

Local Government Association of NSW

Decisions of 2007 Annual Conference

0 - Executive

***Developer Contributions**

That the Association calls on the State Government to:

- Enter into a dialogue with Local Government on local finances and infrastructure provision, and particularly to address a funding model as a matter of urgency.
- Delay any implementation of developer contributions reform until further widespread consultation with Local Government has occurred.
- Accelerate the promised whole-of-government response to the Association's report on the Local Government Inquiry recommendations (as a basis for the dialogue).
- Urgently enter into a strong and binding Intergovernmental Agreement with NSW Local Government.
- Hypothecate the interest gained over the period developer contributions are held in trust, back to the Council from which it was taken, and
- Pass on by law, the alleged benefit accrued from the reduction in developer levies, to the purchaser of any land.

That the Association calls on the Federal Government to take responsibility for funding local infrastructure.

0A – Baulkham Hills

***Developer Contributions and Housing Affordability**

Covered by 0.

1 - Newcastle

***Venue for 2008 Annual Conference**

Out of order

2 - Hornsby

***Environmental Considerations for LGA Conferences**

When considering applications to host future Local Government Association (LGA) Conferences, selection criteria be widened to include consideration of the water and energy saving devices installed at the proposed conference venue and at accommodation venues. Further, that an environmental checklist be developed for this purpose and reported to Councils with the Business Paper for the conference at which the decision is to be made.

3 - Wollondilly

***Convictions for Deliberately Lighting Bush Fires**

That the Local Government Association requests the State Government to amend the Crimes Act 1900 as proposed:

Requested amendments to the Crimes Act 1900

The insertion of the words after the end of sub-paragraph (b) of s203E:

“or

(c) who is reckless as to the possibility of injury or death occurring as a result of the fire,”.

The increase of the maximum penalty for an offence under s203E to twenty five (25) years from fourteen (14) years.

The insertion of a new section within s203E as follows:

“(1A)A person: who intentionally causes a fire; and who is reckless as to the possibility of injury or death occurring as a result of the fire, is guilty of an offence. A person convicted of an offence under this subsection is liable to imprisonment for 25 years.”

The insertion of a new section as follows:

“Lighting of Fires

(1) Lighting of a Fire that Causes Death

A person is guilty of the offence of lighting a fire that causes death if the person intentionally lights a fire that results in the death of a person.

A person who is guilty of an offence under this subsection is liable to imprisonment for 25 years.

(2) Lighting a Fire that Causes Grievous Bodily Harm

A person is guilty of the offence of lighting a fire that causes grievous bodily harm if the person intentionally lights a fire that results in a person suffering grievous bodily harm.

A person who is guilty of an offence under this subsection is liable to imprisonment for 14 years.

(3) A person is not criminally responsible for an offence against this section if:

- (a) the person is a fire-fighter or acting under the direction of a fire-fighter, and
- (b) the person caused the fire in the course of bushfire fighting or hazard reduction operations.”

3A - Executive

***Population Ageing**

That the Association seek, through the NSW Ageing 2030 Summit and discussions with the NSW Premier and Minister for Ageing, a formal State/Local Government dialogue on our respective roles in responding to population ageing, with the aim of agreeing on a small number of major issues of mutual concern drawn from the Association’s *Ageing and place* for inclusion in the State Plan in the coming year.

The following issues are recommended for priority consideration:

- Identifying those Local Government areas where population ageing will impact the earliest and developing local place-based responses across both spheres of government;
- Collaboratively negotiating a State response to the national Disability Standards for Accessible Public Transport to the extent they are affected by population ageing;
- Responding to the need for both more and possibly qualitatively different Community Care Services;
- Collaboratively negotiating a national regulatory regime on slip resistance to prevent domestic slip and fall injuries;
- The provision and location of aged housing; and
- The need for accessible public transport.

3B - Executive

***Graffiti**

That the Association refer the following questions for consideration and examination of available evidence by the NSW Attorney General’s Department during its review of all legislation to stop graffiti vandalism and by the NSW State Government Anti-graffiti Action Team:

- whether to amend the NSW legislation to bring malicious damage into a more serious crime category;
- whether new regulatory requirements to limit access to or even ban the purchase of spray paint cans are likely to succeed; and
- whether a streamlined system for Local Government to report graffiti can be developed.

4 - Wollondilly

***Malicious Public Damage**

Covered by 3B.

5 - Clarence Valley

***Crime Prevention**

That the Association calls on the State Minister for Police to place an increased emphasis on crime prevention measures by way of –

- Social development initiatives
- Community education
- Provision of financial support of local crime prevention strategies and programs
- Review of alcohol taxation as a source of funding to encourage low-risk alcohol consumption

6 - Lake Macquarie

***Volunteer Medical Expenses**

That the Association lobby the Federal and NSW Government to amend the health legislation to allow Personal Accident Cover for volunteers to be extended to include medical expenses not otherwise insured.

7 - Mid-Western Regional

***Medical Facilities in Rural NSW**

That the Association requests both State and Federal Governments to urgently set aside funds to ensure that medical facilities in rural NSW are of a sufficient level and standard to ensure people living in rural areas can receive adequate medical services.

That sufficient resources be made available to individual health services to fully fund staff for hospitals so as to reduce the need for staff working double or triple shifts which could lead to reduced patient safety and contribute to staff burnout, therefore losing dedicated staff from the health service.

That HECs payments be rebated to graduates willing to serve in rural areas.

8 - Leichhardt

***Young People and Social Housing**

That this Conference calls on the Department of Housing to set up a working party to review the individual and wider social impacts of their policies which are currently forcing the young people of families in public housing to pay unfair rent and water charges.

This Working Party should address the following;

- the social and economic disadvantage being experienced by young people in social housing, and the disincentive for these young people to achieve their full potential;
- the additional financial and social stress imposed on already disadvantaged families, and the pressures therefore put on these young people to leave the family home;
- the fact that where the tenancy is held in the name of a sole parent, the children of that tenant have a right to succession in certain circumstances should the tenant become deceased; and
- a recommendation that young people of families housed in social housing once they turn 18 years of age and commence paying 12.5% of Youth Allowance or casual employment in rent, that rent stay at 12.5% until they reach 21 years of age.

9 - Strathfield

***Out of School Hours Care**

That the Association request the State and Federal Governments to provide adequate facilities and resources to meet the high demand needs of communities in relation to Out-Of-School-Hours care

services and school vacation care services and reduce the dramatic impact of these needs on Local Government authorities and not-for-profit organisations.

10 - Blacktown

***Early Childhood Education**

That in light of the poor levels of participation by NSW four year olds in early childhood education, the NSW Government works with Local Government to expand pre-school access for this group through Local Government long day care services.

11 - Hurstville

***Family Day Care**

That the Association, through its Child Care Working Group, undertake the following actions:

- Make representations to the Federal Government expressing concern about the future of the family day care sector and Local Government's pivotal role in the provision of family day care as a result of changes to funding formulas to the sector.
- Refer concerns regarding cost shifting in the provision of funding for child care services to the Local Government Inquiry Implementation Task Force.
- Refer concerns regarding the erosion of the public provision of child care as a social responsibility and the rapid shift to market and profit driven provision of child care to the Local Government Inquiry Implementation Task Force.
- Advocate for the need for a coordinated planning approach at a cross governmental level to address the need for affordable and accessible high quality provision of child care that delivers socially responsible programs within an equitable framework.

That the actions above also include casual day care.

12 - Willoughby

***Child Care Places**

That, given its stated intention to monitor supply and demand for child care places, the Federal Government be urged to gather data in a manner that can be readily used by Local Governments to carry out their community service and planning obligations.

13 - Executive

***Public Library Funding**

That the LGA call on the NSW Government to:

- Ensure no individual Councils are disadvantaged by any redistribution of public library funding.
- Ensure no further public library funding cuts are undertaken.
- Significantly increase the State's share of the total funding to local public library services to ensure it matches international and national benchmarks and meets unmet community demand for services, by enhancing the budget item *Grants and subsidies - Library services by Councils and other organisations* by \$5m per year for five years to reach a new recurrent target of \$51m per year.

That all member Councils actively support the LGSA public libraries funding campaign at the local level choosing activities that suit individual Councils from the ideas set out in the LGSA suggested strategies.

14 - Pittwater

***Graffiti Data & Reporting**

Covered by 3B.

15 - Clarence Valley***Liquor Licences**

That this Conference calls on the State Government to introduce appropriate changes to the Liquor Act to ensure that when special liquor licences are issued, it be a requirement that all alcohol served at bars must be consumed within 20 metres of that bar.

16 - Newcastle***Liquor Trading Hours**

That the Local Government Association support the amendment of State legislation to allow the local Council, on behalf of the local community, and in conjunction with the NSW Police, to determine reasonable and responsible liquor license trading hours for its Local Government area.

17 - Orange***Isolated Patients' Travel and Accommodation Assistance Scheme (IPTAAS)**

That the Local Government Association approaches the NSW Minister for Health with the following proposal regarding the Isolated Patient Transport and Accommodation Assistance Scheme (IPTAAS):

That the IPTAAS Form, provided to patients, has a perforated section so that patients who drive to Sydney can utilise the perforated section to prevent having to pay hospital parking fees during treatment;

OR

That parking fees be reimbursed as an additional reimbursement to travel.

18 - Blue Mountains***2006 NSW Aboriginal Child Sexual Assault Taskforce**

1. That the Local Government Association call on the NSW Government to urgently fund the implementation of the recommendations contained in the 2006 NSW Aboriginal Child Sexual Assault Taskforce "Breaking the Silence - Creating the Future" report.
2. That the LGA monitor the Taskforce established to implement the recommendations of the report to ensure appropriate and ongoing full consultation with Aboriginal people.

19 - Strathfield***Access to Open Space - Enclosed Lands**

Lost.

20 - Penrith***Standards for food handlers**

That the Local Government Association request that the NSW Food Authority introduce prescribed minimum standards of skills and knowledge for food handlers and identify accredited training programs that can be undertaken.

21 - Bankstown***Property Theft Reduction Initiative**

1. That the LGA recognise the need to continue to tackle the problem of property theft.
2. That the LGA Annual Conference request that the State Government investigates an innovative trial being undertaken in the UK, which allows homeowners to attach a DNA coded fluid to items of value, allowing such stolen items to be tracked and identified forensically.
3. The LGA recognises that any such initiative would need to be examined in terms of resource implications, costs, and benefits.

22 - Bankstown***Spray Paint Cans**

Covered by 3B.

23 - Manly

***Smoke-Free Environmental Policies**

In recognition of the 86.1% of the NSW population that does not smoke, the overwhelming community support for smoke free bans, the significant adverse environmental impacts of cigarette butts and in the interest of better community health and amenity, we –

- Reaffirm our commitment to creating smoke-free environments, including smoke-free playgrounds and playing fields to protect the health of children, and outdoor dining areas to protect staff in line with previous resolutions of the conference in 2004 and 2006;
- Encourage member councils to adopt bans on Council controlled beaches and waterways to assist in addressing the adverse environmental impacts of cigarette butts;
- Encourage member councils to adopt such bans, and other bans in consultation with their communities;
- Encourage Councils to erect internationally recognised signage to indicate smoke-free areas; and
- Encourage Councils and the LGA to continue to lobby the NSW State Government to adopt legislation similar to that adopted by the Queensland State Government in January 2005 to ensure uniformity across all communities in NSW.

24 – Leichhardt

***Asylum Seeker Co-ordinator Project**

1. That this Conference supports the Asylum Seeker Coordinator Project which was established and funded by Leichhardt Council and City of Sydney Council;
2. Notes that Hornsby, Botany, Canterbury, Fairfield, Marrickville, Randwick, Strathfield, Waverley and Willoughby Councils also provide funding for this project; and
3. Calls on all other Councils and Shires in NSW, and the State and Federal Governments to support this project and allocate funding to ensure that it continues to provide vital services to vulnerable members of the community.

25 - Lake Macquarie

***Review of Methodology of Levying Rates**

That the following motion be referred to the Executive.

That representations be made to the appropriate State Government agencies to review the methodology of levying rates based primarily on land values, in order to remove the inequities that currently exist. Such a review should include, but not be limited to, the method of calculating rates on strata units and manufactured home estates and rural land sharing communities where an equitable distribution of the rate burden cannot be achieved under the current legislation.

26 - Lithgow

***Opposition to Privatisation of the Electricity Industry**

That the Association oppose the privatisation of the electricity industry.

27 - Hornsby

***Coastal Grant Funding**

That the Local Government Association write to the NSW Premier requesting that coastal grant programs initiated by NSW Maritime and Department of Environment and Climate Change be fully funded and maintained by the NSW State Government for projects considered to be of State significance.

28 - Hornsby***Grant Funding for Sports Facilities**

That the Local Government Association request the NSW Government to increase grant funding for the development of sports facilities through the NSW Department of Sport, Recreation and Racing's Capital Assistance Program and Regional Facilities Program.

29 - Mid-Western Regional***Alternate Means of Funding Local Government**

That the Association pursue with the State and Federal Government an alternative way to fund Local Government and consideration be given to the Australian Local Government CEOs group and their submission to the Productivity Commission Inquiry.

That specific consideration be given to granting GST revenue to Local Government without an increase in the rate of GST.

30 - Gunnedah***Cost Shifting**

That the NSW Local Government Association Conference call on the State Government to amend Section 51 of the NSW Constitution Act for the purpose of guaranteeing funding to Local Government and preventing cost shifting from the State to Local Government.

30A - Shellharbour***Cost Shifting**

That the Association seek the commitment of State and Federal Governments to reduce their reliance on the practice of cost shifting to Local Government.

30B - Shellharbour***Pensioners' Rate Rebates**

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1. That the Association seek the commitment of both State and Federal Governments, to provide for an increase in the pensioners' rate rebate under S575 of the NSW Local Government Act 1993, by increasing the proportions of the rebate paid by State and Federal governments to Local Government, in such a way that the benefit to eligible pensioners is increased, but that the maximum Council contribution remains at the current level of \$112.50 (45% of \$250).
 2. That the Association seek the commitment of the State Government to amend the NSW Local Government Act 1993 so that the maximum rebate allowed as indicated by S575(3)(a) of the NSW Local Government Act 1993, be increased annually by indexation in line with the Sydney all groups CPI, so that the proportions of the rebate paid by State and Federal governments to Local Government are increased, in such a way that the benefit to eligible pensioners is increased, but that the maximum Council contribution remains at the current level of \$112.50 (45% of \$250).

31 - North Sydney***Telstra**

That commercial advertising on telephone booths be opposed and the Conference calls on Telstra, where consent is sought for commercial advertising on telephone booths, to include the opportunity for community notices and advertising in addition to commercial advertising.

That Telstra ensure solar power is used for booth advertising and that advertising be linked to whether the booth is a functioning public telephone.

32 - Penrith***Comprehensive Sustainability Standard for local government**

That the Local Government Association consider developing a comprehensive Sustainability Standard for use by all Councils as a tool to improve their quadruple bottom line sustainability performance. The Sustainability Standard should be developed and implemented in line with existing Council budgetary and

reporting arrangements: e.g.: the quadruple bottom line including economic, environmental, social and governance criteria.

33 - Campbelltown

***Timing of Pricing Adjustment by Electricity Providers**

That the Local Government Association make representations to the Independent Pricing and Regulatory Tribunal (IPART) in regards to the unsatisfactory timing of potential price increases from electricity providers, that have to be absorbed in existing Council budgets.

34 - Lane Cove

***Timeframes for Applications for Special Rate Variations**

That representations be made to the Minister for Local Government to review the basis on which special rate variations may be levied, so as to allow Councils greater flexibility in structuring special levies having regard to the reasons the levy is sought and the impact on the community.

35 - Shellharbour

***Landscaping Levy (Rates)**

That the following motion be referred to the Executive.

That the Association request that the State Government amend the rating provisions of the NSW Local Government Act 1993, to permit Councils experiencing growth in new areas, to raise a separate, dedicated landscaping charge on defined, contiguous areas, to fund requests for higher standards of maintenance and landscaping, without detriment to the revenue available to the general community, by allowing Councils to exceed their Notional Yield by the amount of this landscaping levy.

36 - Great Lakes

***Rating Exemption for High Conservation Land**

That the following motion be referred to the Executive.

That the Association support an extension to Section 555 (1)(b) of the Local Government Act to allow rate exemption over land that:

- a) has been purchased by a conservation agency or Non Government Organisation for the purpose of conservation;
- b) is of high conservation value that has been identified either by a Property Vegetation Plan or a zoning for the purpose of conserving an endangered ecological community or a SEPP, e.g. SEPP 26, SEPP 14 or SEPP 71.

That the Association lobby for other means of providing financial support for landowners choosing to enhance biodiversity.

37 - Great Lakes

***Long Term Residential Rating**

That the following motion be referred to the Executive.

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

38 - Hornsby

***Rate Pegging**

That the following motion be referred to the Executive.

That the LGA be authorised to negotiate with the NSW State Government an amendment to rate pegging restrictions to permit Councils to vary rates above the approved limit for a specific purpose/s approved by the Minister for Local Government. Increases for specific purpose/s would be subject to:

- Audited returns of expenditure for the purpose being submitted to the Department of Local Government;
- No decrease in expenditure on that purpose from an average of the previous 3 years; and
- Maximum increases being restricted to 1% for any one purpose.

39 - North Sydney

***Rating Utility Networks**

That the Association lobby the Department of Local Government to amend all relevant legislation to enable Councils to impose a rate on Utility Networks.

39A - Shellharbour

***Goods and Services Tax**

That on behalf of Local Government entities throughout the nation, the Association seek the commitment of the Federal Government to an increase in the payments to the States and Territories or direct to Councils, of Goods and Services Tax disbursements intended for distribution by the States, to Local Government authorities.

40 - Canada Bay

***Fair Employer Schemes**

That the Association request all Councils to support Fair Employer Schemes by signing the Fair Employer Declaration.

Should Labor be elected to Federal Government, the Association call on the Federal and State Governments together to pass urgent transitional legislation to reconfirm state industrial coverage for NSW councils.

40A - Kogarah

***"FairWear" Campaign**

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1. That the Local Government Association of NSW endorses the "FairWear" campaign to eliminate exploitation in the textiles and clothing outworker industry, and further promote Australian clothing manufacturers.
 2. That the Local Government Association of NSW encourages all Councils to:
 - a) Give preference in purchasing uniforms and other clothing to suppliers that are accredited to the Homeworkers Code of Practice.
 - b) Provide information about the Homeworkers Code of Practice to any relevant business seminars conducted by Council and other appropriate forums.

40B - Leichhardt

***White Bay, Glebe Island and Rozelle Bay**

That the Conference calls on the State Government to deliver on its election promise of an integrated, fully community consulted Masterplan for the White Bay, Glebe Island, Rozelle Marshalling Yards, Rozelle Bay and Blackwattle Bay area.

Further, that the conference calls for a moratorium on development of these sites until the Masterplan is adopted.

40C - Executive

***Drought**

That the Association:

1. Notes the severity of the drought being experienced across Australia and especially in regional New South Wales;
2. Notes with concern that the duration of this drought has exhausted the reserves of many country communities – financially, socially and psychologically – such that restocking and replanting, as well as continued business profitability and social wellbeing at the end of the drought cannot be assumed;
3. Notes that a drought summit was held in Parkes on 25 September 2007, chaired by Cr Bruce Miller, President of the Shires Association of NSW and attended by representatives of Local, State and National Governments, farmers, businesses, charities, rural counsellors, banks, service clubs, and local communities;
4. Endorses for action the priority initiatives identified by the drought summit, namely:
 - a. A minimum 15% annual rate rebate for Local Government and Rural Lands Protection Board rates for bona fide primary producers and agriculture-related businesses in areas officially ‘in drought’.
 - b. Long-term funding and job security for Rural Financial Counsellors and Drought Support Workers.
 - c. Increased funding for Councils to maintain and improve local infrastructure.
 - d. Increase in Mental health support:
 - On the ground mental health resources – volunteers or other support staff needed to visit homes in drought affected communities;
 - Short training courses to teach delegates how to deal with mental strain; and
 - A fact sheet for individuals to recognise symptoms of mental strain and referral contacts.
 - e. Waiver of fixed water charges for irrigators who have had their allocations reduced due to drought.
 - f. Commitment from State Government that teachers will not be transferred because of falling student numbers in drought-declared areas.
5. Authorises the Local Government Association President to work with the President of the Shires Association and other members of the Rural Alliance to pursue these priority initiatives through all appropriate channels as a matter of urgency.

40D – Matter Arising

***Drought**

That all changes to the drought relief eligibility criteria be made retrospective and the Association encourage the relevant authorities to insist on appropriate changes to the criteria so all those who should be receiving relief become eligible.

40E - Kiama***Commercial Development on Crown Land**

That the Association:

1.
 - a) Campaign to ensure that commercial developments proposed on Crown Land are compatible with the general use of the crown land for public purposes and are of a scale and nature that do not alienate these areas from people who have traditionally used them, both local and visitors to the area.
 - b) Campaign for more open and transparent processes when commercial activities of any sort are proposed in State Recreation Areas and in so doing ensure that the Government is subject to the same level of public accountability as is Local Government in its dealings with public land under its care, and
 - c) Campaign to ensure that profits from public land are returned to the local community and that leasing arrangements do not lead to inappropriate speculation and private profit at the expense of the community.
2. Requests the LGA to invite representations from community groups which are concerned about the implications of the matters raised in part 1.

40F – Matter Arising***Commercial Development on Crown Land**

That the infrastructure costs for developments on Crown Land be borne by the Crown Lands authority or the developer.

40G - Shoalhaven***NSW Grants Commission**

That the formula used by the NSW Local Government Grants Commission for distribution of the Financial Assistance Grant be reviewed to ensure that no local Councils are penalised through temporary shifts in the land value of properties in their Local Government area.

41 - Canada Bay***Climate Change**

That in recognition of the high rates of Local Government awareness and interest in addressing climate change, the Association seek additional support from Federal and State Governments to assist Local Government in their pivotal role to achieve sustainable carbon neutral outcomes for our communities. This support should be administered through an MOU between the three spheres of Government.

42 - Wollongong***National Emissions Trading Scheme**

To ensure that Councils are not exposed to significant financial risk associated with the introduction of a national emissions trading scheme and are able to benefit from the scheme to raise revenue, the Association lobby the Federal Government to ensure that Councils are considered in the allocation of carbon credits and to ensure that Councils can easily create carbon credits.

43 - Clarence Valley***Coastal Erosion**

That the Association request that the State Government develop and clearly articulate its policy on coastal erosion and the threat posed to private property, and as a matter of urgency provide legal guidance to Councils on this issue.

That the Executive develop a coastal erosion policy for consideration at the 2008 conference.

That Federal Government funding be sought to pursue this matter.

44 - Shoalhaven***Dual Consents**

That the following motion be referred to the Executive.

That the requirements for dual consents under the Native Vegetation Act and the Environmental Planning and Assessment Act be abolished.

45 - Sutherland Shire***Exhibition Periods**

That the Local Government Association of NSW write to the Premier of NSW requesting that all NSW Government Departments extend their exhibition periods to six (6) weeks on all policy and legislative changes.

46 - Baulkham Hills***Footprint of Metropolitan Sydney**

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1. That the Executive of the Local Government Association request the NSW State Government to clearly define the urban footprint for metropolitan Sydney.
 2. That the NSW Local Government Association Executive consult with relevant member Councils for their input into framing the Terms of Reference for the State Government's Rural Lands Reference Task Group.

47 - Pittwater***Consultation and LEPs**

That the Association lobby the State Government to require the Department of Planning to coordinate and manage statutory consultations with other State Government authorities under the EP&A Act to streamline the preparation of local environmental plans.

48 - Pittwater***Wood Burning Heaters**

That the Association provide to NSW Councillors and Councils an information package regarding the dangers of wood burning heaters, and that this include a suggested sample Development Control Plan motion regarding wood burning heaters.

49 - Armidale Dumaresq***Woodsmoke Emission Levels**

That the Conference requests the NSW Department of Environment and Climate Change to financially assist in the monitoring of woodsmoke emission levels within relevant Local Government areas in the State during future Winter seasons to ensure adequate measurement of this important health issue across affected communities in NSW in relation to relevant criteria (e.g. the National Environmental Protection Measure standard for particulate air quality).

50 - Penrith***Installation and use of Solid Fuel Heaters**

Lost.

51 - Willoughby***Major Projects**

That the Local Government Association be asked to represent the interests of Councils caught up in major infrastructure projects undertaken in their area by higher levels of Government. Specifically, this Motion calls for a system of compensation for the considerable time and effort expended by Councils' officers in dealing with interface issues arising solely as a consequence of such projects and suggests that the compensation be 'in kind' through the paid secondment of suitable officers to the project to provide real-time interaction between the project team and the 'receiving' Council(s)."

52 - Botany Bay***Department of Planning Delays**

That the LGA Executive conduct a detailed examination from all its member Councils to determine the extent of the delays by the NSW Department of Planning to the efficient planning processes in the State of NSW, in order to determine the impact of the Department's delays to the economy of NSW and to the level of employment in NSW.

53 - Wingecarribee***Commencement of Development Works**

That the Local Government Association of NSW be requested to make representation to the Minister for Planning the Hon Frank Ernest Sartor, MP to have the provisions tightened to ensure that 'commencement' of approved development applications within the terms of the Environmental Planning and Assessment Act become more reasonable in reflecting community expectations.

54 - Wollongong***Completion of Development Works**

That Conference resolves that a mechanism to enable a review of the development application, in line with changes to legislation, environmental or planning policies, etc needs to be incurred where the full execution of the development application has not been completed within the agreed or approved timeframes.

55 - Gosford***SEPP (Mining, Petroleum Production and Extractive Industries) 2007**

That the Local Government Association make representations to the NSW Minister for Planning to object to the new State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007, as it has the potential for adverse social and environmental impacts on NSW Local Government coastal foreshore, community, agriculture and other areas.

56 - Lithgow***Expansion to Mount Piper Power Station**

That the Association seek State Government confirmation and commitment to an extension of the Mount Piper Power Station to assist in the management of the NSW Base load power supply, if the NSW Government's response to the Owen Report is in favour of a coal fired power station.

57 - Gosford***Mandatory Renewable Energy Targets**

That the Local Government Association lobby the Federal Government on the basis for the urgent need in addressing Federal MRETs, due to the Federal Government's current MRETs of 2% not being sufficient in addressing the urgent need for legislative change to encourage and stimulate growth in the area of technology and research of renewable sources of energy that would enable measurable decreases in greenhouse gas emissions at national and local levels

58 - North Sydney***Minimising Energy Use**

That the Local Governments in NSW reflect community concerns about sustainability and climate change by encouraging buildings within their commercial areas minimise their use of lighting, heating and cooling outside office hours.

59 - Ryde***Green Power**

That for the benefit of Local Government in NSW, as that tier of Government closest to the community, and to support Government initiatives to create additional investment in renewable energy to minimise the negative climate change impacts of greenhouse gas emissions and our reliance on the Earth's limited fossil fuel resources, a memorandum of agreement be established between the Australian Greenhouse Office, the NSW Department of Energy and Water, the Department of Local Government and accredited

Energy providers to share equally the additional costs associated with the purchase of accredited Green power for those Councils with established greenhouse gas reduction action plans in place and electing to purchase 100% of their total energy requirements as Green power.

60 - Ryde

***Private Certifiers**

That this conference notes the LGA's opposition to the implementation of private certification.

That the Local Government Association call on the Minister for Planning, as a minimum, to make meaningful reforms to the system of private certification to:

- improve the accountability of private certifiers and remove the inherent conflict of interest faced by private certifiers employed by developers;
- address the range of problems arising from the poor performance of private certifiers;
- enable Councils to fully recover the costs associated with investigating complaints against private certifiers and ensuring they fulfil their statutory duties;
- require for Private Certifiers to pay performance security bonds which Councils may call upon to recover costs associated with Councils undertaking investigations when certifiers fail to meet their statutory responsibilities; and
- not increase the amount of complying developments that can be determined by private certifiers.

60A – Matter Arising

***Private Certifiers**

That we call upon the NSW Government to withdraw the authority of private certifiers and hand responsibility back to Local Government.

61 - Great Lakes

***Private Certifiers**

Covered by 60.

62 - Lane Cove

***Vegetation Screening**

That the Local Government Association write to the State Government requesting that the Trees (Disputes Between Neighbours) Act 2006 be expanded to include vegetation screening that adversely impacts on adjoining property owners health and amenity by blocking sunlight in much the same way that a building structure would.

63 - Wingecarribee

***Reforms to the EP&A Act**

That the Local Government and Shires Associations of NSW be requested to undertake a campaign that the proposed reforms to the EP&A Act to speed up development application times and reduce the number of DAs handled by Councils, not involve the compulsory introduction of independent hearing and assessment panels to remove Council's role in development assessment.

64 - Hornsby

***Derelict Oyster Leases**

That the Local Government Association congratulate the NSW Departments of Primary Industries and Fisheries and the Hawkesbury River oyster growers for work undertaken to remove derelict oyster leases and associated infrastructure from the Hawkesbury Estuary and seek a commitment from the NSW Government to spend the balance of the original \$2.8 million commitment on further removal of derelict oyster leases affected from the prevalence of the QX disease.

65 - Hornsby***Land and Environmental Court**

That the Local Government Association make formal representations to the Chief Judge of the Land and Environment Court of NSW raising its concerns in relation to the liberty granted by the Court enabling appellants to undertake a multitude of modifications to plans which are subject to an appeal and to highlight the significant legal costs incurred by Local Government in the process.

That the Chief Judge be requested to ensure that the Court strictly apply the procedures set under the recently introduced Court practice note where amended plans are being substituted in an appeal. Should amended plans be submitted and approved by the Land and Environment Court, Council's costs to be borne by the applicant.

66 - Lane Cove***Low Impact Installations**

That the Local Government Association call upon the Federal Minister for Communications, Information Technology and the Arts to review the Federal Telecommunications Act 1997 regarding the installation of low-impact facilities on adjoining properties, to remove the existing inequities that can occur in residential or mixed use zones, when a neighbour of an adjoining property consents to the erection of a tower on their property, without consent of the adjoining neighbours. An appropriate procedure should be put in place which provides for an equitable outcome for all parties involved, including a right of appeal against an unfair decision.

67 - Ashfield***State Government Planning Reform**

That given the extensive nature of the land use planning reforms being proposed for NSW, the Association call upon the Premier and the Minister for Planning to give an undertaking that NSW Councils, communities, local neighbourhoods and other key stakeholders (include professional heritage and environmental experts that practice in the field of heritage and environment) will be fully and meaningfully consulted on any proposals for the reform of NSW development assessment processes, responsibilities and structures.

68 - Holroyd***Section 94 Contributions**

Covered by 0.

69 - North Sydney***Urban Space/Open Space Ratios**

That the Local Government Association investigate whether it would be desirable to address the provision of open space through specific urban space/open space ratios for developed areas.

70 - Manly***Reducing Residential Water and Energy Consumption**

That the Association work with individual Councils to develop a revenue-neutral rate-based incentive scheme to encourage energy and water conservation improvements in homes not captured by the existing BASIX scheme (i.e. those that are neither new dwellings nor Alterations & Additions);

That a certificate generated by a BASIX self-assessment completed using the on-line BASIX Data Input Checklist provided to Councils at the time of annual rate payments provide the basis for such a rebate/penalty scheme; and

That the Association seek the support needed from the NSW Government to vary annual rates (i.e. to exceed the existing rate cap) to enable this scheme to be operated on a cost-neutral basis, thus enhancing the capacity of Local Governments to participate effectively in the reduction of greenhouse gas emissions without further adverse impact on local revenue base

71 - Manly***Impact of Plastic Bottles**

1. That the Association, working through the Boomerang Alliance, mounts a campaign to address the increasing consumption of bottled water, the proliferation of plastic water bottles, and the serious toll on the environment. Such a campaign should include the issues of resource conservation, waste management, container deposit legislation, extended producer responsibility and greenhouse emissions.
2. That the Association lobbies State and Federal Governments to have the life cycle ecological impact of products assessed and identified to consumers through a clear, consistent, agreed set of indicators and symbols. This system needs to be based on quantifiable criteria developed in consultation with major stakeholders including consumer groups, Local Government and industry.

72 - Canterbury***Paper Waste Generated by Elections**

That the Association encourages both the State and Federal Electoral Commissions to actively promote the collection for recycling of paper waste generated by the election process and that it encourages candidates to include on their election pamphlets and how to vote cards, a recycling message.

73 - Leichhardt***Anvil Hill Coal Mine**

Lost.

73A - Leichhardt***Anvil Hill Coal Mine**

That the Association:

1. Calls on the NSW Government to introduce mandatory renewable energy targets of 25% by 2020 which would lead to reduced greenhouse gas emissions and the creation of many more new jobs;
2. Calls on the NSW Government to specifically target the creation of new employment opportunities in sustainable forms of energy production for local residents in the Hunter Valley and Central Coast; and
3. Calls on the NSW Government to establish a levy on the coal industry to fund the transition to sustainability in the Hunter and Central Coast beyond coal which will also ensure on-going employment for Hunter Valley and Central Coast residents.

74 - Leichhardt***Dioxin Pollution**

1. That this Conference:
 - a) notes that since January 2006, commercial fishing in Sydney Harbour is no longer permitted due to the very high dioxin levels (over 100 times World Health Organisation recommended maximum levels) found in the prawns and fish of the Harbour;
 - b) notes that this suspension of fishing licenses in the Harbour has affected the livelihood of 44 commercial fishing operators mainly living in the Inner West of Sydney; and
 - c) notes that after intense lobbying, the NSW Government agreed to test the dioxin levels of fishermen and their families showing very high dioxin levels, many times over WHO maximum levels, with often the highest levels in the youngest members of extended families.
2. Calls on the NSW Premier and Minister for Primary Industries to:
 - a) fully fund compensation for both the loss of livelihood and the loss of health to all fishing people;
 - b) ensure that dioxins are reduced to safe levels from the whole of Sydney Harbour and not just in the area where new housing development will occur;
 - c) invest in state of the art testing facilities so that dioxin and other industrial contaminants can be properly tested in Sydney to guarantee proper monitoring of fishers and their families that have been exposed; and

- d) extend the free testing on dioxins to the fishers and their families who were previously fishing operators on the Harbour.

75 - Leichhardt

***Community Democratic Control of Planning**

That this Conference;

1. objects strongly to the fact that changes to the Environmental Planning and Assessment Act since 2004 have resulted in a reduction in protection of environmentally sensitive sites, a reduced role for local Councils in determining development applications, an increase in the powers of the Minister for Planning, an increase in the complexity of development approval processes and a decrease in community involvement in decision making about development applications;
2. objects strongly to the fact that the Minister for Planning, the Urban Taskforce and the Property Council have launched a concerted media campaign to attack Councils in order to justify removal of all powers to determine development applications from elected Councils;
3. notes the call by the LGA 2006 Conference for the NSW Government to reinstate Environmental Impact Assessment and community consultation processes for all development activity and guarantee that Councils will retain the power to determine development within their municipality, has been rebuffed by the Minister for Planning;
4. objects strongly to the loss of democratic community control of planning and re-affirms its commitment to the central role of elected Councillors, as representatives of their communities, in the determination of development applications that will have a significant impact on the community;
5. objects to the State Government's use of external planning panels to deny local communities a voice on decisions affecting their future;
6. authorises the President to inform the Planning Minister and Premier, and all NSW MPs in writing of these objections;
7. calls on the LGA Executive to coordinate as a matter of urgency a political campaign in opposition to the latest moves to reduce the role of Councils and their communities in determining development applications and to produce materials to publicly rebut the claims being made by developer lobby groups and the Planning Minister that seek to blame Councils for slow approval processes; and
8. calls on all NSW Councils to support the LGA campaign.

75A – Ku-ring-gai

***External Planning Panels**

Covered by 75.

76 - Penrith

***Pre-lodgement Panels for Major Local Development**

That the following motion be referred to the Executive.

That the Local Government Association lobby the Minister for Planning to change the Environmental Planning and Assessment Act 1979 to provide for the establishment and operation of pre-lodgement panels for consent authorities as a mandatory step in the planning process for major local development (e.g. SEPP 65 – Apartments, development over \$1 million in CBD locations and all other development over \$ 5million), as long as cost recovery is legislated.

77 - Penrith***Development Control Plans**

That the following motion be referred to the Executive.

That the Association lobby the State Government to include appropriate legislation in the Environmental Planning and Assessment Act 1979 to strengthen the role of DCPs in the development assessment process from a matter for consideration under Section 79C of the Act to ensuring that the principles of DCPs guide applicants, consent authorities and the Land and Environment Court.

78 - Kiama***DA Surveys**

That the Association:

1. Survey Councils on the time taken to complete the Development Assessment Surveys required by the NSW Department of Planning and strongly lobby the NSW Government and opposition calling for a streamlining of the process which is presently having an unreasonable impact on the resources of Councils and consequently slowing the processing of applications.
2. Express to the Department of Planning and the NSW Government its concern relating to the lack of adequate and appropriate time for consideration of draft policies and proposed legislation.

79 - Pittwater***Regulation of Use of Dangerous Chemicals**

That the Association seek an urgent amendment to the Protection of the Environment Operations Act and the Environmental Planning and Assessment Act to require that industrial and commercial premises that use potentially carcinogenic chemicals for their operations be defined as both Scheduled Development, requiring a State Government licence and Designated Development, requiring an Environmental Impact Study.

80 - Ashfield***Long Term Illegal Uses**

That the following motion be referred to the Executive.

That the LGA work with the Department of Planning to formulate consistent guidelines for dealing with long term illegal uses.

81 - Ashfield***Asbestos**

That the following motion be referred to the Executive.

That the LGA support a proposal that in all conveyancing transactions the presence or not of asbestos in any structure be disclosed by submission of an appropriate certificate from a qualified person to that effect.

82 - Wollongong***Solar Panels**

That the Association pursue opportunities for solar panels to be considered as conditions of consent for future development applications.

83 - Wollongong***Landfill licences**

That the Association request that the Minister for Environment and Climate Change, give an assurance that the daily cover material used at Council landfill sites, as required by their respective landfill licences, will be exempt from the Section 88 Levy under the Protection of the Environment Operations (Waste) Regulations, in view of Councils' significant financial liability caused by the recent amendments to those Regulations.

84 - Newcastle

***Waste Levy**

The Local Government Association express to the NSW State Government, its concern at the lack of consultation and speed of implementation of the recent changes to the Section 88 Waste Levy regulations. Of particular concern is the lack of consideration for the limitations imposed on Councils by the Local Government Act 1993 with respect to Council's ability to vary fees to reflect such changes.

The Local Government Association request that the NSW State Government review the definition of Waste as it now applies to Scheduled Waste Facilities (i.e. Landfill) and to broaden the list of substances for which deductions are available, and in particular, a review of the application of the Section 88 Waste Levy to construction materials (both new and recycled) used to comply with the Licence Conditions of Scheduled Waste Facilities.

85 - Port Stephens

***Planning Reform**

That the Association strongly and respectfully request the NSW Minister for Planning, the Honourable Frank Sartor:

To urgently convene and consult a Reference Group of Directors of Planning from a number of Sydney and regional Councils, and representatives of the Local Government and Shires Associations to more collaboratively work on the planning reform agenda; - in particular, to resolve:

1. criteria for Ministerial "call ins" for Major Projects;
2. the respective responsibilities of the LEP Panel and Regional Offices of the Department of Planning;
3. the valid and accurate means and reporting of performance monitoring of development assessment;
4. more specific criteria/Heads of Consideration for the Minister to appoint a planning administrator or panel; and
5. legislative changes to improve the NSW Planning system.

86 - Holroyd

***Major Infrastructure and Other Projects**

That the Local Government Association of NSW oppose and protest all Ministerial approvals including any approval of major projects by the Minister of Planning under Part 3A (Major Infrastructure and Other Projects) of the Environmental Planning and Assessment Act 1979, and under SEPP71, which have the effect of denying Councils from levying contributions authorised by adopted plans or agreements pursuant to s94 of the Act, that would otherwise pay for needed community amenities or facilities.

That a review be undertaken to address the following problems that currently affect projects being determined under Part 3A:

- The lack of community consultation
- The lack of revenue that flows to Council from these applications
- The reduction in Section 94 contributions being levied
- The local Council, and by extension the local community being excluded from the process

86A - Shoalhaven

***Part 3A Major Projects**

Covered by 86.

87 - Ryde***Use of Electronic Signatures on Electronic Applications**

That the Minister for Planning be requested to consider an amendment to the Environmental Planning and Assessment Act to facilitate a consistent approach to electronic signatures so the e-lodgement of development applications and related applications and certificates can occur in a standard way across the State.

88 - Wollongong***Sustainable development practices**

That the NSW Local Government Association pursue the ability for Councils to require sustainable development practices and installations over and above those required by BASIX.

89 - Clarence Valley***Affordable Housing**

That the Annual Conference expresses its grave concern that housing affordability and home ownership levels in Australia continue to decline, and that the amount of available rental accommodation is also declining.

That the Annual Conference notes that the lack of adequate infrastructure funding for Local Government and local communities across Australia by Federal and State Governments has added to the costs of developing new housing stock.

That the Association call on the State and Federal Governments to apply more resources to meet the need for affordable housing.

That the Annual Conference agree to request that the Federal Government and State Governments urgently convene State and National Summits on Affordable Housing in order to develop comprehensive plan of action on affordable housing. The Summits must include Local Government as a full partner.

That following the affordable housing summit, the Executive advises Councils on measures to alleviate mortgage and rental stress.

That following the summit, the LEP template be amended to address affordable housing.

90 - Bankstown***Affordable Housing Summit**

Covered by 89.

91 - Blacktown***Standards for Schools**

That the NSW Local Government Association call on the NSW State Government to introduce appropriate State-wide standards for the development of schools, whether government or non-government, particularly in relation to the amount of free play area, so as to ensure that the health and well-being of school children is not compromised.

92 - Hornsby***Maintenance of Heritage Items**

Due to a lack of positive action taken by the Heritage Office over a two year period in response to a motion on this matter submitted to the 2005 LGA Conference, that the LGA:

1. Once again express its concern at the inability of Local Government to ensure that a minimum level of maintenance is achieved for locally listed heritage items to prevent their destruction by neglect.
 2. Request the State Government to extend the provisions of the Heritage Act 1977, relating to minimum maintenance levels for items on the State Heritage Register, to include locally listed heritage items.
-

- Investigate ways by which lower socio-economic households can be assisted to maintain heritage properties.

93 - Newcastle***Mobile Phone Telecommunication Towers**

The Local Government Association undertake research into the experience of all NSW Councils with mobile phone tower development applications, the relevant Land and Environment Court judgments, and the major objections of the local communities, with a view to preparing a briefing paper on the situation that may be of help to Councils and communities when faced with such development applications.

94 - North Sydney***Brothel Zoning**

That the following motion be referred to the Executive.

That the Local Government Association lobby the NSW State Government to allow Councils to prohibit brothels in any zone in which there is a residential component, even if that means that there may be no areas in which brothels are permissible in a Council area.

95 - Ashfield***Illegal Advertising Bill Posters/Signs**

Withdrawn.

96 - Lake Macquarie***Subdivision Fees**

That the Association lobby the NSW Government to review the fee structure for subdivisions under the Environmental Planning and Assessment Regulation 2000.

97 - Hornsby***DA Compliance Levy**

That the Local Government Association call for the State Government to provide a fee structure within the Environmental Planning and Assessment Act, 1979 to enable a Council to levy a scheduled fee when a development application is lodged to cover costs where a Council is required to instigate action to ensure compliance with the terms and conditions of a development consent.

98 - Wyong***National Natural Disaster Funding**

That the Association request the Federal Government to include in National Natural Disaster Funding, coastal erosion events and Council expenditure on preventative and remedial action.

99 - Hornsby***Development Process Corruption Risks**

That the Local Government Association provide its support to Hornsby Shire Council in requesting ICAC to formulate and implement a broad public education process through Local Government on the issues relating to corruption risks in NSW development processes.

100 - Blacktown***Unsatisfactory Council Performance Order 2007**

That the Association call upon the Premier to amend the Unsatisfactory Performance Order to remove a Council's planning and development powers, when the interests of local communities are protected; and only if significant definitive criteria occur, with a transparent and fair process substituted in place of the decision terms of the Minister.

101 - Newcastle***Alternative Waste Treatment**

- That the Local Government Association request the NSW State Government to expedite the finalisation of the proposed 3F (Fuel, Fertiliser, Fill) waste regulations and provide

guidelines/standards for material produced by an Alternative Waste Treatment Facility that processes Municipal Waste as a matter of urgency.

2. That the Local Government Association requests the NSW State Government to guarantee an exemption from the Section 88 Waste Levy for material produced by an Alternative Waste Treatment facility that processes Municipal Waste.

102 - Hurstville***Non-complying Advertisements**

That the Association request the Minister for Planning the Hon Frank Sartor, to make amendments to legislation allowing the use of Penalty Infringement Notices, with an individual amount of \$1500, for matters relating to the non-compliance of Section 121B, Order Number 5, of the Environmental Planning and Assessment Act 1979, which requires the altering, obliterating, demolishing or removal of an advertisement, and associated advertising structure, which is unsightly, objectionable or injurious to the amenity.

103 - Lane Cove***Private Certifiers**

Covered by 60.

104 - Penrith***Private Certifiers**

That the Association lobby the State Government to amend legislation so that Councils can recover all costs of enforcing the provisions of the Environmental Planning and Assessment Act and to delay proposed expansion of the role of private certifiers until the Building Professionals Board has adequate resources and capability to expeditiously investigate complaints and to implement an effective audit program of all certifiers.

105 - Baulkham Hills***Private Certifiers**

Covered by 60.

106 - Lake Macquarie***Private Certifiers**

Covered by 60.

107 - Executive***Environment Policy**

That the Revised Environment Policy be adopted as follows:

**LOCAL GOVERNMENT ASSOCIATION ENVIRONMENT POLICY
(October 2007)**

Preamble

Local Government has an important role to play in protecting and enhancing natural and built environments in order to achieve ecologically sustainable development. By practising effective environmental strategies in its management of land and water resources, and control of developments, Local Government will be able to provide a secure future for present and future generations.

There should be closer co-ordination between State and Local Government authorities to ensure all decisions made by these two spheres of Government are in harmony and take into account the majority view of residents and the long term environmental impact.

1. Climate Change

Local Government recognises climate change as a primary environmental consideration.

2. Ozone depletion

Local Government supports a cessation in the generation of ozone depleting substances and the environmentally sensitive management of existing stocks of ozone depleting substances.

3. Greenhouse, energy conservation

Local Government

- 3.1 supports measures that minimise the generation of greenhouse gases, including measures related to minimising transport impacts and discouraging burning of agricultural, horticultural and silvicultural crop residues where viable alternatives can be identified.
- 3.2 supports the use and further development of renewable and ecologically sustainable forms of energy and practices that conserve energy and/or increase energy efficiency.
- 3.3 supports the establishment of energy conservation development control plans.
- 3.4 Local Government believes that State and Federal Governments should provide tax concessions and other financial incentives for the development of renewable energy technologies, the installation of solar hot water systems and other energy efficient devices such as low energy light bulbs (recognising that issues of disposal of current technologies for low energy light bulbs need to be addressed), insulation and passive solar design of buildings.
- 3.5 supports the imposition of a carbon tax on industry in accordance with principles of economically sustainable development.
- 3.6 believes that State, Federal and Local Governments should introduce an energy conservation principles policy and strategy in respect of all government buildings and activities.
- 3.7 endorses in principle measures to reduce the environmental impact of council fleets.
- 3.8 Encourages councils to develop policies that:
 - consider the potential that proposed developments have to contribute to the greenhouse effect provide an incentive for energy efficient behaviour and the use of energy efficient appliances
 - develop exemplary practices and policies for energy efficient behaviour in their own areas of responsibility
 - encourage the adoption of alternative sources of energy (solar, hydro, wind, alternative fuels, compressed natural gas) that are consistent with best environmental practice
 - encourage energy efficient and resource saving design and building practices of residential, commercial and industrial developments
 - protects solar panels from being overshadowed or provides for relocation at the cost of the developer
- 3.9 believes that the State Government should introduce policies, which require Energy Corporations to use solar lighting in the street lighting networks and Councils to develop policies for the use of solar lighting as an alternative to mains-powered lighting, where appropriate.

4. Waste

- 4.1 Local Government supports the elimination of waste by avoiding the creation of waste according to the following waste elimination hierarchy:
 - avoidance of waste-producing consumption
 - re-use of products and packaging
 - recycling of organic and inorganic materialin that order of priority.
- 4.2 Local Government supports the visionary target of zero waste. Such a target can be applied to all levels and sectors of the community, for example:
 - all industry sectors

- all individual companies and businesses
 - all levels of government
 - all bureaucracy
 - all regions.
- 4.3 Local Government believes, as a basic tenet, that those who create waste must take full responsibility for that waste. Legislation should therefore give force to the principle of full lifecycle responsibility from industry for the products and packaging it creates. In so doing, the environmental costs of commodities would be incorporated into their financial cost.
- 4.4 Local Government advocates:
- the introduction of legislative/regulatory measures such as those which prohibit or restrict the sale of prescribed products and/or packaging.
 - the introduction of legislative/regulatory or taxation incentive measures which require or encourage re-use and recycling of products and packaging supported by refundable deposit and “take-back and utilise” schemes.
- 4.5 As an initial step forward towards industry accepting life-cycle responsibility for its products and packaging, Container Deposit Legislation (CDL) should be introduced without further delay.
- 4.6 Local Government considers that transparency is required to allow the entire community to feel involved in the process of eliminating waste. Specifically:
- Monitoring of and reporting by industry needs to be freed of the perceived restraint of so-called “commercial confidentiality” so that data for production and consumption - the two most important activities contributing to waste generation and disposal - can be collected in an uninhibited manner.
 - Industry should be required to monitor and report its tonnages of waste generation and recycling on a regular basis (i.e. annually or quarterly)
 - Throughout the next ten years reports need to be presented early and often to ensure the community feels part of the ‘waste elimination’ process.
- 4.7 Funding for waste education is critical, and should be restored and increased. Public education on waste elimination needs to be elevated to a level comparable with previously successful campaigns such as ‘Don’t Drink & Drive’ and ‘Slip, Slop, Slap’.
- 4.8 Local Government supports a regional approach to waste management provided such an approach is beneficial to all councils involved and reinforces and/or advances efforts to minimise and better manage waste and provided the Regional Structures and constituent councils are fully resourced to effectively work towards waste elimination
- 4.9 Local Government supports self-determined Waste Forums/Groups which operate throughout country NSW have provided an example of the way in which regional groups can work in a very cost-effective way, limiting their role to an advisory “forum” for member councils, recognising the autonomy of those councils and the need to work within the State waste policy framework.
- 4.10 Financial support for self-determined Regional Waste Forums/Groups should extend at least to the funding of core administrative and operational costs.

4.11 Local Government believes that both the State and Federal Governments should use legislative/regulatory measures and economic instruments to ensure that NSW reaches its target of zero waste.

4.12 In this context Local Government supports the introduction of:

- bans or restrictions on products, packaging, or materials that contribute excessively to the waste stream, or that are problematic in terms of their short life, non-recyclability, non-biodegradability, or hazardous nature
- container deposit legislation
- a motor vehicle tyre deposit system
- mandatory purchasing policies which favour least wasteful products, packaging, and services, and provide a market for reprocessed green waste material (where appropriate).
- differential taxes/tariffs on new as compared to recycled material
- minimum recycled content requirements for products and packaging
- levies on products, packaging, and/or materials that are not recycled.

4.13 In supporting Container Deposit Legislation (CDL), Local Government actively encourages local councils and the wider community to very actively lobby for its introduction.

4.14 Local Government supports the provision of financial incentives and support such as financial assistance programs and tax concessions for industry development of waste reduction, cleaner production and avoidance through measures such as process re-engineering and procurement; and also financial disincentives such as tax on single use products and duties on use of local and imported virgin materials capable of substitution with reprocessed materials.

4.15 There should be no GST paid on products made from recycled materials.

4.16 In addition to the above, Local Government believes that State and Local Governments should:

- support the encouragement and provision of assistance to research and development projects which advance the acceptance and utilisation of least wasteful products, packaging, and services
- support community education to assist the public in reducing waste
- provide incentives to stabilise the prices of recyclable materials at viable levels.
- support the conduct of regular, regional, industry funded chemical collection campaigns which ensure the environmentally responsible re-use, recycling, or treatment and disposal of chemicals
- support the development of markets for recycled products and recovered materials to help stabilise the market value of recycled materials
- ensure that active support be provided to rural areas by State Government subsidised transport for recyclables to their various markets.

4.17 Local Government calls on the State Government to ensure that State Government agency waste reduction and purchasing policies are rigorous and provide real support for needed waste avoidance and also market development for re-used and recycled products.

4.18 Local Government is opposed to moves by the State Government to relinquish its waste management responsibilities where doing so places an additional burden on Local Government without providing the extra resources necessary to meet the new responsibilities.

4.19 Local Government's position is that the waste levy should be fully hypothecated for waste

minimisation and management programs. Waste elimination, being preferable to waste disposal, dictates that allocations from the Waste Planning and Management Fund should be distributed in proportions which are in keeping with the order of priority set out in the waste hierarchy.

4.20 Local Government supports a “closed-loop” system of returning such levy monies to Local Government and, where appropriate, to the region from which it was raised.

4.21 Residual waste disposal should always be by environmentally and socially acceptable means and consistent with the goal of ecological sustainability.

4.22 Local Government:

- supports public control of waste management and disposal facilities so as to ensure that waste management and disposal activities form part of an overall waste elimination strategy.
- believes that differential waste management and disposal pricing policies should be used to encourage the separation from the waste stream of materials which can be re-used, recycled or composted.
- believes that waste management and disposal activities should be conducted in such a way as to maximise the separation and recovery of remaining reusable, recyclable and compostable material from the waste stream.
- believes that guidelines and licence requirements for waste disposal or processing facilities should be performance based and consistent with the principles of ecologically sustainable development.
- opposes the practice of waste incineration purely as a means for waste disposal, but recognises emerging technology for the generation of energy from waste
- supports the staged introduction of prohibitions and moratoriums on disposal of specific materials in landfill within designated areas as an important means of providing the-impetus for changed waste reduction behaviours by government, business and communities alike.
- seeks an urgent review of regulatory options such as licensing or registration of transporters-of non-hazardous wastes so as to effect improved management of waste flows and establish-formal communication/liaison mechanisms with this important industry sector.

4.23 Local Government believes that the NSW EPA should take physical and financial responsibility for the identification, collection, treatment and safe storage or disposal of orphan hazardous wastes. All hazardous waste generators, transporters and facilities should be licensed by the EPA.

4.24 Local Government opposes the import or export of intractable waste for storage or disposal.

4.25 Local Government recognises the urgent need to develop environmentally acceptable solutions for the management of intractable waste. Such solutions should be developed on a partnership basis between the three spheres of government in consultation with industry and the community.

5. Sustainable Procurement

- Local Government is committed to the principles of sustainable procurement to help deliver triple bottom line outcomes including;
- improved efficiency
- reduced waste to landfill
- financial savings
- stimulating markets for material collected through council’s kerbside recycling collection
- supporting local communities and businesses
- and helping to achieve long term environmental objectives.

6. State of environment reporting

- 6.1 Local Government supports the concept of coordinated State of Environment Reporting at appropriate intervals by Federal, State and Local Governments.
- 6.2 Local Government supports the preparation of State of Environment reports on a regional basis where appropriate.
- 6.3 Local Government maintains that information should be freely available between the three spheres of Government, for the cost of information transfer only.
- 6.4 State of the environment reports should be used to assist in the development of environmental management plans.
- 6.5 Local Government supports an interval of four years between major SOE reports, with annual updates as necessary.
- 6.6 Local Government recognises the role and potential for Catchment Management Authorities to prepare state of catchment reports and opportunities for synergies with Local and State reporting systems

7. Biodiversity

- 7.1 Local Government supports the conservation of biological diversity.
- 7.2 Councils should develop policies that maximise biodiversity and protect threatened and endangered species and their ecosystems.
- 7.3 Councils should maximise the development and maintenance of habitat corridors
- 7.4 Local Government supports the principle of bushfire hazard reduction in national parks, state forests and other vacant crown land, within the context of the principles of ecologically sustainable development.
- 7.5 National Parks need to be adequately funded to ensure responsible management and to enable rural landowners and neighbouring National Parks to coexist with a minimum of disruption.
- 7.6 Local Government:
 - recognises the need for a national weeds strategy developed by a National Weeds Body including Local Government representation
 - supports the imposition of legislation which provides for the licensing of domestic cats and the control of feral cats
 - supports the protection and preservation of bushland within urban areas
 - supports the protection and restoration of wetland areas
 - recognises the value of wilderness and acknowledges the need for its protection.
- 7.7 Local Government maintains that the process of nomination of wilderness areas should have regard to:
 - the long term environmental, economic, and social benefits
 - the promotion of the concept of controlled general public access to such areas

- a consultation process which involves all affected parties, including State Agencies, Local Government and the community
- an accompanying financial commitment to restore an area to a substantially unmodified state within a strictly determined short time period and to maintain it in that state. Such declarations should include an appropriate plan of for the ongoing management of the area
- a management plan developed as a part of the recommendation above should include measures to combat significant noxious weed or feral animal problems as well as bush fire hazard reduction programs where appropriate.

8. Genetically modified organisms

- 8.1 Local Government has the expectation that the appropriate Commonwealth and State Government agencies authorised to progress and monitor GMO trials have systems in place, which ensure that public safety is the number one priority for this type of research.
- 8.2 Further:
- That all trials are conducted in a confined, controlled and advertised system, which will have no impact upon neighbouring properties
 - That all such trials have comprehensive community safeguards incorporating compensation for any economic loss due to problems arising from these trials to ensure that neighbouring properties are not disadvantaged in any way
 - That there is a comprehensive public education system on GMOs.
- 8.3 Until irrefutable evidence is provided which demonstrates that there are no adverse direct or indirect impacts of genetically modified crops, the Local Government Association remains opposed to their use in any area.
- 8.4 Each local government area be given the right to declare itself a genetically modified free zone.

9. Total catchment management

- 9.1 Local Government supports the management of land and water resources on a water catchment basis.
- 9.2 Local Government supports the activities of the Department of Land and Water Conservation and other catchment management organisations to reduce phosphorus in waterways.
- 9.3 The use of riparian buffer zones is supported as a means of reducing the flow of phosphorus from farming lands into waterways.
- 9.4 Local Government calls on the Department of Local Government to prepare new guidelines allowing councils to raise dedicated funding for improved catchment management.

10. Stormwater

- 10.1 Local Government believes that stormwater should be managed on a catchment basis.
- 10.2 Local Government believes that where stormwater infrastructure within a catchment is owned by more than one party, there should be a cooperative decision making process to develop management policies. The stormwater drainage responsibilities of Sydney Water and other Water Boards should not be transferred to Local Government without an accompanying transfer of funding for upgrading and ongoing maintenance.
- 10.3 The community should be educated about the polluting impacts of urban runoff and improper

disposal of products.

- 10.4 Councils (in co-operation with State Government) should be given legislative powers to control land use practices which may cause stormwater pollution.
- 10.5 Councils should control sediment, acid run off, and silt from construction sites through conditions on all building and subdivision approvals.
- 10.6 Local Government supports soil conservation and sediment control policies being adopted by councils and by the RTA and other departments.
- 10.7 Councils should be requested to formulate policy on control of sediment, acid run off, and soil from construction sites. Such policy should be implemented prior to any building taking place and should be a condition of consent on all building and subdivision approval.
- 10.8 The Association supports the repair by Sydney Water of sewage infrastructure which is allowing overflow into the stormwater system.
- 10.9 The State Government should investigate the use of phosphates and nitrate fertilisers for domestic and commercial purposes with the view to developing legislation that restricts their use.

11. Pollution

- 11.1 Local Government supports the minimisation of all forms of pollution.
- 11.2 Where pollution occurs and the polluter can be identified, the polluter should be required to bear the associated costs of repairing damage caused by the pollution.
- 11.3 The Association recognises visual pollution as a form of pollution.
- 11.4 Local Government supports the imposition of on the spot fines for littering.
- 11.5 Local Government supports the preparation of air quality management plans.
- 11.6 Local Government supports measures to minimise air pollution from domestic solid fuel burning appliances.
- 11.7 The Local Government Association opposes the approval of any Pearl Oyster industry proposals within the closed waters (estuaries) within NSW.

12. Environmental audits

Environmental audits of public and private premises are encouraged.

13. Contaminated sites

- 13.1 Contaminated sites should be identified through a co-ordinated statewide program including:
 - information held on state or Commonwealth databases being made freely available to councils
 - where possible, industry being required to divulge the location and details of its past activities
 - advice and financial assistance being given to councils to undertake inventories of potentially contaminated land.

- 13.2 Where independent verification of contaminated site remediation is sought, it should be completed at the proponent's expense.
In cases where uncertainty remains, the NSW DECC should retain the role of determining appropriate action on a contaminated site.
- 13.3 The DECC and Department of Planning should, in consultation with Local Government, develop and update guidelines to assist councils to appropriately manage contaminated land.
- 13.4 Prior to Local Government accepting new responsibilities from developers or others, on the transfer of land to Council such as roads, reserves, passive or open space, that such lands be inspected to ensure that the lands are free of noxious weeds or other environmental contamination prior to transfer. Restoration or control work be the transferrer's responsibility.

14. Noise

- 14.1 Councils should take into consideration measures to reduce the impact of noise pollution when assessing development and building applications relating to properties affected by aircraft or traffic noise.
- 14.2 Strategies to curb noise pollution from vehicles are supported.

15. Transport

- 15.1 An integrated transport system is needed to minimise the adverse health and environmental health effects of private and public transport.
- 15.2 Public transport should be promoted as an alternative to private transport, especially for journeys to and from business centres.
- 15.3 Local Government supports the Capital Cities mayors in their call for the establishment of a Federal Capital Cities Infrastructure Fund whose priority in Sydney would be sustainable transport infrastructure.
- 15.4 Local Government supports the bicycle as an appropriate form of transport. Federal, State and Local Governments should recognise bicycles as a non polluting alternate transport mode through increased provision of cycling facilities.
- 15.5 Councils should encourage the use of bicycles through the provision of local area bicycle maps.
- 15.6 Light rail is supported as an efficient and effective public transport system.
- 15.7 Local Government encourages the movement of freight by rail.
- 15.8 Local Government supports accessible and flexible transport and increased funding of community transport.

16. Nuclear power

- 16.1 The Association:
- opposes construction of any new nuclear reactors in Australia
 - supports the establishment of Nuclear Free Zones
 - opposes any expansion of uranium mining.

16.2 The sale of uranium to countries which are not signatories of the Nuclear Non-proliferation Treaty should be banned.

17. Water conservation

17.1 Local Government supports and encourages the conservation of water.

17.2 Councils should encourage the use of water efficient appliances and fittings.

17.3 Water pricing must encourage the conservation of water.

17.4 Local Government supports the use of rainwater water tanks within appropriate health and safety regulations.

17.5 Councils should be encouraged to require the provision of rainwater storage tanks with all new dwellings.

18. Tree preservation

18.1 Councils should develop and implement tree preservation orders.

18.2 Amendments should be made to the Environmental Planning and Assessment Act so that the illegal removal of a tree results in sufficient penalties through the Land and Environment Court and the Local Court including an appropriate minimum penalty.

18.3 Amendments be made to Sec 8 of the Environmental Planning and Assessment Model Provisions 1980 to include that a tree preservation order may require pruning of trees to be carried out in accordance with the Australian Standard for the Pruning of Amenity Trees AS4373-2007.

18.4 The State Government review relevant legislation in order to redress anomalies and inconsistencies between the type and level of penalties levied for the removal of or injury to trees on public property and those on private property.

19. Hazardous chemicals

19.1 The use of agricultural chemicals should be appropriately controlled to minimise adverse environmental impacts. Towards this end, commercial herbicide users should be licensed.

19.2 Programs to expedite lead reduction in petrol and provide equitable incentives to reduce the number of cars that require leaded fuel are strongly encouraged.

19.3 Manufacturers should be responsible for the disposal of chemical containers.

20. Ecologically sustainable development

20.1 The principles of ecologically sustainable development and the principles of the Boomanulla statement as they relate to ESD are supported.

20.2 Ecologically sustainable development (ESD) requires effective integration of economic and environmental considerations in decision-making processes.

20.3 ESD can be achieved through the implementation of the following principles and programs:

- 20.3.1 **The precautionary principle** namely, that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.
- a) short / medium term actions
 - best available environmental practice is used to mitigate damage in development, which is likely to lead to serious or irreversible environmental degradation
 - any degraded areas are restored as part of the development project
 - b) stretch goals
 - avoid development which is likely to lead to serious or irreversible environmental degradation and seek out alternative forms.
- 20.3.2 **Inter-generational equity** namely, that the present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations and Conservation of biological diversity and ecological integrity.
- a) short / medium term actions
 - avoid wasteful use of resources
 - think of future generations when making decisions
 - recognise the interdependence of humans, other species and natural processes
 - protect habitat of threatened species and manage remaining natural areas wisely
 - b) stretch goals
 - your children and your children's children will eventually inhabit your local area. Choose a development path that creates or maintains a place that you are proud to live in and leave behind as a legacy. Diversity mostly maintains stability and promotes adaptability - human survival as a species may depend on it - choose a development path which enhances genetic and ecosystem diversity.
- 20.2.3 **Improved valuation and pricing of environmental resources**
- a) short / medium term actions
 - polluter pays
 - b) stretch goals
 - choose an affordable development path so that future generations are not burdened with debts of environmental degradation.

20.3 The Local Government Association is committed to actions that will:

- Improve two-way communication, collaboration and support between the spheres of Government, nationally and internationally
- Embed Local Agenda 21 and ESD criteria as the foundation of all government processes and will request all spheres of Government to review all statutory instruments and policies accordingly
- Reach intergovernmental agreement(s) to ensure adequate resources to implement Local Agenda 21
- Foster and resource transdisciplinary partnerships between knowledge-based organisations and Governments to achieve greater integration between environmental, social and economic disciplines and sectors
- Integrate Local Agenda 21 into government reporting processes
- Raise community awareness and participation
- Embrace cultural diversity and engage indigenous people to achieve ESD
- Develop an Australian Government policy and an implementation programme that provides both strategies and resources to enable Local Governments to help develop sustainable communities throughout Australia
- Agree to measurable targets, standards and indicators

- Develop an Australian Government policy and an implementation programme that provides both strategies and resources to establish a population and a cities commission that will link population to sustainable development.

21. Community involvement

21.1 Involvement and consultation with the community is supported for planning and environmental decision making processes.

22. Enhancing the role of Local Government in natural resource and environmental management

22.1 Local Government is a partner with the other spheres of Government in the development of natural resource and environmental management policies, and as the logical vehicle for the implementation of these policies at the local and regional level.

22.2 In order to support that role, the Association endorses the involvement of regional bodies such as Regional Organisations of Councils (ROCs) in partnership with catchment management authorities (CMAs)

22.3 The Association continues to negotiate a more substantial role for Local Government in:

- catchment management
- vegetation management
- threatened species conservation
- rural land protection
- salinity management.

22.4 These negotiations address, inter alia, the question of adequate resources for Local Government to undertake this expanded role through specific funding from the State and Federal Governments.

22.5 The Association welcomes the recognition by the State Government of Local Government as a partner with it in pursuing the community/government partnership for natural resource and environmental management. The Association calls on the State Government to accord Local Government full responsibility within this partnership through ensuring that Local Government has equal representation with the State Government and State Government agencies within structures established to support natural resource and environmental management such as Catchment Management Boards.

22.6 The Association believes that the current powers accorded to Local Government, and particularly those under the Local Government Act and the Environmental Planning and Assessment Act, are the appropriate vehicle for achieving enhanced natural resource and environmental management in a framework which is efficient, easily understood, accessible and democratically accountable, and is concerned at the apparent duplication of these powers by current trends.

22.7 The Association supports the establishment of community based committees to advise, manage and plan for natural resource and environmental management, but is concerned at the proliferation of these committees, especially within the Land and Water Conservation portfolio, and the potential for committees to duplicate each other without proper cross- committee consultation and partnership arrangements.

22.8 The Association supports the management of salinity through a partnership between the community and all spheres of Government and recognise that salinity is both a rural and an

urban issue.

108 - Armidale Dumaresq***Benchmarks for Planning Performance**

That the Conference supports the Association's submissions to the NSW Minister for Planning in relation to the Environmental Planning and Assessment (Unsatisfactory Council Performance Order 2007, namely:

- That the NSW Department of Planning establish appropriate and meaningful benchmarks for Local Government's planning performance, based on best practice principles.
- That Councils be given a formal warning and an opportunity to respond, prior to exercise of the Minister's powers under S118.
- That the heads of consideration be limited to:
 - 1) The Council is the subject of adverse findings in relation to the exercise of all or part of Council's planning development functions by the Ombudsman, the Department of Local Government or an independent panel constituted under S75G of the Environmental Planning and Assessment Act 1979.
 - 2) Council has, without justifiable cause, and over a two year period, consistently exceeded key performance benchmarks in the exercise of its planning and development functions.

108A - Matter Arising*** Benchmarks for Planning Performance**

That the LGA ask the Department of Planning for a document setting out its own performance standards.

108B - Wyong***Premature Electrification**

That the Association lobby Energy Australia and the appropriate State Minister to cease its premature electrification of new estates.

108C - Shellharbour*** Landscaping Levy (Rates)**

Covered by 35.

108D - Shoalhaven*** LEP Review Panel**

That the Local Government Association lobby the NSW State Government to allow local Councils to directly address the LEP Review Panel

109 - Baulkham Hills***Public Transport**

1. That the Local Government Association call on the NSW State Government to fast track both the north west rail link connecting the Richmond line to Epping via Rouse Hill and a rail link from Epping to Parramatta via Carlingford.
2. That the NSW Government provides sufficient public investment to ensure both government and private bus operators provide widespread and frequent services to serve the current and future residential population to provide the incentive for reduced reliance on motor cars.
3. That the NSW Government fast track initiatives to increase connectivity including multi ticketing options to provide for seamless transition between different modes of public transport.

110 - Baulkham Hills***Review of F3 to M2 Transport Link**

That the following motion be referred to the Executive.

That the Local Government Association make representations to the NSW Department of Planning, NSW Department of Transport, NSW Minister for Roads and the Federal Government calling for a review of options for the above link in the National Highway with particular attention to the inclusion of a Type C option which proposes a new transport corridor from Karingong to Dean Park.

That the review should include planning for an interchange at Dean Park to accommodate future plans for major improvements to the Richmond Road and possible Stage 1 of the Bells Line Expressway.

111 - Pittwater***Low Emission Buses**

That the Association lobby the State Government to progress the purchase of a low emission accessible bus fleet and progress the network review to address the social aspects of bus service delivery, such as access to work and access to community services.

112 - Gosford***Regional Road Block Grant Funding**

That the Local Government Association and Shires Association establish a working party to review the current RTA Regional Road Block Grant Funding Determination Formula to incorporate needs based funding based on benchmark service levels and in line with best practice asset management and Fair Value Accounting, and this also to include initial pavement standard, current condition of road network, and rate of deterioration of road.

113 - Strathfield***Road Safety Around School Zones**

That considering the current climate regarding road safety in and around school zones the Association request the Minister for Police to give approval to Council rangers to issue infringements for:

- illegal U turns over double lines;
- illegal use of mobile phones.

113A – Matter Arising***Road Safety Around School Zones**

That any moneys raised from fines be returned to the Council.

114 - Ashfield***M4 East Extension**

That the following motion be referred to the Executive.

That given the significant social and environmental impacts of the NSW Government Plan concerning extension of the M4 East motorway, the Association calls on the NSW Government to immediately undertake a meaningful and comprehensive process of community consultation including specific engagement with affected communities and Councils on alternate transport option to the M4 East Freeway Expansion.

115 - Leichhardt***M4 East Tunnel**

Covered by 114.

116 - Waverley

*Mobility Parking Permits

That the Association resolves:

1. That NSW LGSA convenes a conference with the RTA, the AMA and representatives of the peak advocacy groups listed below to identify problems with the current system of Mobility Parking Scheme permits and their misuse in some streets and associated enforcement difficulties.
2. That the review includes reference to the merits of Australian Road Rules which allow people with permits to park for “twice the period indicated on the sign”, a system adopted by every other state.
3. That recommendations are adopted as soon as possible to improve access to parking for people with genuine adverse physical mobility constraints and to reduce the incidence of abuse of the provisions.
4. That the RTA review the fining of mini-buses using disabled parking spaces.

(Peak advocacy groups referred to in 1. above)

PWD – People with Disability Australia Inc – 52 Pitt Street, Redfern, ph. 9319 6622

SCI Australia – Spinal Cord Injuries Australia – 1 Jennifer Street, Little Bay, ph. 9661 8855

NDS NSW – National Disability Services NSW Branch, Level 4, 60 Pitt Street, Sydney, ph. 9256 3111

Carers Association of NSW – Level 18, 24 Campbell Street, Surry Hills, ph. 9280 4744

CTO – Community Transport Organisation – 796 Bourke Street, Waterloo, ph. 9699 2228

Disability Council of NSW (advises NSW Govt) – Level 19, 323 Castlereagh Street, Sydney, ph. 9211 2866

Physical Disability Council of NSW – 184 Glebe Point Road, Glebe, ph. 9552 1606

Intellectual Disability Rights Service Inc – Level 1, 128 Chalmers Street, Sydney, ph. 9318 0144

NSW CID – NSW Council for Intellectual Disability, Suite 3, 3rd Floor, 22-36 Mountain Street, Broadway, ph. 9211 1611

Multicultural Disability Advocacy Association of NSW Inc – 40 Albion Street, Harris Park, ph. 9891 6400.

117 - Campbelltown

*Road Funding

That the Local Government Association make representations to the State and Federal Governments seeking the determination of a formulae (related to length of road affected and numbers of vehicles) to release funds from the State Tax on Heavy Vehicles to be available to Local Government for the enhancement and rehabilitation of the affected local roads.

118 - Ashfield***Commercial Vehicles**

That Council call on the LGA to work with the RTA to regulate the number of commercial vehicles operated by a single operator that can be parked on residential streets.

119 - Greater Taree***Motorised Wheelchair Users**

That the Local Government Association of NSW seek a review and introduction of appropriate regulations for the use of public roads by motorised wheelchair (scooter) users, particularly in rural and regional areas where footpaths and standard road width is not always present, noting that these methods of transport are currently defined as pedestrian.

120 - Pittwater***Footpath Funding**

That the Association lobby the State Government to fund the cost of footpath construction and repairs for footpaths located between public transport "pick up" points (such as bus stops and train stations) and nearby commuter parking stations/carparks and surrounding residential streets.

121 - Newcastle***Fifteen Minute Free Parking**

That the following motion be referred to the Executive.

That Councils make it policy that all parking ticket machines in Central Business Districts and suburban areas have fifteen minutes free.

122 - Lane Cove***Aircraft Noise**

That all the political parties commit to the following matters in relation to aircraft noise and Sydney Airport:

- no further increase in interstate and international aircraft movements;
- the aircraft noise sharing plan being rigorously enforced including the application of appropriate fines and penalties to strengthen compliance;
- the dissemination of information in a timely manner by the operator of Kingsford Smith Airport in relation to noise and traffic data and ongoing operational issues;
- the implementation of the Long Term Operating Plan;
- the implementation of strategies to encourage all aircraft operators to utilise newer quieter aircraft;
- no further increase in KSA aircraft noise; and
- the continuation of the Sydney Airport Community Forum.

123 - Wingecarribee***Advertising on Vehicles Parked on Roadways.**

That the Local Government and Shires Associations of NSW be requested to make representation to the Minister for Planning the Hon Frank Ernest Sartor, MP requesting that the Environmental Planning and Assessment Act be amended to address the problem of unauthorised advertising on vehicles parked on roadways.

124 - Willoughby***Traffic Committee**

That the LGSA make representations to the Minister for Roads, The Hon Eric Roozendaal MLC, to request that the RTA revise its recently issued "Guide to the delegation to Councils for the regulation of traffic" to enable members of the public to remain in the gallery during discussions and to confirm the role of Councillors as advisory members of the Committee.

125 - Leichhardt***Inner West Transport Issues**

That this Conference notes the announcement by the NSW Government in February 2007 of plans to widen Victoria Road in Sydney's Inner West and to duplicate the Iron Cove Bridge to accommodate additional traffic and improve bus services, and Leichhardt Council's opposition to the project.

That Conference calls on the State Government to fully consider the potential impact on local traffic congestion, bottlenecks at Anzac Bridge and additional air and noise pollution to local residents in the inner west of Sydney, and calls for investment in rail as part of their impact assessment for this project.

126 - Baulkham Hills***Model Code of Conduct**

That the Local Government Association call upon the NSW State Government to rescind the Model Code of Conduct and to recognise the disruption the operation of the Code of Conduct has caused, and the cost.

127 - Ryde***Conduct Committees**

That the Department of Local Government (DLG) be requested to establish panels of independently qualified people to form Conduct Committees to investigate complaints against Councillors for breaches of the Code of Conduct, and the costs of these Committees be met by the Department.

The DLG is further requested to provide clarification and definition in respect of vexatious complaints and circumstances that would constitute 'abuse of process' and guidelines on what remedies would be available to Councils in such circumstances.

The Conference calls upon the State Government to review the procedures governing inquiries into Councils so that only those Councillors found to have breached the code of conduct are dismissed rather than the entire Council.

128 - Gosford***Increase the Mayoral /Deputy Mayoral Term**

Lost.

129 - Leichhardt***Local Government Reform Proposals**

That this Conference notes the release of the Department of Local Government's position papers on A New Direction for Local Government and Planning for a Sustainable Future and supports:

- Local Government reform initiatives based upon resource sharing/strategic alliances.
- Sector wide cooperation and effective liaison between Local Government, State Government and the various State Government agencies for more effective planning and service delivery.
- Integrated planning and reporting based on the option 3 position paper model providing for an integrated 10 year plus Strategic Plan.
- Preparation of a long term asset management plan linking to a long term financial plan.

130 - Blacktown***Telecommunications Infrastructure Maintenance on Footpaths**

That the NSW LGA call on the Federal Government to enhance telecommunications regulatory standards on the performance required by carriers to make safe and repair hazards such as telecommunications pit holes on footpaths.

131 - Hornsby***Recreational Shooting on Public Lands**

Lost.

132 - Newcastle***Use and Management of Community Land**

That the following motion be referred to the Executive.

That the Local Government Association request the Minister for Local Government to undertake a review of Division 2 of the Local Government Act relating to the use and management of community lands and in particular the effectiveness of plans of management for community land.

That the Minister be requested to form a working party comprising officers of the Department of Local Government and representatives of the LGSA to undertake this review.

133 - Canada Bay***Use and Management of Community Land**

That the following motion be referred to the Executive.

That the Minister for Local Government review the legislative requirement for Local Government to prepare Plans of Management given the time and cost involved in preparing such documentation and the limited efficacy of the community consultation process provided for in the Local Government Act. Specifically, that exemptions for Management Plans or abridged Plans of Management be acceptable in certain cases.

134 – Pittwater***Use and Management of Community Land**

That the Association lobby the State Government to develop a single consolidated Act of Parliament that incorporates all the relevant statutory public land management provisions relating to Local Government and State Government currently existing in various legislation.

135 - Ryde***Plans of Management**

That the guidelines for completing Plans of Management, either under the Crown Lands Act (Section 112) or the Local Government Act (Section 36), have identical requirements.

136 - Waverley***Control of Unsolicited Mail**

That the Association lobby for increased powers for Local Government to deal with the dumping of unsolicited mail (junk mail) at or near letterboxes as part of its current lobbying to improve powers to deal with bill posters.

137 - Campbelltown***Maintenance Impact by Utility Restorations**

That the Local Government Association make representation to the Minister for Water Utilities concerning the request by Sydney Water to carry out repairs to Council roads and footpaths as a result of works undertaken by Sydney Water to their infrastructure without consulting the local Council.

138 - Campbelltown***Companion Animals Regulation 1998**

That the Local Government Association request the State Government to amend the Companion Animals Regulation 1998 to include appropriate criteria for the location of Dangerous/Restricted dog enclosures on residential properties to prevent impacts on resident amenity and streetscape.

139 - Newcastle***Appointments of Commissioners of Inquiry**

That the Local Government Act relating to Commissions of Inquiry into Councils (s740) be amended to ensure that Commissioners be either judicial (or retired judicial) officers or officers of the NSW Office of Commissioners of Inquiry.

That the Local Government Association urge the NSW Government to consider making necessary amendments to achieve the above.

139A – Matter Arising***Dismissal of Elected Councils**

The Local Government Association expresses its outrage at the sacking of the democratically elected Broken Hill City Council early this year.

In particular, we express our opposition to the decision to appoint an Administrator for a lengthy term and delay the election of a new Council until December 2009.

We call on the Minister to hold an election in Broken Hill at the time of the September 2008 state-wide Local Government elections if not before.

140 - Penrith***Police Power of Entry to Places of Public Entertainment**

That the Association lobby the State Government to provide the Police with the power of entry to places of unauthorised public entertainment.

141 - Lithgow***Review of Requirements for the Declaration of Interest**

Lost.

142 – Newcastle***Unauthorised Removal of Trees**

The Local Government Association request the Minister for Local Government to undertake a review of the level of penalty infringement notices applicable to the unauthorised removal of trees, particularly where there is a breach of development consent conditions.

143 - Campbelltown***Walkway Closure Process**

That the Local Government Association make representation to the Minister for Lands requesting local Councils be given the authority to approve the closure of walkways in their area and the subsequent disposal of the subject land to adjoining owners. This representation is to also include a request for the State Government to expedite decisions involving walkway closures in the meantime.

144 - Leichhardt***Developer Donations to Political Parties**

Lost.

145 - Executive***Cost of 2008 Local Government Elections**

That the Association:

1. Deplores the significant and unsubstantiated cost increases advised to Councils for the 2008 Local Government elections over the cost of the 2004 elections;
2. Encourages Councils to meet individually with the NSW Electoral Commissioner to seek review of and adjustments to these costs;

3. Calls for the return of any revenue from fines, to the area in which the fines were incurred.
4. Expresses its concern to the Treasurer and the NSW Government at their full cost recovery model for Local Government elections within which Councils are expected to fund a state monopoly provider with little or no capacity to manage or influence costs;
5. Calls on the NSW Government to enter into negotiations with a view to formulating an agreed scheme and complementary legislative amendments, allowing Councils to conduct their own elections if they so wish; and
6. Calls on the Federal Government to recognise that Local Government elections are integral to the democratic process and fund all elections from taxation revenue.

145A - Executive

*** Structural and Regulatory Review of Local Water Utilities**

That the Conference notes the pending review, commends the Minister for consulting Councils regarding the review, and resolves that the Association and all councils advise the Minister that in order to achieve the objectives of the review, the outcomes should reflect the following principles:

- promotion of ecological, social and economic sustainability in a broader context beyond water and sewerage functions (Integrated Water Cycle Management);
- recognition of regional differences and that one size does not fit all;
- local ownership and Local Government management of sustainable water and sewerage assets to ensure continued control of desired landuse planning outcomes;
- reinforcement of the role of Local, State and Federal Governments in the reform agenda and the importance of working together;
- financial and non-financial support for improving performance and expertise, such as capacity building programs;
- the water and sewerage entity, in whatever form, remains mindful of and responsive to local community needs/ issues in terms of the triple bottom line (social/environmental/economic);
- maintenance and improvement of economies of scope provided by local water utilities;
- opposition to privatisation of Local Government assets: ie reticulated water supplies across the State of NSW; and
- notify the NSW government of the Conference's opposition to taking a dividend from any such new entities.

146 - Camden

***On-Site Sewage Management Systems Service Agents.**

That the Association call on the NSW State Government to introduce a system of licensing of all service agents of on-site sewage management systems (including but not limited to) Aerated Wastewater Treatment Systems and Greywater Treatment Systems by the Department of Fair Trading.

147 - Pittwater

***Water Tanks and Solar Generating Devices**

That the LGA distribute to NSW Councillors and Councils suggested sample DCPs that require DAs to include the installation of a water tank and solar generating devices, as well as information regarding incentive schemes.

148 - Mid-Western Regional

***Water Storage**

That the following motion be referred to the Executive.

That the Association request the State Government to identify options for more water storage and implement a plan for providing these storages.

149 - Penrith

***On-Site Sewage Management Systems Service Agents**

That the Local Government Association request that the Department of Local Government develop and introduce a system of accreditation and regulation of Aerated Wastewater Treatment System (AWTS) service agents to ensure that appropriate public safety standards are met for such systems.

150 - Tamworth Regional

***Country Towns Sewerage and Water Supply Scheme Funding**

That the Local Government Association of NSW request the Minister for the Department of Energy, Utilities and Sustainability investigate the significant changes to the subsidy levels for Country Towns Sewerage and Water Supply Scheme Funding.

151 - Shoalhaven

***Water Accounts**

That the Local Government Act (1993) be amended to allow local Councils to separately levy water and sewer access charges in association with water usage accounts on a cyclic basis throughout the year.

151A - Holroyd

***Flood Mitigation Funding**

That the Local Government Association of NSW call upon the Federal Government to review its decision to close the RFMP program of funding and roll all emergency management type programs (except bushfires) into a single program now called the NDMP.

In particular, call upon the Federal Government:

1. a new stand alone Commonwealth Flood Mitigation Program;
2. funding by the Commonwealth Government for flood mitigation to be linked to the cost of known projects so that they are funded within the next decade, but to be funded at least \$30m per annum for the next decade;
3. that the Commonwealth agrees to a three year rolling program of funding of large individual projects;
4. that agreements for funding be restored consistent with that of Ministerial offers as was the case under the old RFMP funding arrangements, and not the new extensive contract arrangements as presently required under the NDMP arrangements.

151B - Executive

***LGA Constitution - Proposed Changes**

That the proposed new constitution as printed on pages 45-59 be adopted.

Executive Note: At a case in the Industrial Commission in 2006 Haylen J recommended that the LGA Constitution be updated. Set out below are the changes proposed:

Explanatory Note: The following explains proposed changes to the Local Government Association of New South Wales Constitution (hereafter referred to as the "Constitution").

Rules 1 and 2

- Rules 1 and 2 have been merged.

- The phrase “*for the purposes of the Industrial Relations Act 1996*” has been deleted. This phrase was superfluous.
- Rule 2 is now the definitions. As Regional Aboriginal Land Councils no longer exist the proposed Constitution recognises the New South Wales Aboriginal Land Council as a potential ordinary member. Other changes include new definitions for Metropolitan Council, Office Holder, Secretary and Local Aboriginal Land Council. The definition of Administrator has been expanded to include an administrator appointed under the *Aboriginal Land Rights Act 1983* and the definition of Delegate to include an elected member of the Aboriginal Land Council or an elected board member of a Local Aboriginal Land Council.

Rule 3

- Sub-rule 3(h) deletes the phrase “*and utilise the Australian Local Government Association as the national voice of Local Government*”.

Rule 5

- Sub-rule 5(b) deletes Aboriginal Lands Councils and regional waste boards as a member, and includes the Aboriginal Land Council as a potential ordinary member.
- Sub-rule 5(c)(i) is amended so that an Administrator of an Associate Member cannot stand for office.

Rule 9

- Rule 9 amends the formula and method for calculating annual subscriptions to allow the Executive Committee to set the amount of subscriptions payable by members and associate members. The original Rule 10 has been merged with Rule 9.

Rule 11 (which will become Rule 10)

- Sub-rule 11(a) [which will become 10(a)] allows Annual Conferences to be held at a time and place determined by the Executive Committee.

Rule 12 (which will become Rule 11)

- Rule 12 [which will become Rule 11] is amended to include minor editorial changes. The word “government” is replaced with “governance”. The word “meetings” is replaced with “conferences”.

Rule 13 (which will become Rule 12)

- Rule 13(a) [which will become Rule 12(a)] is amended to remove superfluous definitional wording concerning delegates which is contained in the definition of Delegate at Rule 2. Reference to regional waste boards is deleted as they no longer exist. The sub-rule is also amended to allow the Aboriginal Land Council to have 27 delegates at the Annual Conference, with a maximum of two delegates from any one Region as defined by the *Aboriginal Land Rights*

Act 1983 (Note that Aboriginal Land Council delegates can't stand for office – see rules 18 and 19).

- Rule 13(b) [which will become Rule 12(b)] is amended to provide that the Aboriginal Land Council may nominate its delegates (27) to the Annual Conference by such date as the Secretary may specify.
- Rule 13(c) [which will become Rule 12(c)] is amended to include the Chairperson or Chief Executive Officer of the Aboriginal Land Council as persons who are authorised to notify a change in name of a delegate to the Annual Conference.

Rule 14 (which will become Rule 13)

- Rule 14(a) [which will become Rule 13(a)] is amended by deleting the word “council” and replaces it with “member” to reflect the inclusion of the Aboriginal Land Council as a potential member.

Rule 19 (which will become Rule 18)

- Rule 19 [which will become Rule 18] deletes reference to Immediate Past President and replaces it with Vice President (General). Other rules dealing with Immediate Past President have been deleted and instead provides for the office of Vice President (General) with the vote being held at the same time and in the same manner as the other Vice Presidents (see rules 39, and 40).

Rule 20

- Rule 20 has been deleted as it is covered by Rule 21.

Rule 21 (which will become Rule 19)

- Rule 21 [which will become Rule 19] is amended to provide that an Administrator of a member shall not be eligible for nomination or election as a member of the Executive or vote in any such election.

Rule 23 (which will become Rule 22)

- Sub-rule 22(b) is inserted to allow an incumbent President to seek re-election.
- Sub-rule 22(c) is inserted to provide that the office of President includes a two year term as Immediate Past President. If after two years there is no new immediate past president (i.e. because the successor President is elected to serve two or more consecutive terms) then the position of immediate past president lapses and is replaced by the office of Vice President (General).

Rules 24

- Rule 24 is deleted as the definition of County Council and Metropolitan Council are contained in the proposed new Rule 2, Definitions.

Rule 25

- Rules 25 is deleted removing reference to the Immediate Past President [NB: the new position of Vice President (General) is created as a member of the Executive Committee at the new Rule 18].

Rule 26

- Rule 26 is amended to allow a vacancy of Immediate Past President to be filled by the election of a member of the Executive Committee as Vice President (General)

Rule 34

- Rule 34 is deleted removing reference to the Immediate Past President [NB: the new position of Vice President (General) is created as a member of the Executive Committee at the new Rule 18].

Rule 40

- Rule 40 which referred to representation on conciliation committees constituted under the Industrial Relations Act (NSW) has been deleted as they are now defunct.

Rule 57 (which will become Rule 52)

- Rule 57(a) [which will become Rule 52(a)] contains a minor editorial change. The words “Except as provided under clause 57...” are replaced with the words “Except as provided by this clause...”.

Rule 61 (which will become Rule 56)

- Sub-rule 56(b) has been inserted to provide that in the case of dissolution of the Association the funds go back to members (this is similar to the Shires Association).

Local Government Association of New South Wales

Constitution

1. (a) The name shall be the Local Government Association of New South Wales (the Association) but may also be known as Local Government NSW.
- (b) The registered office of the Association is situated at Level 8, 28 Margaret Street, Sydney, New South Wales.

DEFINITIONS

2. Unless the context otherwise requires:

“Aboriginal Land Council” shall mean the New South Wales Aboriginal Land Council as constituted under the Aboriginal Land Rights Act 1983 (NSW)

“Act” means the Industrial Relations Act 1996 (NSW) and its regulations as they provide from time to time, together with any amendments to those instruments, or any Act replacing that Act.

“Administrator” shall mean an Administrator appointed in accordance with Division 6 of Part 2 of chapter 9 of the Local Government Act 1993 or Division 2 of Part 11 of the Aboriginal Land Rights Act 1983.

“Association” shall mean the Local Government Association of New South Wales, the Association governed by this Constitution.

“Council” shall mean a council constituted under the Local Government Act 1993.

“Country Council” shall mean any council that is not a metropolitan council.

“Delegate” shall mean an elected member of a council or an elected member of the Aboriginal Land Council or an elected board member of a Local Aboriginal Land Council or an administrator who are by virtue of this constitution entitled to vote at an Annual Conference.

“Financial year” shall mean the period from July 1 in one year to 30 June in the following year.

“Local Aboriginal Land Council” shall mean a Local Aboriginal Land Council as constituted under the Aboriginal Land Rights Act 1983 (NSW).

“Member” means a council or Aboriginal Land Council that are members of the Association.

“Metropolitan Council” shall be a council identified in Annexure A of these rules.

“Office Holder” shall mean the President, Vice Presidents (Metropolitan, Country and General) and Treasurer.

“Secretary” shall mean the Secretary General of the Association appointed by the Executive Committee.

OBJECTS

3. The objects of the Association shall be in New South Wales and elsewhere:
 - (a) To encourage, promote, protect and foster an efficient and effective autonomous, democratic system of Local Government elected by and responsible to local communities with its position constitutionally guaranteed and with adequate resources including revenue from State and Commonwealth Governments.
 - (b) To promote, maintain and protect the interests, rights and privileges of Local Government in New South Wales and of the constituent members of the Association.
 - (c) To encourage and assist Local Government to seek out, determine, assess and respond to the needs and aspirations of its constituents.
 - (d) To encourage, assist, promote and foster the achievement and maintenance of the highest level of integrity, justice, competence, effectiveness and efficiency of Local Government.

- (e) To develop, encourage, promote, foster and maintain consultation and co-operation between councils and State and Commonwealth Governments and their instrumentalities.
- (f) To develop, encourage, promote, foster and maintain the financial and economic well-being and advancement of Local Government and for such purposes to undertake, establish, acquire, conduct or dispose of any business, enterprise, undertaking or venture which in the opinion of the Association is necessary, desirable or convenient.
- (g) To represent the members of the Association and Local Government generally in their dealings with State and Commonwealth Governments, with statutory and other corporations, with the media and with the public.
- (h) To promote, support and encourage Local Government at the national level.
- (i) To provide an industrial relations service to members including:
 1. obtain registration and thereafter act as an industrial union of employers pursuant to the Industrial Relations Act 1996;
 2. represent the interests of members in matters before the industrial tribunals;
 3. assist in negotiations relating to the settlement of disputes between members and their employees;
 4. represent the interests of members in negotiating the establishment of and/or variation of industrial awards and agreements;
 5. promote training programs aimed at enhancing the performance of Local Government.

POWERS

4. The Association is empowered:
 - (a) To purchase, take on lease or in exchange, hire, invest in and otherwise acquire any real and personal property and any interest therein and any rights or privileges and in particular any land, buildings, easements, machinery, plant, shares, debentures, mortgages and securities.
 - (b) To enter into with the Shires Association of New South Wales, any government or authority, local or otherwise, or any incorporated or unincorporated body or any association of persons any arrangement, joint venture, union of interest or field of co-operation intended directly or indirectly to advance the interests or objects of the Association.
 - (c) To apply for, promote and obtain any statute, order, regulation, ordinance or other authorisation or enactment which may seem calculated directly or indirectly to benefit the interests or objects of the Association and to oppose any bills, proceedings or applications which may seem calculated directly or indirectly to prejudice the Association's interests or objects.
 - (d) To construct, improve, maintain, develop, manage, carry out or control any buildings and other works intended directly or indirectly to advance the Association's interests and to contribute to,

subsidise or otherwise assist or take part in the construction, improvement, maintenance, development, working, management, carrying out or control thereof.

- (e) To invest, deposit, lend, pay out, grant, donate and deal with money of the Association in such manner as may from time to time be thought fit but subject to legislative requirements;
- (f) To draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange, bills of lading and other negotiable or transferable instruments.
- (g) To borrow or raise or secure the payment of money in such manner as the Association may think fit and to secure the same or the repayment or performance of any debt, liability, contract, guarantee or other engagement incurred or to be entered into by the Association in any way and in particular by charges upon all or any of the Association's property (both present and future) and to redeem or repay any such securities.
- (h) To sell, improve, manage, develop, exchange, lease, dispose of, turn to account or otherwise deal with all or any part of the property and rights of the Association.
- (i) To do all such other things as are incidental or conducive to the attainment of the objects, the furtherance of the interests and the exercise of the powers of the Association.

MEMBERSHIP

- 5. (a) Membership of the Association shall be limited to:
 - (i) ordinary members
 - (ii) associate members.
 - (b) Ordinary Member - All councils within the State of New South Wales and the Aboriginal Land Council shall be eligible for ordinary membership of the Association subject to the payment of an annual subscription in accordance with Clause 9, Annual Subscriptions.
 - (c) Associate Member - A council which is a member of the Shires Association of New South Wales may secure associate membership by the payment of such fee as the Executive Committee may determine from time to time. Payment of such fee shall entitle such an Associate Member to all the rights and privileges of ordinary membership except that:
 - (i) a councillor or an administrator of an Associate Member shall not be eligible for nomination or election to an office of the Association or as a member of the Executive Committee; and
 - (ii) a delegate from an Associate Member shall not be entitled to vote in any election of office-bearers of the Association or of members of the Executive Committee.
6. The Association shall keep a register of its members in such form as it thinks fit and in accordance with any requirements of the Industrial Relations Act 1996. A person may inspect the register at any time during the ordinary office hours of the Association.
7. (a) A member of the Association may resign on written notice to the Secretary.

- (b) Resignation shall take effect on the receipt of notice by the Association or such later date as is specified in the notice.
 - (c) An applicant for membership of the Association shall be informed in writing of:
 - (i) the financial obligations arising from membership; and
 - (ii) circumstances, and the manner, in which a member may resign from the Association.
8. When a council which is a member of the Association merges with another council or when a council is dissolved such council shall notify the Association of the change.

ANNUAL SUBSCRIPTIONS

9. (a) All members must pay an annual subscription of such an amount as may be determined by the Executive Committee from time to time.
- (b) The Executive Committee may determine the amount of subscriptions to be paid by members and in doing so may determine different subscriptions for different classes of members as it sees fit.
- (c) The Secretary must give written notice to each member specifying the amount of its subscription.
- (d) A member's subscription is payable within thirty (30) days after notice of the amount of its subscription has been given to it. A member who is in arrears of subscriptions for more than thirty (30) days shall be regarded by the Association as an unfinancial member until such time as subscriptions are paid.
- (e) Whosoever a member is an unfinancial member that member shall not be entitled to any of the benefits or privileges of membership, including voting at any meeting, conference or election conducted within or by the Association, and shall be precluded from having any delegate stand for office in the Association.
- (f) If payment is not made within six months from the due date, the member concerned shall thereupon cease to be a member of the Association.
- (g) Should a member join the Association after more than half of the financial year has expired then the subscription for the remaining period of that financial year shall be 50 percent of the annual fee as may be determined by the Executive Committee.

ANNUAL CONFERENCE

10. (a) The Annual Conference shall be held each year at a time and place to be determined by the Executive Committee.
- (b) A special Conference of the Association may be convened:
 - (i) by the President; or

(ii) by the resolution of the Executive Committee; or

(iii) by a petition signed by at least 25% of the member councils of the Association.

(c) Where a special Conference is called for under subclause (b) the Secretary shall convene a special Conference for a date not later than 4 weeks after the receipt of the notice calling for the Conference. If a special Conference is not convened within 4 weeks then members may themselves make arrangements for the holding of a Special Conference.

11. Control and government of the Association shall be by members at a Conference. Between meetings this power shall be vested in the Executive Committee. Any decision by the Executive Committee may be reviewed, amended or quashed by a Conference.

12. (a) The Annual Conference shall consist of the Executive Committee of the Association and delegates from each member appointed in accordance with the scale as under. Each member of the Executive Committee of the Association and each delegate from a council which is an ordinary member shall have one vote.

Group No.	Population	Delegates
(1)	Less than 10,000	1
(2)	10,000 - 20,000	2
(3)	20,000 - 50,000	3
(4)	50,000 - 100,000	4
(5)	100,000 - 150,000	5
(6)	Over 150,000	7
(7)	County councils and Associate Members	2
(8)	Aboriginal Land Council	27*

(* A maximum of three delegates from any one Region as defined by the Aboriginal Land Rights Act 1983)

(b) Each member shall nominate its delegates to the Annual Conference by such date as the Secretary may specify. Thereafter no alteration to the list of delegates shall be permitted other than as hereinafter provided.

(c) If it is desired to change the nomination of a delegate prior to the first day of the Annual Conference, written notice shall be given to the Secretary or his or her nominee of the name of the delegate being replaced and the name of the substituted delegate. Such notification shall be signed by either the Mayor or the General Manager of the council, or the Chairperson or Chief Executive Officer of the Aboriginal Land Council. The delegate's badge shall be surrendered to the Secretary or his or her nominee and replaced with a new badge.

(d) If it is desired to change the nomination of a delegate on or after the first day of the Annual Conference written notice in accordance with subclause (c) shall be given. In addition, the delegate's badge for the retiring delegate shall be surrendered to and destroyed by the Secretary or his or her nominee before a fresh badge is issued to the incoming delegate.

13. (a) A council may bring any matter before the Annual Conference of the Association for opinion or action by forwarding a statement to the Secretary who, subject to any direction from the Executive Committee of the Association, shall place it upon the Business Paper for the consideration of Conference.
- (b) A notice of an Annual Conference shall be issued by prepaid mail at least four (4) months before the holding of the Conference. This shall be notice of a general meeting. The business paper shall be issued by pre-paid mail prior to the Conference.
14. The Annual Conference shall have power, should a majority of the members present so approve, to consider any business not introduced as provided for by the foregoing paragraph, subject to at least 24 hours notice thereof being given.
15. The Conference shall be presided over by the President, and in his or her absence by one of the Vice-Presidents. Should neither of the Vice-Presidents be present, a member of the Executive Committee of the Association shall preside. The person so presiding shall have an original and, in the case of an equality of votes, a second or casting vote.
16. (a) A Conference shall be conducted in accordance with Sessional Orders.
- (b) The Sessional Orders shall be as set out in Annexure B of these rules. For the good order of the Conference, such Sessional Orders may be varied by a resolution of Conference.
17. (a) A person may not appoint a proxy to vote at the Annual Conference.
- (b) Nothing in sub-clause (a) shall prevent the appointment of substitute delegates in accordance with clause 12.

EXECUTIVE COMMITTEE

18. The Executive Committee of the Association (the Executive Committee) shall consist of a President, two Vice-Presidents (one from a country council and the other from a metropolitan council), a Treasurer and 20 Committee members, 10 from country councils and 10 from metropolitan councils, and in addition one officer who shall be either the Immediate Past President or Vice President General, whichever office is required pursuant to Rule 22.
19. (a). It shall be a prerequisite for any person to be nominated for the offices of President, Vice-Presidents or Treasurer or as a member of the Executive Committee, that he or she be a councillor of a council which is an ordinary member of the Association. No delegate from a council which is an associate member shall be qualified to be, nor shall be, a member of the Executive Committee.
- (b) An administrator of a council that is an ordinary member shall not be eligible for nomination or election to an office of the Association or as a member of the Executive nor be entitled to vote in any such election.
20. Members of the Executive Committee shall be elected biennially at an Annual Conference.

21. Subject to sub-rule 22(c) the term of office for all members of the Executive Committee shall commence at the conclusion of the Annual Conference at which they are elected, and shall continue until the conclusion of the second Annual Conference thereafter.
22.
 - (a) The office of President shall alternate between members of country councils and members of metropolitan councils.
 - (b) Notwithstanding sub-rule 22(a) it shall be permissible for an incumbent President to seek re-election.
 - (c) Upon the election of a President of the Association or upon a person succeeding to the office of President in accordance with this constitution, the immediately preceding President shall assume the office of Immediate Past President.
 - (d) A person who assumes the office of Immediate Past President in accordance with sub-rule 22(c) shall continue in that office for a maximum of two years. If after two years there is no Immediate Past President (i.e. because the successor President is elected to serve two or more consecutive terms) then the office of Immediate Past President shall lapse and be replaced by the office of Vice President (General) until a different person is eligible to assume the office of Immediate Past President.
 - (e) Where the office of Vice President (General) is required, that office shall be filled by the same process for election as is prescribed by these Rules for the office of Vice President.
 - (f) Any person who held the office of Immediate Past President is eligible to be elected to the office of Vice President (General) when that office is in existence.
23. A casual vacancy in an office occurs when the holder of that office-
 - (a) Dies;
 - (b) Resigns the position by notice in writing delivered or sent by post to the Secretary and such resignation be accepted;
 - (c) Is absent (except upon leave granted by the Executive Committee) from three consecutive meetings without an apology satisfactory to the Executive Committee;
 - (d) Is found mentally ill, or becomes of unsound mind, or is incapable of performing his or her duties;
 - (e) Ceases to hold office as a member of a council affiliated to the Association.
 - (f) Is removed from office in the manner provided for in Clause 24.
24.
 - (a) The Executive Committee may remove from office any Executive Committee Member if the person has been found guilty, under the rules of the Association, of:
 - (1) misappropriation of the funds of the organisation; or

- (2) a substantial breach of the rules of the organisation; or
- (3) gross misbehaviour or gross neglect of duty;

or has ceased, under the rules of this organisation, to be eligible to hold office.

- (b) If a person is believed to by the Executive Committee to be guilty of any of the offences specified in subclause (a) of this clause the Executive Committee shall call on such person to appear before the next meeting of the Executive Committee to show cause why that person should not be expelled from his or her position as an office holder of the Executive Committee.
- (c) The person called to show cause pursuant to subclause (b) of this clause shall be given at least fourteen (14) days' notice of the time and place of the meeting to which that person is called. The notice calling such person shall also specify the ground or grounds upon which it is proposed to consider such removal.
- (d) The Executive Committee shall give to any person so called an opportunity to show cause why that person should not be removed as an office holder of the Executive Committee.
- (e) The Executive Committee may proceed to hear and determine the matter under this Clause notwithstanding the absence of the person called if due notice of the hearing has been given in accordance with this Constitution.

CASUAL VACANCIES

25. In the event of the office of President becoming vacant the following provisions shall apply:

- (a) if the former President came from a country council the Vice-President coming from a country council shall succeed to the office of President;
- (b) if the former President came from a metropolitan council the Vice-President coming from a metropolitan council shall succeed to the office of President.

If there be no such Vice-President then in office, the position shall be filled by the Executive Committee by the election thereto of a member of such Committee.

- 26. (a) A vacancy in the office of Vice-President, Vice-President (General) or Treasurer shall be filled by the Executive Committee by the election thereto of a member of the Executive Committee.
 - (b) A vacancy in the office of Immediate Past President shall be filled by the Executive Committee by the election of a member of the Executive committee as Vice President (General).
27. A vacancy in the position of Committee member of the Executive Committee shall be filled by the Executive Committee by the appointment thereto of a candidate at the most recent election for the Executive Committee.
28. If there be no such candidate, the position shall be filled by the Executive Committee by the election thereto of a person then qualified to hold such position.

29. A casual vacancy shall be filled within 90 days of the occurrence of that vacancy, provided that non-compliance with this clause shall not invalidate or otherwise prejudicially affect the proceedings or business carried out or performed by the Executive Committee during the continuance of any such vacancy beyond 90 days.
30. Notwithstanding clauses 27 to 31, where a casual vacancy or further casual vacancy is to be filled for so much of the part of the term as exceeds:
 - (i) 12 months; or
 - (ii) three quarters of the term of the office;

the vacancy shall be filled by way of secret postal ballot in accordance with the provisions appropriate to the election for the vacant office.

EXECUTIVE COMMITTEE MEETINGS

31. Meetings of the Executive Committee shall be held at least once a year and thereafter as may be decided by it, subject to the proviso that a special meeting shall be called by the President on receipt of a requisition duly signed by four members of the Executive Committee. The business shall be clearly stated in the notice convening the meeting, of which at least seven days' notice, wherever possible, shall be given.
32. Meetings shall be presided over by the President and, in his or her absence, by one of the Vice-Presidents; should neither of these be present, the Executive Committee may elect a chairman. The person so presiding shall have an original and, in the case of an equality of votes, a second or casting vote.
33. The Executive Committee, of whom thirteen shall constitute a quorum, shall deal with all business of the Association arising between Conferences. The Executive Committee shall have the power to appoint such officers as it may consider to be necessary.
34. The President, or person presiding over the Executive Committee meeting, shall have control of the meeting and shall call upon members to speak.
35. The Executive Committee may exercise any of its powers, duties and functions by itself or by its servants or agents.
36. (a) The Executive Committee shall appoint one or more auditors, and shall fix the fee thereof. No member of the Executive Committee nor employee of the Association shall be eligible for the appointment of auditor. The auditor shall be appointed for a term of four years.
 - (b) The position of auditor becomes vacant on the following grounds:
 - (i) the written resignation of the appointed auditor; or
 - (ii) a resolution by the Executive Committee on the following grounds

- the service is executed to an unprofessional standard; or
- the auditor's costs are considered excessive; or
- if he or she ceases to be a registered company auditor.

(iii) at the expiration of the term of appointment.

ELECTIONS

37. (a) The Executive Committee may determine the form of any nomination form(s) subject to legislative regulation.
- (b) The Returning Officer may in any notice calling for nominations specify a facsimile number to which nominations can be forwarded. The Returning Officer may then accept nominations lodged at that facsimile number before the time and date specified for receipt of nominations. The Returning Officer shall require that the original of the facsimile nomination be forwarded within a time specified by the Returning Officer. Receipt of nomination by facsimile shall be deemed to be formal receipt of the nomination.
38. The Returning Officer shall be either the Electoral Commissioner or a person or entity approved by the Industrial Registrar under the Industrial Relations Act.
39. (a) The Returning Officer shall cause an election notice inviting nominations for the offices of President, Treasurer, Vice-Presidents and Executive Committee members to be published in the Association's official journal or sent to each ordinary member council at least four (4) weeks prior to the first day of the Annual Conference. The Returning Officer shall close nominations at least one (1) week prior to the first day of the Annual Conference.
- (b) The persons proposing and seconding a nomination for the offices of President, Treasurer, Vice-Presidents and Executive Committee members must be elected members of any council which is an ordinary member of the Association. Nominations shall be signed by the proposer and seconder, and consented to in writing by the candidate.
- (c) Details of such nominations, together with details of Local Government service, shall be placed before constituent councils before the Annual Conference.
- (d) A nomination for election may be withdrawn by a candidate, provided that notice of withdrawal in writing is received by the Returning Officer no later than seven days before the holding of the ballot.
- (e) All candidates shall declare any current or recent (within the past two years) membership of a registered political party on their nomination forms and on all "how to vote" material. Ballot papers will show candidates declared current registered party memberships. "How to vote" material may not be caused to be distributed without registered party memberships being declared or without details of the authorisation of the material.
40. (a) In the event of the Returning Officer receiving nominations in excess of the number of positions to be filled in any election for the offices of President, Vice Presidents, Treasurer the election shall be conducted by the preferential system of voting.

- (b) In the event of the Returning Officer receiving nominations in excess of the number of positions to be filled in any election for the offices of Executive Committee member the election shall be conducted by the proportional system of voting.
 - (c) The elections shall be conducted in the following order:
 - The election for the office of President shall commence at 8.30am on the first business day of the Annual Conference and shall be declared not later than 11am on that day.
 - The election for the office of Treasurer shall commence at 11am on the first business day of the Annual Conference and shall be declared not later than 1.30pm on that day.
 - The election for the offices of Vice Presidents shall commence at 1.30pm on the first business day of the Annual Conference and shall be declared not later than 4pm on that day.
 - The election for the offices of Executive Committee member shall commence at 8.30am on the second business day of the Annual Conference and shall be declared by 4pm on that day. Separate ballot papers shall be issued for the election of the country and metropolitan members of the Executive Committee.
 - (d) Where two or more candidates have an equal number of votes, the candidate who is first drawn by lot by the Returning Officer shall be declared elected.
 - (e) In the event that for any position to be filled the number of persons does not exceed the number of persons to be elected then the persons nominated shall be elected to those positions.
 - (f) The Returning Officer shall declare the candidate or candidates receiving the greatest number of votes or elected by lot duly elected after the counting of each ballot and prior to the opening of the next ballot.
41. Where the nominations received are insufficient to fill all vacancies, the Executive Committee at its first meeting after the Annual Conference at which it was elected shall make appointments to the number required.
42. Election to the offices of President, Vice-President or Treasurer shall automatically exclude the member so elected from election to any other position on the Executive Committee.

FINANCE

43. (a) All moneys received for and on behalf of the Association shall be placed to the credit of the Association at such bank or such other financial institution as the Executive Committee shall from time to time direct and all cheques, promissory notes, drafts, bills of exchange and other negotiable instruments and all receipts and moneys paid to the Association shall be signed, drawn, accepted, endorsed or otherwise executed as the case may be by any two of the President, Treasurer, Secretary or in such other manner as the Executive Committee may from time to time determine.

- (b) A loan, grant or donation must not be made by the Association unless the Executive Committee has approved the making of the loan, grant or donation and has satisfied itself:
 - (i) that the making of the loan, grant or donation would be in accordance with the other rules of the organisation; and
 - (ii) in the case of a loan - that, in the circumstances, the security proposed to be given for the repayment of the loan is adequate and the proposed arrangements for the repayment of the loan are satisfactory.
 - (c) No levy is to be imposed on members for political objects and no donations or other payment for political objects (as defined by section 434 (4) of the Industrial Relations Act 1996) is to be made out of amounts levied by the Association.
44. The Executive Committee shall have management of the Association's property and investment of funds.
45. The Association's funds shall be expended on the objects of the Association.
46. Within three months of the close of each financial year the Treasurer shall prepare a statement of income and expenditure and a balance sheet and shall forthwith submit the same to the auditors.
47. The Treasurer shall cause to be kept proper books of account and shall present at each meeting of the Executive Committee a statement showing all payment and bank reconciliations for the period since the date of the last meeting of the Executive Committee. He or she shall also present duly audited income and expenditure accounts and a balance sheet at each Annual Conference.
48. The annual report and financial statements, unless otherwise directed by the Executive Committee, shall be placed before the Executive Committee at least one month before the holding of the Annual Conference. A copy of the annual report and financial statements, as approved by the Executive Committee, shall be forwarded to each delegate attending the Conference.
49. The financial statements of the Association and the Treasurer's Report shall be published in full and circulated to all members within three months from the date on which the audited accounts are made available to the Association.
50. The sources from which the Association's funds may be derived are as follows:
- (i) amounts of entrance fees, subscriptions, fines, fees, levies or commissions received by the Association;
 - (ii) interest, rents or dividends derived from investments of the Association's funds;
 - (iii) the proceeds of any disposal of parts of the funds;
 - (iv) any monies or credits received in pursuance of the Association's objects, as defined in Clause 3, or in the exercise of powers, as defined under Clause 4 of this Constitution.

SECRETARY

51. The Secretary shall be responsible for the day to day administration of the affairs of the Association and shall give effect to all directions given to him or her by the Executive Committee or the President.
52. (a) Except as provided by this clause, all records, books, documents, and securities of the Association shall be in the custody of the Secretary.
- (b) A duly authorised representative of a member of the Association shall be given access to the Association's documents.
- (c) Notwithstanding paragraph (b), the Association may refuse access to a document in accordance with the Freedom of Information Act 1989 as if the Association were an agency within the meaning of the Act.
- (d) In this clause, "document" means a document as defined in the Freedom of Information Act 1989.

SEAL

53. (a) The Association shall have a seal in a form from time to time adopted by the Executive Committee.
- (b) The Executive Committee shall provide for the safe custody of the seal.
- (c) The seal shall only be used by authority of the Executive Committee or a subcommittee consisting of the President and one or more of the Vice Presidents or Treasurer.
- (d) Every instrument to which the seal is affixed shall be signed by a member of the Executive Committee and counter-signed by either the Secretary, a second member of the Executive Committee or some other person appointed by the Executive Committee for that purpose.

PATRON OF THE ASSOCIATION

54. In order to recognise the outstanding service to Local Government and to the Association, the position of patron is created, such office to be honorary only. It shall be open to serving or former elected members including former Presidents of the Association.

In the case of serving or former elected members, the Annual Conference shall determine such appointment on the recommendation of the Executive Committee.

In the case of former Presidents, the Executive Committee shall determine such appointment.

AMENDMENT

55. No alteration, amendment or rescission shall be made to the Constitution unless by resolution of the Annual Conference and after due notice by inclusion in the Business Paper to all persons eligible to attend the Conference.

DISSOLUTION

56. In the event that the Association is dissolved or wound up:

- (a) a member shall not be required to contribute to the payment of the debts and liabilities of the Association or the costs, charges and expenses of the dissolution or winding up in an amount which is more than 10% of the member's annual subscription for the financial year in which the dissolution or winding up takes place; and
- (b) any surplus funds remaining after the dissolution or winding up shall be paid to the members of the Association in proportion with each member's subscription for the year in which the dissolution or winding up occurred bears to the total amount of subscriptions collected for that year.

151C - Executive

***LGA Constitution**

That the Association amend clause 44(a) of the Constitution to read:

44.

(a) The Returning Officer shall cause an election notice inviting nominations for the offices of President, Treasurer, Vice-Presidents and Executive Committee members to be published in the Association's official journal or sent to each ordinary member council at least four(4) weeks prior to the first day of the Annual Conference. The Returning Officer shall close nominations at least one (1) week prior to the first day of the Annual Conference.

151D - Eurobodalla

***Blue and Red Lights on Rangers' Vehicles**

Lost.

151E - Blacktown

***Fees for Annual Fire Safety Statements**

That the NSW Local Government Association be requested to develop a recommended schedule of fees for the administration of the Annual Fire Safety Statement regime required under Clause 177 of the Environmental Planning and Assessment Regulation 2000. Upon formulation, this schedule of fees be forwarded by the Association to the NSW Government for formal approval and adoption into legislation for use by Local Government in NSW to assist in recovering costs associated with maintaining the fire and life safety of building stock across the State.

151F - Campbelltown

***Emergency Services**

That the Local Government Association make representations to the Federal Government to undertake an extensive media campaign to increase awareness to the Australian Community that 000 is the Australian emergency contact number.

151G - Dubbo

***Alcohol Free Zones.**

That the LGA make representations to the NSW State Government to increase fines associated with the enforcement of alcohol free zones.

151H - Fairfield

***Mandatory Training for Food Handlers**

That the Association make representations to the Minister for Primary Industry for inclusion in the Food Act and Food Standards Code of mandatory training for food handlers engaged in the food industry.

151I - Bellingen***Dance/Rave Parties**

That the Minister for Planning in consultation with the Minister for Police be requested to investigate a change to legislation to allow the Police and appropriate enforcement agencies to more effectively take action against “dance/rave” parties and from that to develop a clear protocol identifying the responsibilities of the respective State agencies on regulating/policing them.

151J - Rockdale***Community Policing and User Pays Policy**

Lost.

151K - Wollongong***S356 Financial Assistance**

That the Minister for Local Government be asked to urgently introduce a threshold below which Council can delegate authority to the General Manager under section 377 Local Government Act 1993 (LGA) to provide Financial Assistance under section 356 (LGA).

151L - Eurobodalla***Privatising Electricity Services**

That the Local Government Association Conference express its opposition to the NSW Government’s intentions to consider privatising electricity services and other electrical infrastructures currently under their control.

151M - Penrith***Control and Eradication of Fireweed**

That the Local Government Association request the State Government to assist in the control and eradication of Fireweed.

151N - Marrickville***Determination of Development Applications**

That the Local Government Association intervenes to clarify the outcome of the Belmorgan case and its implications for determinations by Councils exercising their delegations, including whether it sees a need for some sort of legislative change to overcome the problem and ensure a practical approach is in place to allow timely determinations.

151O - Lane Cove***Pruning of Street Trees by Energy Australia**

That representations be made to the State Government to review the basis on which Energy Australia tenders the work of pruning of street trees to allow Councils to be eligible to tender for this work, due to the inappropriate pruning by Energy Australia’s contractors.

151P - Marrickville***Traffic Committees**

That the Association:

Calls on the NSW Government to conduct a review of the operation of Local Traffic Planning and Advisory Committees, that includes consideration of:

- a) greater autonomy for Councils for decisions relating to local roads;
- b) improved community consultation processes; and
- c) the financial burden for Councils of administering the committee.

151Q - Dubbo***Bells Line Expressway**

That the following motion (including the two foreshadowed amendments) be referred to the Executive.

That the Local Government Association support the construction of the Bells Line Expressway as a matter of priority.

Foreshadowed amendment 1

That the Local Government Association support the identification of a second crossing over the Great Divide avoiding the North Richmond-Bilpin Line.

Foreshadowed amendment 2

That urgent representation be made to the NSW Government for the maintenance and improvement of existing services including the Dubbo XPT.

151R - Wollondilly***Speed Zones**

Lost.

151S - Mosman***Sydney Ferry Services**

That the Association call on the State Government to adequately fund and resource Sydney Ferries and to encourage public transport patronage of Sydney's waterways. Further, the Government be requested to reject any recommendation from the Walker Inquiry that dilutes public access such as alteration to routes, a reduction of service levels through timetable changes, or unrealistic fare structures.

That the Association request that the Government adequately consult with all stakeholders before adopting any recommendation of the Walker Inquiry that would propose the privatisation of Sydney Ferries and its fleet or publicly owned maritime infrastructure.

That the Association call on the State Government to oppose any privatisation of Sydney Ferries and its fleet of publicly owned maritime infrastructure.

151T - Lake Macquarie***Constitutional Recognition of Local Government**

That the Association:

- a) Supports the President of the NSW Local Government Association and the President of the NSW Shires Association in their backing of Federal Labor's commitment to constitutional recognition of Local Government in Australia.
- b) Supports the commitment by Federal labor to establish a Council of Australian Local Governments to meet biannually to strengthen the dialogue between Federal and Local Governments and to ensure Local Government representatives have a more effective voice at COAG;
- c) Calls upon the Coalition to commit itself to these important initiatives for Local Government in Australia; and
- d) Calls upon the State Government to demonstrate its commitment to working with Local Government by signing the draft Intergovernmental Agreement.

151U - Sydney***Supplier Diversity - Social Responsibility.**

That the NSW Local Government Association notes:

1. the growing interest by the private sector, both in Australia and internationally, in diversifying sources of goods and services to include community owned businesses, and for example, businesses predominantly owned and/or operated by women, Indigenous people, people with disabilities, people of different cultures and people from socially or economically disadvantaged backgrounds;
2. applying the principles of supplier diversity not only benefits the Australian economy, but provides lasting economic sustainability to communities throughout our society;

resolves to:

3. investigate ways to assist and encourage member Councils to adopt the principles of supplier diversity in their procurement policies and practices, such investigations to include:
 - the legal framework, including any legal constraints;
 - the need for any changes in State Government policy or legislation;
 - the identification of available resources;
 - the development of an information kit; and
 - the establishment of links with relevant organisations

151V – Shoalhaven***Code of Conduct Training**

That the Local Government Act General Regulations be amended to require mandatory training for Councillors on the requirements of the Code of Conduct and Pecuniary Interest declarations.

151W – Shoalhaven***Guidelines for Motions**

That clear guidelines be established to guide delegates on what type of motions should be debated at the Local Government Association Conference.

151X – Ku-ring-gai***FBT and vehicle overuse**

That the following motion be referred to the Executive.

That representations be made to the Federal Government to request amendments to the current Fringe Benefits Tax legislation that encourages the overuse of vehicles to achieve tax benefit at the detriment of human health and the environment. This legislation should encourage a commitment to sustainable principles that would provide incentives to lessen vehicle kilometres travelled, encourage fuel efficient and alternative fuel vehicles, and promote other alternative transport incentives for companies.

151Y – Ku-ring-gai***Climate Change**

That the following motion be referred to the Executive.

That the Association call on the State Government to develop a comprehensive strategy that will address mitigation and adaptation to climate change. This should investigate State and Local Governments' current and future liability across policy, planning, infrastructure and asset management, operations and investment strategy areas as well as promoting leadership and demonstrating a sound commitment to sustainability.
