

**2007 Local Government Association Annual Conference  
Coffs Harbour**

**Sunday 21 October 2007**

**Cr Genia McCaffery  
President, Local Government Association of NSW**

Councillor Keith Rhoades, Mayor of Coffs Harbour City Council  
The Honourable Paul Lynch, Minister for Local Government and Aboriginal Affairs  
Councillor Bruce Miller, President of the Shires Association of NSW  
Cr Susan Page, NSW President of the Australian Local Government Women's  
Association  
Penny Holloway, NSW President of Local Government Managers Australia

Office holders, executive members, mayors, delegates, friends

It gives me great pleasure to welcome you to the 2007 Annual Conference of the Local Government Association of NSW.

I would like to acknowledge and show my respect to the traditional custodians of the land, the Gumbaynggir (goom-BUNG-gear) people, of elders past and present, on which we gather here today. Thank you Uncle Tony Flanders for your generous welcome.

And thank you Pastor Tony Sands for leading our church service earlier this afternoon.

Thank you Mayor Rhoades. I know that by the time the delegates arrive for the conference, an enormous amount of work has already been done by council and staff, and yet the hardest part is still ahead. Thank you for your warm welcome and your generosity.

When Captain James Cook and the crew of the Endeavour sailed by the Coffs Coast in May 1770 they noted an "agreeable variety of hills, ridges and valleys and large plains cloathed with wood." Around 3pm on Tuesday 15 May Cook wrote "we had some small rocky islands between us and the land", and left us the enigmatic name Solitary Islands to this day.

It is sobering to think how in such a short time this land and its people have undergone changes which could never have been imagined by even the most radical eighteenth-century thinkers.

And how those changes could impact on those who followed Cook, and on the Gumbaynggir (goom-BUNG-gear) people so differently.

Yesterday we had a great Saturday forum. Thanks to all of you who attended and especially to our guest speakers, Murray Hogarth, Patrice Newell, Professor Andy

Pittman, and Richard Morecroft who spoke so passionately and gave us so much to think about as community leaders on climate change.

For all the huffing and puffing of the sceptics, all reputable authorities and informed citizens accept that climate change is real and cannot be ignored. Unfortunately, the latecomers to this point of view include too many in state and national governments so it is to our credit that Local Government has shown real leadership.

I was interested to hear the Federal Minister for the Environment, Malcolm Turnbull acknowledge the major role of Local Government in coping with climate change, in his speech to the Greenhouse 2007 Conference in Sydney earlier this month. Minister Turnbull's words were as patronising as they were enlightening, but I welcome his change of heart and hope for the conversion of his sceptical federal colleagues.

Like councils around the globe, New South Wales councils don't need other spheres of government to remind us of our role. Councils are queuing to sign the Mayors' Agreement on Climate Change, committing their councils to greenhouse targets and urging other governments to follow.

I thank Councillor George Newhouse, former Mayor of Waverley who was the first mayor to sign the agreement, on 11 September this year. And I encourage all mayors to follow his lead.

On 25 September I spoke at the Drought Summit in Parkes convened by Cr Bruce Miller, President of the Shires Association. The worst drought in our recorded history is now in its fifth year for many communities. We have endured droughts before, but this drought is different. It has exhausted the reserves of many country communities – financially, socially and psychologically.

The Parkes Summit went beyond tinkering at the edges of drought assistance and looked at radical steps needed to maintain the very existence of country communities. When this drought is finally over there will be no reserves of cash, seed, livestock or indeed energy, to replant, restock and restart. In many cases we will have seen people driven from the land, businesses closed and country towns reduced below minimum thresholds of activity and prosperity. I commend Cr Miller for convening the summit and commit to working with him and the rural community in the serious work ahead.

Our report into the financial sustainability of councils was ground breaking work. It spelled out the true story of sustainability and the infrastructure crisis to back our case to other governments and the community. But it also provided ammunition for those who want to criticise Local Government and its performance.

We only have to look at what has happened to our north. Much of the Queensland government's arguments for forced amalgamations and interfering in the relationship between councils and their communities has been based on assessments of sustainability along the lines of the work we pioneered in New South Wales.

To its credit the NSW Government has restated its commitment to no forced amalgamations and to exploring more constructive and enduring ways of securing sustainable councils. But the federal election will soon be behind us.

The Queensland experience suggests to me that we need to be prepared for the possibility of changes and threats in the New Year. It is time to redouble our efforts to identify and implement reforms, to engage with our communities, and to rebuild alliances with our champions in parliament and amongst our stakeholders.

And perhaps it is time for some more serious self examination and to ask, honestly and bluntly, what else we need to do to show the community we are serious about leading reform.

During the year I visited Tamworth Regional Council. Tamworth is a great example of what the former councils have been able to achieve through cooperation to assist their communities through what have been necessary and positive changes.

It is fair to say that the creation of Tamworth Regional Council was not easy. There were many interests to accommodate and barriers to overcome. But the new council is viable and vigorous and most importantly, has crystallised a new united community around it.

The councils which preceded Tamworth were all hard working, but the time was right for them to pass into history. They did so with good grace and with our thanks.

And I am reminded that Coffs Harbour Council was only created as recently as 1957, being split from Dorrigo Shire Council, which itself devolved to Bellingen, Nymboida and Ulmarra Shires. I don't think anyone here will argue that the demise of Dorrigo and the creation of Coffs Harbour have not led to great achievements for this community.

We all have different views on what reforms are required and how far they should go. In the end, however, one thing is probably certain – we can work with our communities and reform ourselves or we can have it done to us.

The issue which highlights most starkly the need for councils to manage change while putting the community at the centre of everything we do, is what the New South Wales Government refers to as land use planning reform.

I don't propose to go back over a year of discussion and dispute with the NSW Planning Minister, but rather look forward to the program of consultation which Mr Sartor has announced and in which Local Government will be an enthusiastic partner.

Minister Sartor kick-started a year long planning reform discussion at a seminar in Sydney on 14 August. Many of you were there.

I commend the Minister for committing to a consultative process. And in taking this

course, the Minister has thrown down an enormous challenge to us. This is put-up or shut-up time for Local Government. The planning reform process is our chance to cement the community at the centre of planning once and for all, or to drop the ball and let the Minister score a runaway try.

Sitting as he does in Macquarie Street, it is only state outcomes that the Minister can and should have his eye on. Local outcomes are our domain and must remain so.

And there is only one local outcome we ever need to worry about.

People want a planning system that delivers better communities – places where they want to live.

That is all.

No one in Local Government thinks the system is perfect.

Everyone in Local Government wants to clarify responsibilities, remove obstacles and simplify complexities.

When the government or the developers or the big landowners talk about delay and red tape and the frustration of Mums and Dads with the system, we must remind the community they are the Mums and Dads, and aunts and uncles and cousins who depend on the planning system.

For every Mum and Dad frustrated with the time it takes to assess their development application, there are thousands of Mums and Dads relying on us to get the development assessment right.

Every time an applicant gets a development approval and walks away with the profit, it is the rest of us who live for decades with the results.

I acknowledged at the Minister's seminar that there are many things we can all do better – councils, bureaucrats, developers and neighbours - to make the planning system more efficient.

But there is nothing I will do to water down the central principle of the Environmental Planning and Assessment Act 1979, namely that the community is at the centre of the planning process.

We are going to hear a great deal over the next year from all types of vested interests why planning is a mess and why it's too important to leave it up to democratically elected councils to run.

We will need to respond to every one of these spurious concerns.

But more than that, we will need to lead a debate that explains to the community what is at stake if we agree to give up our planning powers and give up community control of planning to unaccountable planning panels, head office bureaucrats or the Minister, however well intentioned.

The thing that galls me most about this planning reform debate is how much criticism and scrutiny councils receive at the same time as we debate State Government proposals to remove planning decisions from the public gaze.

Councils can never be accused of managing the planning system behind closed doors. Consultation is our core business. And yet so many of the so called reforms being put up will not only close the door to scrutiny, but close the door to appeals as well.

Councils have never been more closely scrutinised. Not only are we governed by the various State Acts and their detailed accountabilities, and by the media and the public whose interest in making sure we do the right thing only seems to increase, but the Department of Planning demands over-the-top reporting on every aspect of our work.

And despite our compliance with their reporting demands and the undeniable success they disclose – 96% of decisions being made under delegated authority; 90% of councils meeting the 40 or 60 day assessment periods; increases in complying developments and decreases in appeals – the Minister uses our own reporting to beat us up on the most trivial and specious grounds – relying on the most pettifogging details to steal cheap headlines.

If only the Department was subject to such scrutiny.

We must recommit to sustainable development, we must refocus private certification, we must harness technology and address the shortage of planners especially in the country, we must restore the separation between local and state matters, we must overhaul strategic planning and create a cooperative partnership for delivering growth and infrastructure, and we must make inroads into the unfettered power the state government now has to interfere in our planning powers.

And we must convince the federal government that it has a responsibility to fund metropolitan infrastructure.

Just as every single planning decision we make can impact on the community for fifty to a hundred years, the decisions we make together about the planning system will shape our communities for generations.

Taking time to work through these issues will pay off in the long run.

I can't leave planning without commenting on recent announcements on Section 94 levies. I am dismayed that the government is pandering to the big end of town at cost of decent infrastructure for our own communities. It is insane when councils are facing a

\$6.3 billion infrastructure backlog the state is responding by actually cutting back on our funds.

Climate change, drought, Local Government reform, and planning are just some of our priorities for 2008. With the federal election soon behind us we will continue to work on constitutional recognition and on inter governmental relations. Thank you Minister Lynch for the access and close working relationship you offer. The review of the water industry and ensuring community interests are paramount will be a priority, as will striving for progress in improving water and sewerage services to Aboriginal communities. We must also seek clarity in the murky waters of Work Choices and keep focussing on skills shortages and how to overcome them.

Our Treasurer will report later on the performance of Local Government Procurement, so I just want to say that the benefits of LGP increase with the more councils who use its services. Its success is in all our hands.

It seems that I report each year that we have made no progress on the establishment of One Association to represent Local Government in New South Wales.

I assure you that this matter has been debated robustly on more than one occasion by your office holders and those of the Shires Association.

But our differences remain.

In short, they focus on the divisional and representative arrangements which the Shires Association Annual Conference insists upon within the constitution of any single Association.

I understand why the small Shires councils prefer their current arrangements. They guarantee that every council, no matter how small, has the same voting entitlement at annual conference, and the same opportunity to choose their local representative on the Executive.

Our Association works differently. It acknowledges that larger councils represent bigger populations and uses proportional representation to reflect this.

And it allows delegates to vote for all members of your Executive, country and city, so that the best Executive members are chosen from across the state, and chosen in a manner that makes them accountable to every single one of you.

I see little prospect of the Shires Association modifying its requirements, and I leave it open to you as delegates, to resolve in whatever way meets with your wishes on this matter.

I owe it to you, however, to identify a way forward.

The current LGA Constitution offers all councils, big or small, city or country, LGA or Shires member, a democratic, transparent and accountable arrangement for establishing One Association to represent all councils in New South Wales. This was the policy resolved by delegates to our 2001 Annual Conference in Wollongong and I think it stands us in good stead today.

I want to talk to you about how your Association goes about its business to ensure it meets your needs. Local Government is steeped in tradition. Sometimes, though, we can become too comfortable with the familiar and lose track of how we might improve things we already do well to achieve even more.

Our Annual Conference is a bit like that. I know how much you look forward all year to the chance to take the floor and debate, to support your allies and challenge your foes, to network and share and catch up. And don't stop doing all that.

But I want us to think about the strategic role of Conference and its role as our supreme policy setting body.

When you send a motion to Conference and then rise to speak, please think about the strategy behind the motion and how the Association will use your resolution to advance the needs of all member councils. A motion about the disposal of a piece of surplus government land is actually about formulating strategic policy for managing all community assets. A motion about a particular piece of transport infrastructure is actually about transport planning and expenditure and priority setting across the whole state. A motion about development on one site is actually about strategic land use planning and development everywhere.

After the Conference, we will analyse the resolutions as we do each year, but this time with a fresh eye on the strategic policy context of each resolution. We will be doing this as part of a process of review being undertaken under the guidance of your Treasurer Cr Giegerl and her Shires colleague, Cr Braybrooks. The Treasurers are preparing a report for your Executive which goes to the heart of what your Association does. They are examining our priority setting process, our standing committee structure, our secretariat structure, and our budget. We must be satisfied that we really are working on the things you want us to do and making the best use of the funds you provide to us on behalf of your communities.

As your President I continue to be challenged and tested, amused and appalled by what this job throws in my path. Thank you for giving me the privilege to lead you.

Thank you to your elected Executives for their support and ideas, especially your office holders, Cr Kelly, Cr Bell, Cr Giegerl and Cr Murray.

Thank you to Bill Gillooly and the staff who are committed, one and all, to delivering professional results in an ever more complex and stressful environment.

Let me acknowledge the team who organised this conference – Meg Fisher, Michelle Simonetta and Karen Rolls from the Association and Michelle Aubert from Coffs Harbour. Once again, the events team has met the highest possible standard.

And a special thanks to my personal assistants, Adele Jones at North Sydney and Debbie Milford at the Association. Your support is essential to every one of our achievements.

And thank you delegates for bringing your passion and your vigour, your energy and your single minded commitment to this great forum.

Have a great Conference, be prepared for a tough year, and return from Coffs Harbour with renewed enthusiasm for anchoring the future.