units.
- (1A) The regulations may, for the purposes of this section, specify what constitutes or does not constitute reasonable precautions to prevent a cat from escaping.
- (2) For the purposes of subsection (1), owner of a cat includes the person who is for the time being in charge of the cat.

Liverpool City Council
Stray cats in urban areas

That Local Government NSW advocates for:

- i. Tighter restrictions on cat owners (including that all cats to be microchipped and desexed) to be included in the NSW Companion Animals Act 1998;
- ii. Council to be funded to provide services that identify stray cats that are not microchipped, nor desexed and found on the streets, to be microchipped, desexed and housed until rehomed; and
- iii. Changes to be made to Section 11 of the Prevention of Cruelty to Animals Act 1979 (NSW) to permit the release of cats under a Trap Neuter Return Program.

Amendment making Liverpool City Council motion lead motion
Liverpool City Council
Stray cats in urban areas

That Local Government NSW advocates for:

- i. Tighter restrictions on cat owners (including that all cats to be microchipped and desexed) to be included in the NSW Companion Animals Act 1998;
- ii. Council to be funded to provide services that identify stray cats that are not microchipped, nor desexed and found on the streets, to be microchipped, desexed and housed until rehomed; and
- iii. Changes to be made to Section 11 of the Prevention of Cruelty to Animals Act 1979 (NSW) to permit the release of cats under a Trap Neuter Return Program.

Decision: Amendment carried