

**Shires Association of NSW**  
**Current policy statements**  
(as at conclusion of 2009 annual conference)

**BUSHFIRE AND EMERGENCY SERVICES**

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An autonomous Local Government based and managed system of local volunteer brigades should be established.

State Government funding, not lower than the current level, should be provided to assist Local Government provide bush fire services.

The Rural Fire Service should provide support, not direction, for the provision of bush fire services on a state-wide basis.

The Rural Fire Service should co-ordinate funding, equipment and services together with the provision of advice on other related matters on a state-wide basis.

Councils should be responsible for management of bush fire services, local planning, equipment purchases, training, administration and community liaison.

Funds raised by volunteers and other donations should be eligible to be included as part of council contributions to rural fire funds.

**COMMUNITY PLANNING AND SERVICES**

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**VISION**

Local Government commits to pursuing the Australian vision of a fairer, more just and more equal society.

Local Government recognises that unless the pursuit of economic development is accompanied by both strong support for social justice and strong support for ecologically sustainable development (ESD), the Australian vision of a fair, just and equal society will be diminished.

For Local Government 'social justice' is based on the application of the following four principles:

*Equity* - fairness in the distribution of resources, particularly for those in need

*Rights* - equality of rights established and promoted for all people

*Access* - fair access for all people to economic resources, services and rights essential to their quality of life

*Participation* - opportunity for all people to genuinely participate in the community and be consulted on decisions which affect their lives.

Local Government acknowledges and supports:

- the Universal Declaration of Human Rights (especially Article 25, which recognises that everyone has the right to a standard of living adequate for their health and wellbeing including food, clothing, housing, medical care and necessary social services),
- the International Covenant on Economic, Social and Cultural Rights (the right to social security, the right to a reasonable living standard, the right to food, the right to education, the right to housing, the right to health, the right to work and the right to rest and leisure), and
- the International Covenant on Civil and Political Rights (freedom of speech, and other civil and political rights)

Local Government further acknowledges and supports the Commonwealth and State legislative frameworks that reflect these international instruments, such as the *Race Discrimination Act* (C'th) 1975, *Sex Discrimination Act* (C'th) 1984, *Disability Discrimination Act* (C'th) 1992, *Anti-Discrimination Act* (NSW) 1977, *Library Act* 1939 and the like.

## **MANDATE**

Local Government social/community planning and community services play important roles in contributing to the physical, psychological and social health, welfare and wellbeing of citizens:

Local Government is the appropriate sphere of government to take a lead role in social/community planning and community services for its citizens because:

- it is in the best position to identify and respond to the unique needs of the local area and diverse populations within the area
- it is easily identifiable and democratically accountable (through Management Planning, Land use planning and social/community planning requirements and ultimately the election process) to the community for the nature and quality of services provided
- it has a capacity for flexibility and adaptation
- it actively develops strategies that encourage social cohesion or social capital, build stronger and more self-reliant communities and deliver positive economic outcomes.

Local Government's charter involves providing directly or on behalf of other governments adequate, equitable, appropriate, efficient and effective services, and facilities, after consultation (Section 8 *Local Government Act* 1993 as amended).

The charter highlights principles including:

- community leadership,
- regard for cultural and linguistic diversity,
- planning and providing for the needs of children,
- regard for the cumulative effect of decisions,
- trusteeship of public assets,
- facilitation of stakeholder participation and
- elimination of bias.

The Charter emphasises that local government is a sphere of government with an essential and *legitimate* role in managing the local environment and in providing the variety of services that local residents require.

Local Government can choose to involve itself in the provision, management or operation of the following service functions (amongst others): community services; public health; cultural, educational and information services; public transport; sport, recreation and entertainment; and housing (Chapter 6 *Local Government Act* 1993 as amended).

Local Government has a long history in certain types of community service provision, predating or anticipating the present legal mandates, some elements of which can be traced back to the 19<sup>th</sup> century, some to the mid-20<sup>th</sup> Century and the balance to the 1970s (see *Resourcing communities* 2000).

Local Government is required to enact planning and regulatory functions that impinge on people and services to people (such as the *Environmental Planning and Assessment Act* 1979, and *Local Government Act* 1993 *Social/community Planning Regulation*).

## **INTERGOVERNMENT RELATIONS**

Local Government recognises that the present mix of roles and responsibilities in social/community planning and community services, amongst the three spheres of government, the not-for-profit sector

and the private sector has developed gradually over many years and requires a systematic re-examination to establish whether the mix is satisfactory or whether reallocations are required. Local Government requires genuine engagement with Commonwealth and State Governments in planning and delivery of existing cost shared community service programs devolved to or otherwise delivered at the regional and/or local level. (adhering to the principles set out in *Advancing Local Government –Partnerships for a New Century*)

Local Government seeks full consultation when new legislation or new programs in or having impact on community planning and services are introduced, in order to promote enhanced efficiency in service delivery, consider options for delivery through Local Government and avoid adverse impacts on councils or groupings of councils

Nonetheless, Local Government in its own right continues to develop independent local community plans, services and programs when local circumstances warrant and local resources permit.

Local Government supports Commonwealth and State Government initiatives to promote regional community planning and community service provision, where such initiatives recognise the role of Local Government and ensure such regional groupings are voluntary. Local Government must play a central role in developing an integrated approach to regional community planning and service provision. Local Government recognises that Regional Organisations of Councils contribute to the initiation, development and monitoring of regional community planning and services initiatives.

## **DEFINITION**

Local Government uses the term “Community Planning and Services” to cover:

- community and social planning
- community development and/or service development activities flowing from social/community planning and/or leading to any of the facilities and services listed in the subsequent points.
- general community facilities and services (such as welfare services and/or support and development services for various specific age or target groups),
- cultural services (such as cultural facilities and programs, inclusive of public library and information services),
- health services (such as immunisation and early childhood health centres),
- recreation facilities and services (such as open space, sports and swimming facilities)
- housing (such as facilitating affordable and appropriate housing, and providing or supporting housing services).

## **Community planning**

Community or social planning must involve co-operative needs-based analysis, which includes the identification of the most appropriate service delivery model and agent.

Local Government:

- is the primary planner at the local level, especially in measuring and mitigating the impact and maximising the benefit of developments (social impact assessment), in local community facilities planning (including s94 planning), in preparing Social/Community Plans under the Social and Community Planning Regulation and in the social aspects of plan making under the Environmental Planning and Assessment Act.
- promotes integrated planning between council sections to integrate social/community, cultural or housing planning with physical and corporate planning, seeking whole-of-council responses to issues.
- promotes integrated planning between council, other spheres of government and the non-government sector to integrate social/community, cultural or housing planning, seeking whole-of-government responses to local, regional or state issues.
- ensures its social/community planning under the regulation includes demographic and needs data relating to children, young people, women, older people, people with a disability, people from culturally and linguistically diverse backgrounds, and Aboriginal and Torres Strait Islander

people.

- recognises its social/community planning under the regulation can build beyond that required in the guidelines called up by the regulation covering housing, culture, crime prevention, gay, lesbian and transgender communities and other groups or functions of local importance.
- will actively engage citizens in its social/community planning and resulting development activities to maximise the use of local skills to craft local solutions to local problems.

Local Government seeks:

- the State and Commonwealth Governments and their agencies ensure that rigorous social impact assessments are conducted on any policy, program and development changes that may effect local communities
- the State Government formally recognise councils' social or community plans under the Social and Community Planning Regulation, and formally use these plans in State agency planning processes
- the State Government formally recognise and resource councils' planning and development work under programs such as the Area Assistance Scheme (AAS), Community Services Grants Program (CSGP) and the like and adequately resource these roles.
- the State Government formally recognise and resource councils' social/community planning and administrative role in the Community Development and Support Expenditure Scheme (CDSE) and ensure maximum participation of registered clubs, where Local CDSE Committees are required.
- the Commonwealth Government formally recognise councils' social/community plans under the Social and Community Planning Regulation, and formally use these plans in Commonwealth human service agency planning processes.

## **Community development**

Community development in Local Government helps to build a strong and self-reliant community, and assists councils to be responsive to community needs. Councils engage in community development by co-ordinating and making links between the community and the three spheres of government in order to meet the needs of the community.

The tools of community development in Local Government include:

- Participation: involving people in decisions which affect their lives leads to improved outcomes, builds the capacity of those who are involved in the process, and develops a sense of belonging, ownership and pride in the community.
- Advocacy: representing the issues and interests of the community to the three spheres of government, private and other stakeholders.
- Access and equity: enabling all people to participate in community decisions and processes, and to have equitable use of community services and facilities.
- Capacity building: building people's skills, networks and knowledge will lead to a stronger, more self-reliant community.
- Self help: people learn and gain support from each other, and communities become reliant on their own resources, rather than being dependent on external support.

Local Government endorses the principle of community to community assistance in International community development.

## **Community service provision**

Local Government is an ideal provider of community services because of local positioning, democratic accountability, financial accountability, stability and organisational infrastructure.

Local Government:

- provides those community services that are identified through and which complement its social/community planning and therefore are in response to clear articulated needs

- ensures its community services remain consumer orientated, responsive and flexible
- ensures its community services pursue continuous improvements in the standard of facilities, in services, in human relations, in costs and in competitiveness in response to the needs of the community.
- ensures services are available, free from any form of discrimination on the basis of gender, marital status, sexuality, language, culture, race, religion, disability, status or age.

Local Government seeks:

- State and Commonwealth Government funding and purchasing arrangements for local government and nongovernment organisations be predictable, administratively simple and negotiable within the agreed overarching goals of any given program.
- State and Commonwealth programs permit and promote the development and use of rural and remote models where appropriate to mitigate the disadvantage arising from location, including adequate financial provision for travel costs of outreaching services to remote or isolated communities
- State and Commonwealth programs provide sufficient finance to ensure all charges in partnership or funded programs are affordable.
- State and Commonwealth programs apply the principles of social justice in the provision of community services and in any restructuring of such programs.
- continuity of funding particularly for the coordination and provision of core services and administrative facilities for State and Commonwealth programs.

## **Children and families**

Local Government in NSW endorses a vision for the future, which acknowledges that:

- children's best interests are the primary consideration in the provision of services;
- children have the right to care and education for individual development and participation in society;
- high quality children's services and education is an investment which develops and enhances the social, spiritual and economic well-being of the entire community;
- community participation in decisions about services for families and children is essential for the development of responsive services that meet local needs.
- there is persuasive empirical evidence that spending on early intervention, particularly in childhood, is as effective and much cheaper than law and order approaches to crime prevention (as outlined by the NSW Legislative Council Standing Committee on Law and Justice in *Crime Prevention through Social Support Second Report*).

Local Government supports:

- children's services that provide for the unique needs and abilities of all individuals, enhancing, supporting and embracing the diversity of the community;
- accessible services to meet the diversity of needs throughout NSW;
- a co-ordinated and integrated approach to the needs of families and children; high quality children's and family services;
- leadership from Councils in identifying families' and children's needs and coordination of community and government responses to those needs;
- strong and effective linkages between the range of children's and family services and between all levels of government, the community and the private sector;
- a comprehensive range of centre-based and home-based services for children under school age and primary school children;
- professional development and support for children's and family services staff;
- responsive and inclusive services that address the needs of families with adults or children with a disability, families from diverse cultural and linguistic backgrounds, indigenous families and rural and remote families;
- community involvement in service planning and provision.

Local Government seeks:

State and Commonwealth Government enhanced funding for children's services such as mobile playgroups, family day care, long day care centres and preschools, especially in rural and remote areas recognising these services are an essential to child development and family support.

## **Young people**

Local Government recognises that young people have needs for their own specific local facilities, services and programs that assist them in their own right and in their transition to adulthood.

Local Government recognises

- Youth culture is an expression of young people's needs and beliefs.
- Young people's involvement in planning and delivery of services, community activities and social activities can enhance self respect, competence and connection to family and community and have significant benefits for the delivery of these resources.
- Councils need to devise and maintain strategies for involving young people in community planning and service development building of a sense of citizenship.
- Youth Advisory Councils are one effective means of inviting the active participation of young people and other youth service stakeholders in planning, services and programs.
- Young people need unique facilities and services, as well as access to universal facilities and services.
- Young people have a right to access public space.
- Councils identify, provide or facilitate the provision of facilities, services and programs which meet the needs of young people, which maximise their quality of life and well being.
- Youth Week is an important vehicle for focusing on the strengths and needs of young people to promote a sensitive proactive approach to local youth development.
- Support services must be young people friendly, trusted and relevant to vulnerable young people to assist in their uptake, must use approaches that are supported by research and promote proven and innovative approaches and must create the least intrusion and disruption in their lives and encourage connection with services where young people have established long-term trusting relationships with service providers.
- Offering support and assistance to young people and their families early in the life of their problem can prevent escalation of risk behaviours and are more likely to succeed.

Local government seeks:

- comprehensive and enhanced Commonwealth and State funding programs for holistic youth work, that uses a mix of developmental, preventative and leisure based work with young people, to respond to issues such as leisure, health, violence, drug, legal, housing, transport and the like as they arise
- improved Commonwealth and/or State capital facilities funding programs for new youth facilities, especially but not exclusively youth centres.
- Commonwealth and State Governments provide a general transport concession scheme for young people, similar to that available to aged pensioners.

## **Women**

Local Government endorses a vision, which acknowledges that:

- There must be equality for women in every aspect of their lives and respect for and value of the choices, contributions and diversity of women.
- Women must have the right to participate in decision-making processes that shape their lives, and those of their families, community and nation
- Women are active participants in all spheres of public and private life, and to achieve optimal status, assumptions about women need to be challenged and women actively encouraged to undertake leadership roles and positions.
- Women's needs are a central consideration in local social/community planning and the provision of facilities, services and programs;

- Women have the right to access to facilities, services and programs for individual development and for participation in society;
- Women need unique facilities and services, as well as access to universal facilities and services.
- Women's participation in decisions about services for communities, neighbourhoods, women, families and children, is essential for the development of sensitive holistic solutions that meet local needs.
- Women contribute significantly to the social and economic growth of a community.

### **Older people**

Local Government recognises that older people have a right to quality facilities, services and programs that enable them to remain living in their own homes and active in their communities.

Local Government:

- identifies, provides or facilitates the provision of facilities and services which meet the needs of older residents to maximise quality of life and well being
- assists older residents to remain in their local community by facilitating appropriate infrastructure and facilities, adequate support services and housing options
- recognises the importance of including older people in council's planning and other activities relating to infrastructure
- provides or facilitates the provision within the local community of services and programs relevant for all older people, regardless of their health status, gender, marital status, sexuality, language, culture, race, religion, disability or status.
- recognises and supports Seniors' Week as an important vehicle to recognise the valuable contribution older people make to their community through respect, inclusion and being sensitive to the needs of older people.
- recognises the important role Seniors' Centres play in local communities.
- supports initiatives which encourage government, nongovernment and private sector employers to develop more flexible work practices and attitudes that are supportive of the continued participation of mature workers in paid employment.

Local Government seeks:

- Commonwealth and State Government adequately resource residential, community care programs (such as Home and Community Care) and healthy ageing programs to meet the real and growing level of need amongst older people and their carers.
- Commonwealth and State Governments provide funding to Local Government to up-grade Seniors' Centres so that they are physically accessible to all residents and to provide for recruitment and employment of staff at Seniors' Centres.

### **People with a disability**

Local Government recognises that people with a disability have a right to quality facilities and services that enable them to live and fully participate in their communities.

Local Government:

- Recognises the importance of including people with a disability in council planning and regulatory activities relating to infrastructure and council social/community planning
- develops local Disability Discrimination Act Action Plans and leads their implementation.
- seeks to improve access to existing Local Government infrastructure and facilities as resources permit and in accordance with the local Disability Discrimination Act Action Plan
- ensures physical access to all new Council infrastructure and facilities
- encourages improved physical access to community and privately owned publicly accessible facilities
- ensures that local pedestrian networks are accessible to all people in the community
- identifies, provides or facilitates the provision of facilities services and housing options which meet the needs of people with a disability to maximise quality of life and wellbeing and remain in

their local community

- provides or facilitates the provision of local support services and programs relevant for all people with a disability, irrespective of their gender, marital status, sexuality, language, culture, race, religion, or status.
- pursues work practices which do not discriminate against people with a disability

Local Government seeks:

- The Commonwealth and State Governments develop a framework for funding improvements to public infrastructure to comply with the requirements of the Disability Discrimination Act.
- The Commonwealth Government make available resources to enable Local Government to modify infrastructure to comply with the requirements of the Disability Discrimination Act.

### **Aboriginal and Torres Strait Islander people**

Local Government recognises that Aboriginal and Torres Strait Islander people have a right to self-determination, practical reconciliation and quality of life equal to the wider community.

Local Government:

- acknowledges Aboriginal and Torres Strait Islander people as the traditional owners of their own lands by including Aboriginal people in official council ceremonies using local customary protocols such as 'welcome to country' and by encouraging the flying of the Aboriginal and Torres Strait Islander Flags
- recognises the establishment of council Aboriginal Consultative Committees is important in providing a mechanism for direct consultation with and participation of Aboriginal communities
- Recognises the importance of including Aboriginal people in council social/community planning under the regulation
- acknowledges that it has a role to play in the improvement of both the environment of villages and existing infrastructure in villages
- recognises the role of regional and local Aboriginal authorities in planning and providing for local communities and acknowledges the need for an integration of resources between these authorities and other agencies of all spheres of government
- encourages greater participation by Aboriginal and Torres Strait Islander people in Local Government political life, seeking to facilitate election campaign initiatives within the community
- facilitates access to facilities, services and programs for Aboriginal and Torres Strait Islander people.
- supports initiatives that bring about a profound reconciliation between Aboriginal and Torres Strait Islander people and the wider community.

Local Government seeks:

- The Commonwealth Government ensure there is no further legislative subversion of the principles of native title laid down by the High Court in the Wik case and ensure there is in place appropriate legislation, programs and resources to aid all parties to reach timely and just solutions on all native title claims.
- Commonwealth and State Government agencies engage appropriately and early with councils when planning, developing and implementing 'municipal'-style infrastructure, facilities and services improvements for Aboriginal Communities.

### **People from culturally and linguistically diverse backgrounds**

Local Government recognises and values the cultural diversity of the people of NSW.

All residents have an equal right to participate in the community and to be able to use council services. Local Government aims to assist residents from linguistically and culturally diverse backgrounds to gain access to services, to be consulted and to fully participate in civic life.

Local Government:

- encourages and supports full participation by people from culturally and linguistically diverse backgrounds in Local Government political life.
- seeks to develop communication strategies to inform residents of the role and services of council so that their language and culture are not a barrier to participation in Local Government governance, regulatory and service functions
- Acknowledges the needs of people from culturally and linguistically diverse backgrounds are a central consideration in local social/community planning under the regulation
- Recognises council may identify, provide or facilitate the provision of facilities, services and programs which meet the needs of people from culturally and linguistically diverse backgrounds
- Recognises the need to work with other spheres of government and agencies to develop strategies to meet the needs of newly arrived migrants and refugees.

### **Gay, lesbian and transgender communities**

Local Government acknowledges that:

- Gays, Lesbians and transgender people have the right to participate in decision-making processes that shape their lives, and those of their communities
- Gays, Lesbians and transgender people's needs are important in local social/community planning, community safety and crime prevention planning and the provision of facilities, services and programs;
- Gays, Lesbians and transgender people have the right to access to facilities, services and programs for individual development and for participation in society;
- Gays, Lesbians and transgender people may need unique facilities and services, as well as access to universal facilities and services.

### **Library and information services**

Local Government recognises that the right to free and equitable access to basic information is a cornerstone of our democratic society.

Local Government recognises that public libraries are centres for free and equitable access to basic information and therefore for learning, literature, heritage, knowledge and cultural activities that are critical to the development of well informed and vibrant communities.

Local government recognises that public libraries are safe, convenient and accessible community spaces that encourage interaction and information seeking.

Local Government recognises the value of the NSW Public Library Network, which comprises 383 local public libraries, including the State Library of New South Wales.

Local Government:

- acknowledges all spheres of government must work together to develop and provide up-to-date, easy to use and accessible public library and information services for their communities
- acknowledges public libraries have an essential role in the community giving equitable access to local and worldwide information, to collections and works of creative imagination which will encourage participation in cultural, democratic and economic activities
- recognises the role of libraries in the dissemination of council and other community information
- recognises and respects community and cultural diversity in the provision of library collections, services and activities that reflect local information, education and recreation needs.
- ensures individuals and communities have, without bias, access to information on any subject
- Ensures that all age groups have access to library materials, in a range of formats, relevant to their needs
- Acknowledges that public library services should be provided to those who are unable to visit
- Recognises the local public library network, including the State Library, as the major community access point to information and communication technology and training, and welcomes Commonwealth or State initiatives to support this access

- Recognises the role of public libraries in supporting literacy.

Local Government seeks:

- Commonwealth and State Government fully acknowledge the significant and long-term commitment Local Government has and continues to demonstrate in funding, planning, managing and supporting public library and information services in NSW.
- State Government significantly increase the State's share of the total funding to local public library services to redress the burden that has been shifted to Local Government and to the NSW Public Library Network as a whole, to ensure it matches international and national benchmarks and meets unmet community demand for services.
- Commonwealth Government provides significant ongoing funding to enable equitable public access to information technology.

## **Cultural planning and development**

Local Government recognises culture encompasses our diverse heritage and avenues of expression in the environment, leisure, work and daily life, architecture, arts, history, language and education which people use to express their fundamental character and aspirations.

Local Government:

- recognises creating liveable communities is fundamental to Australia's social well being, long-term ecological sustainability, and economic prosperity.
- acknowledges that innovation and creativity are critical to the sustainability and growth of communities.
- recognises the right of individuals and communities to determine their own cultural identity by promoting consultation and encouraging participation.
- supports the development, integration and promotion of cultural expression within communities to protect against the homogenising effects of globalisation.
- recognises strategic cultural planning is a key initiative enabling local communities to respond to changing social, environmental and economic needs, and to address the increasing demand for cultural resources.
- fosters local economic development by promoting a community's cultural strength and uniqueness
- identifies, provides or facilitates the provision of facilities, services and programs which meet the cultural needs of communities.
- recognises that access to cultural experiences should not be impeded by geographical location or on the basis of gender, marital status, sexuality, language, culture, race, religion, disability, status or age, and that those groups at the margins of society require special assistance to prevent their further disenfranchisement,
- recognises Indigenous Australians are the custodians of their cultures, and as such, only they have the right to make decisions about the use and reproduction of their cultures and such decisions should occur with the full and informed consent of the relevant custodians, and where appropriate, be informed by customary law and traditional practice
- understands that local creative practice and pursuits by artists and others in communities is central to cultural policy making.

Local Government seeks:

- Commonwealth and State Government acknowledge the significant commitment Local Government has in funding, planning, managing and supporting cultural development in NSW.
- Commonwealth and State Government provide significant ongoing funding to enhance regional and local cultural development, and cultural facilities, services and programs.

The Associations advance and promote the value of local distinctiveness to State Government and member councils, particularly as it applies to tourism, arts and cultural initiatives.

## **Housing**

Local Government recognises that all residents have a right to housing that is affordable, secure and appropriate to their needs. When people are denied this right and are homeless it becomes a social justice issue, which should not be dealt with through the criminal justice system.

Local Government is committed to working cooperatively with their communities, other councils, nongovernment organisations and the State and Commonwealth Governments to ensure that this right is protected. However, the provision of support services and housing options is primarily a Commonwealth and State responsibility.

Local Government acknowledges that the improvement of housing outcomes for its community is reliant on the provision and maintenance of a basic level of infrastructure facilities and services.

Local Government:

- seeks to use the capacity of the Environmental Planning and Assessment Act to assist in the retention and provision of affordable housing and adaptable housing
- seeks to initiate collaborative development of housing projects with State or Commonwealth housing initiatives, the not-for-profit sector and the private sector
- contributes land or provides administrative, technical, financial and strategic support to not-for-profit organisations developing local affordable housing projects
- acts as owner or manager of housing stock, or as a land or housing developer
- advocates participatory and partnership approaches for councils in the context of State and Commonwealth housing planning processes
- promotes the application of Adaptable Housing standards to housing developers, to foster the growth of residential housing stock that is suitable for adaptation for the changing lifecycle needs of people in general and people with a disability.
- promotes the application of Crime Prevention Through Environmental Design (CPTED) principles in housing to ensure a safer home environment
- Ensures that homeless people are not denied use of council services and facilities.

Local Government seeks:

- Commonwealth and State Government to maintain their mutual commitment to the Commonwealth/State Housing Agreement and increase the real level of funding to the program.
- Commonwealth and State Government recognise in their housing policy the roles Local Government undertakes within the general housing system and provide improved funding to councils to support their role in facilitating affordable, appropriate and secure housing options
- Commonwealth and State Government to significantly increase funding to the Supported Accommodation Assistance Program.

## **Healthy communities**

Local Government shares the vision where all Australians are actively involved in sport, community recreation, fitness, outdoor recreation and other physical activities.

Local Government

- encourages more people to be physically active regardless of their age, gender, marital status, sexuality, language, culture, race, religion, disability, status, skill level or ability.
- seeks to increase lifelong participation in physical activity recognising that participation should not be limited by age, but the degree and form of involvement may vary at different times in an individual's life.
- recognises that people will gain health benefits from physical activity whether the activity is structured or incidental.
- seeks to realise the social, health and economic benefits of participation, recognising that participation brings social, health and economic benefits for individuals and communities, including improved personal well-being, a greater sense of community, reduced health care

costs, and increased employment, tourism, productivity, manufacturing and export of sport and recreation services and products.

Local Government seeks:

- Commonwealth and State Government acknowledge the significant commitment and further potential Local Government has in funding, planning, managing and supporting infrastructure, facilities, services and programs that promote physical activity
- State Government provides significant enhancement to capital funding to enhance regional and local sport and recreation facilities especially in rural areas.

### **Health and medical services**

Local Government recognises the need to provide equitable and accessible health services across all areas of the state.

In recognising the problems faced by regional, rural and isolated communities in obtaining and retaining medical and health services, Local government seeks:

- The establishment of a bipartisan Commonwealth, State and Local Government mechanism to examine international and interstate practice and develop evidence based strategies to deal creatively with the issue.
- the implementation of appropriate Commonwealth and/or State policies such as: i) a compulsory 3 year country service clause for all medical graduates in NSW with such service being offset by fees reduction and priority return to a hospital of choice, ii) including a short period of compulsory country service in all medical and other health degree courses iii) the geographical allocation of Medicare Numbers, iv) the introduction of a scale of fees for the provision of Medicare Provider Numbers taking into consideration the difficulties of attracting Medical Practitioners to regional and rural areas, and v) taxation incentives that take into consideration the difficulties of attracting Medical Practitioners to regional and rural areas.
- enhanced Commonwealth and State funding programs with incentives for experienced General Practitioners and allied health professionals to practice in country areas and with incentives for experienced General Practitioners and other health professionals to undertake locums in country areas.

### **Oral Health**

- Local Government accepts that water fluoridation is a public health issue, supports water fluoridation as set out in the Australian Drinking Water Guidelines and Fluoridation Code of Practice 2002, and strongly encourages councils to fluoridate the public water supplies in their area where fluoride does not occur naturally at a high enough level for an oral health benefit,
- Local Government seeks sufficient funding to meet all capital and recurrent operational costs for water fluoridation from the NSW Government.
- In addition Local Government seeks the NSW and Australian Governments to provide significantly enhanced funding of public dental services in NSW, particularly in rural areas, aimed at improved preventive programs, reduced waiting times for treatment, improved access to emergency services and reducing the public dentist shortage.

### **Drug abuse issues**

Local Government recognises that the toll from illicit drug abuse is unacceptably high, involving the cost of health care, loss of productivity, law enforcement, family breakdown, pain and suffering including domestic violence and other factors.

Local Government recognises that the nation as a whole needs to address this issue through a policy approach involving harm minimisation, drug control, intersectoral approaches and international co-operation.

Local Government supports the harm minimisation approach which:

- aims to reduce the adverse health social and economic consequences of drugs by limiting the hazards of drug use for both the individual and the community
- takes into account three interacting components - the people involved, their environment and the drug itself
- recognises that there is wide variety of levels of drug use and associated physical and social harm
- includes both preventing anticipated harm and reducing actual harm
- involves a range of strategies including prevention, early intervention, specialist treatment, supply control, safer drug use and abstinence.

Local Government:

- acknowledges that drug strategic plans need to be addressed in an integrated way across a broad range of sectors including law enforcement, health, education and community services, and should involve both horizontal (within a sphere of government) and vertical (across spheres of government) integration of government and non-government agencies.
- should be involved in planning for local strategies that support and underpin those of other spheres of government, whilst recognising innovative approaches at the local level.

Local Government seeks:

Commonwealth and State Governments increase the amount of resources devoted to:

- joint media campaigns to underpin drug abuse prevention policies and programs
- the production of a core set of educational resources providing accurate and current drug information for use by the community
- conducting research into the development, monitoring and evaluation of the effectiveness and efficiency of drug abuse programs and publicising the results to the wider community.
- using the network of Local Government public library and information services and public health sections as avenues for promoting this information to communities
- School Education authorities ensure that there is an effective drug education program which is a cyclic part of the curriculum building successively from Year 4 through to Year 10, supplemented where possible by the efforts of the wider school community such as Parents and Citizens Associations and by visits from agencies such as the Police Service and travelling services.
- Commonwealth and State recognition of the role of Local Government facilities in the information, early detection and treatment of persons involved in use of illicit drugs
- NSW Health ensures that all areas have reasonable geographic access to specialised drug information referral and counselling services, Drug Crisis teams, and detoxification centres.

## **Community safety and crime prevention**

Local Government supports a safe and secure environment for its communities.

Local Government fosters safer communities through:

- developing a strategic Community Safety Plan that provides direction as to how the issues of community safety and crime prevention can be addressed comprehensively and with maximum community input
- acknowledging the symbiotic nature of the relationship between crime prevention and social policy and recognising the diversity of factors that contribute to quality of life; appropriate strategies include: incorporation of community safety and crime prevention issues into council social/community plans; the inclusion of appropriate social solutions into crime prevention strategies; and seeking social solutions for crime prevention in conjunction with other measures being introduced where appropriate
- using Crime Prevention through Environmental Design (CPTED) throughout council functions, including Development Control Plans and other plan making.
- encouraging active participation of residents in the safer design of their community
- supporting and resourcing community safety committees which focus on facilitating partnerships that involve a range of stakeholders that are committed to an integrated and comprehensive

approach to community safety and crime prevention with an emphasis on situational and social approaches

- addressing fear of crime and perceptions of crime through the dissemination of accurate information and community education strategies
- the introduction and use of reward systems to encourage public support in prosecutions for damage to council property.

Local Government seeks:

The State Government provide additional resources to:

- the Police Service to i) provide additional officers to adequately support community policing initiatives such as Community Safety Officers, Domestic Violence Officers, Youth Liaison Officers and Customer Consultation Groups in order to better address safety concerns in local government areas, ii) provide adequate support for carrying out non-police duties and iii) ensuring adequate staffing of stations in rural and remote areas.
- the Departments of Health, Education, Juvenile Justice and Housing in adopting an integrated approach to planning, developing, implementing, monitoring, promoting and evaluating Community Safety Plans
- the NSW Attorney General's Department toward the endorsement and resourcing of Local Government Community Safety Plans.

The State Government mandate State Agencies participation in community safety councils established by Local Government to draft and implement community safety plans.

In addition to the steps outlined above to achieve safer communities, discussions be undertaken with the NSW Police Service in relation to improved policing services being made available in country areas.

The judiciary should be requested to implement appropriate sentencing.

## **FINANCE AND ECONOMIC DEVELOPMENT**

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Revenue sources available to Local Government should be such as to ensure autonomy and stability.

Local Government should receive funds from Federal and State Governments and should be able to raise funds through rates, charges, loans, and other appropriate means, to enable it to fulfil its responsibilities to the community.

### **General purpose funding**

Local Government revenues should be supplemented by a guaranteed minimum 1 per cent share of national tax revenue in the form of untied grants, with the share to be reviewed annually by means of an appropriate escalation formula with special consideration being given to councils which are experiencing rapid growth.

The interstate distribution of financial assistance grants should continue to be on the basis of per capita relativities.

Predicability and stability should be ensured in general purpose funding arrangements.

The distribution of general purpose grants should be independent of council performance.

Local Government financial assistance grants remain completely separate from State financial assistance grants.

Retention of horizontal equalisation methodology for financial assistance grants continues to be strongly supported.

### **Specific purpose funding**

Specific purpose grants should be administered through negotiated inter-governmental agreements with funding appropriately indexed to cover the full cost involved.

Administrative simplicity and flexibility should be ensured in specific purpose funding arrangements.

Specific purpose funding should not be reduced or withdrawn without full consultation and agreement.

Increases in specific purpose funding arrangements should not be at the expense of general purpose funding arrangements.

Broadbanding of specific purpose payments is desirable, conditional on adequate consultation and mutually agreed program adjustments.

### **Rating**

Rates based on current land values should be the basis of local tax revenue.

The legislative framework for rating must be fair, simple, easily understood and be capable of practical implementation on a consistent basis.

The rating system should be structured to provide councils with the option to retain minimum rates in addition to base charges, and the existing ad valorem rate on land value within relevant rating categories.

Rate limits should not be imposed by the State Government.

If rate limits are to be imposed by State Government then those limits should not be less than the prevailing inflation rate or CPI.

Councils should be accountable to their local communities for rating decisions.

Rating exemption provisions should be reviewed and all land currently exempt but used for commercial undertakings and residential purposes should be made rateable.

Councils should receive a 100 per cent subsidy for compulsory pensioner rate rebates.

Increases in Valuer-General charges should be limited to the rate-pegging limit.

### **General**

Local Government must be free of State and Federal taxes, including income taxes on mayor/councillor allowances.

All statutory levies imposed on Local Government should be abolished.

Local Government should not collect fees and charges on behalf of other governments unless by agreement.

Local Government should not be compelled to fund, in whole or in part, any service or scheme introduced by the State or Federal Governments.

Local Government councils should seek reimbursement of the full cost of carrying out immunisation treatments from State and Commonwealth Governments.

### **Fees and charges**

Local Government fees and charges should be deregulated.

### **Borrowings**

There should be no restrictions, apart from Loan Council criteria, of the powers of Local Government bodies to borrow funds.

Local Government should be represented on the Australian Loan Council.

### **Investment**

Local Government bodies should be free from direction in relation to the investment of funds, apart from provisions to ensure adequate security.

### **Economic development and tourism**

Local Government should encourage economic development through the use of local resources, thus creating a wider choice of services for residents, employment opportunities, effective utilisation of council assets and an expanded rate base.

A partnership should be developed between all spheres of government, the business community, and other appropriate stakeholders to develop strategies in economic planning and development to pursue investment and employment growth opportunities. Local Government should provide the leadership role in developing such a partnership.

State and Commonwealth Governments, in consultation with Local Government and other relevant stakeholders, should develop a comprehensive urban, social and economic plan for the whole of the state to provide a framework for local and regional development strategies.

Local Government supports State and Commonwealth Government initiatives to promote regional development where the initiatives recognise the role of Local Government and providing that regional groupings are voluntary.

The Commonwealth Government should make it a condition of any grants or dealings with the States which affect Local Government that, where any aspect of Crown protection afforded to state authorities disadvantages local communities and Local Government socially, economically and environmentally, such protection be removed.

Local Government legitimately represents the interests of communities within a region and should be represented on regional organisations. Local Government should select their own representatives to these organisations.

Local Government should encourage regional organisations of councils (ROCs) to foster economic development policies and programs. ROCs should be encouraged to take a leadership role in establishing regional economic development organisations (RDOs) to develop and implement strategies for regional economic growth.

Local Government considers that the success of economic development is dependent on the maintenance and development of the necessary economic and social infrastructure. Local Government is concerned about the erosion of infrastructure and services in many rural communities and the cumulative effects on employment and economic sustainability.

State and Commonwealth governments should provide resources to maintain and develop infrastructure.

Councils should facilitate locally based initiatives in response to identified social and economic infrastructure needs.

Councils should develop and implement local economic development strategies and tourism plans which are based on community and stakeholder consultation, and which encourage their active participation.

The plans should be consistent with regional development strategies where applicable.

State and Commonwealth Governments should provide low interest, long-term finance for Local Government economic development and tourism projects.

### **Competition policy**

This Association supports the broad thrust of national competition policy of improving resource allocation and international competitiveness. However, the implementation of competition policy needs to take account of social, environmental and regional economic development considerations.

Reforms should only be undertaken when the benefits outweigh the costs.

In relation to implementation of national competition policy to Local Government, the Association supports the following:

Trade Practices Act: Provision should be made for certain activities of Local Government to be exempted from the provisions of the Trade Practices Act where this is justified on social, environmental or public health criteria.

Competitive neutrality: Business activities of councils should be capable of being separately identified.

Prices for council business activities should, where appropriate, include Commonwealth tax equivalents and a return of capital. Both should be paid to the council as the owner of the business.

Council business activities should generally be subject to the same regulatory arrangements as other businesses.

Council business activities should be subject to state tax so long as state business activities are subject to Local Government taxes (rates) and charges.

Regulatory review: Periodic review of regulations and their administration is supported but must be undertaken on a co-operative basis with Local Government.

Structural reform: To the extent that this may apply to Local Government, it needs to be negotiated with Local Government on a case by case basis.

Prices oversight: The principle that there should be independent assessment of public monopoly pricing is supported. To the extent that this may apply to Local Government it should generally be through pricing guidelines rather than setting prices for individual council business activities.

Third party access to infrastructure: This would only apply to Local Government business activities in exceptional circumstances and should therefore be the subject of negotiation on a case by case basis.

Competitive tendering: The Association supports competitive tendering as an option for councils in the provision of services. In certain circumstances, contractors may be the most cost effective method of service provision. Considerations, other than simply price, are also relevant in determining

methods of service provision. Council discretion to assess these considerations and options is essential. The Association strongly opposes any requirement for compulsory competitive tendering.

Public sector reform: The Association will encourage councils to adopt a positive approach to public sector reforms which provide better services to local communities. In particular, the Associations will promote and assist councils with work place reforms and performance measurement and benchmarking and encourage councils to review the provision of services to their communities.

### **Just compensation**

No Local Government assets, acquired by the State Government by means of compulsory acquisition, for whatever purpose, should be acquired without the payment of just compensation to the affected Local Government Authority.

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## **INDUSTRIAL RELATIONS AND EMPLOYMENT**

### **Workplace Reform**

Local Government remains committed to the securing the benefits of competition and workplace reform for councils, their employees and the communities they serve at both the industry and workplace levels. Councils are encouraged to review and formalise employment arrangements specific to their needs through consultation and workplace bargaining.

### **Resolution of Industrial Disputes**

Local Government supports the resolution of disputes through the application of grievance and disputes procedures at the local level and with the practical assistance of the Industrial Relations tribunals.

### **The Good Employer**

Local Government supports and promotes equal opportunity for all employees. Councils are encouraged to develop human resources policies and practices that address employees' family responsibilities and eliminate discrimination, bullying and harassment in the workplace.

### **Training**

Local Government will continue to participate in national training reform initiatives to ensure that industry skills shortages and gaps are addressed. Councils are encouraged to resource and support education, training and skill development and provide employees with reasonable and equitable access to training.

### **Labour Market Programs**

Local Government supports the maintenance and development of job creation initiatives that suit the needs of the industry and that training and skills development are integral to such initiatives.

### **OHS**

Local Government will participate in initiatives that assist councils in their management of occupational health and safety, reducing the risk of workplace injuries and the promotion of injury management and occupational rehabilitation.

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## **NOXIOUS PLANTS AND VERMIN**

Local Government should retain responsibility for destruction of noxious weeds. County councils should be established for the destruction of noxious weeds only when required by relevant Local Government bodies.

The NSW Government should provide substantially increased ongoing financial assistance to Local Government for destruction of noxious weeds.

In order to relieve pressure on the natural environment, legislation should be introduced to provide for a bounty on wild feral animals, including foxes, cats, pigs, and dogs.

## **PLANNING AND ENVIRONMENT**

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### **PLANNING**

#### **Guiding principles**

The aim of all planning and infrastructure decisions should be to achieve:

- economic and environmental sustainability
- social justice
- equitable access to housing and employment
- optimum quality of life for local communities
- local and regional planning objectives.

Local Government believes that there is a limit to sustainable population growth and that all planning and development decisions need to consider whether this limit has been reached.

Strategic metropolitan and regional planning is best carried out at a regional level in a partnership approach between Local and State Government.

Local Government should have a lead role in planning for local communities with other spheres of government because:

- it is best placed to inform the planning process of the needs and expectations of local communities
- it is democratically accountable to local communities and
- it is the advocate for its community to other spheres of government.

Local Government should retain autonomy in the making of local planning decisions.

The devolution of planning powers and responsibilities to local government must be accompanied by adequate financial resources.

All spheres of government have reciprocal obligations to recognise and respect the legitimate objectives and strategies of each other.

The importance of urban design strategies should be considered in urban consolidation discussions.

#### **Regional planning**

Local Government:

- must play a central role in developing an integrated approach to issues of regional development, infrastructure co-ordination, growth management and environmental management.
- recognises that Regional Organisations of Councils have a role in the initiation, development and monitoring of regional planning initiatives and that they should be allocated greater resources by State and Federal Government to undertake this role.
- supports a greater partnership between State Government, general purpose councils and Regional Organisations of Councils (ROCs).

#### **Urban growth management**

Local Government:

- is best placed to develop strategies for urban growth management that have full regard to the capacity of local areas to accommodate further population growth.
- supports a State Government commitment to an 'equal partnership approach', for the development of urban containment strategies with councils and Regional Organisations of Councils.
- recognises that population growth should be accommodated in a manner that provides for housing choice and affordability, access to employment, and efficient transportation systems, while responding to the diversity of constraints, circumstances and needs that characterise different localities.
- supports and encourages population growth in regional areas and the accompaniment of appropriate initiatives, such as pay-roll tax remissions for establishing businesses, affordable housing, planning and provision of infrastructure and lifestyle promotion.
- should retain control over the determination of locally appropriate development and obtain State Government support for repealing all State Environmental Planning Policies and Regional Environmental Plans which impose development controls on councils.

### **Planning and funding of infrastructure**

Local Government:

- must have power to adequately levy developments at the local and regional level that create or increase the demand for infrastructure.
- must play a central role, in partnership with Regional Organisations of Councils, State and Federal Governments, in the planning and development of regional infrastructure strategies.
- must be able to provide input to major infrastructure planning and development which may affect their area or region.
- supports and seeks an amendment of Section 94 of the Environmental Planning and Assessment Act to allow:
  - for the levying of cross-boundary S.94 contributions
  - councils to apply section 94 to all development types that cause increased demand for local facilities and services
  - for developer contributions to be equally applicable to public and private sector developers where local communities accrue costs as a result of development

State and Federal Government should be equally accountable for the adequate provision of relevant infrastructure in areas experiencing substantial growth.

There should be a reduction in the complexity of administration of section 94.

The Environmental Planning and Assessment Act should be amended to provide, particularly in regard to Western Sydney, for Infrastructure Management Plans for all new residential developments.

### **Land-use and transport interaction**

Local Government:

- needs to become pro-active in improving the interaction between land-use and transport and to improve the transport services available to local communities and business.
- needs to facilitate the development of a diverse and accessible transport system integrated with land use planning.
- supports a partnership approach with the Department of Transport to develop Local Integrated Transport Management plans, at both the local and regional levels, dependant upon the availability of adequate resources.
- should be encouraged to introduce integrated road safety management plans.
- supports the introduction of a general urban speed limit of 50km/h as a means of reducing accidents and improving local amenity.

- should be encouraged to devise strategic plans to give consideration to linking housing and commercial development with parking around public transport nodes.
- supports the use of planning instruments to facilitate and encourage the development of public transport as an alternative to private transport, especially for journeys to and from business centres.
- should encourage the use of bicycles through the provision of local area bicycle maps and driver awareness campaigns.
- should petition the State Government to develop a State planning policy for the purpose of controlling helicopters and their use in airports and helipads; the State and Local Governments should co-operate to control helicopters and their use in airports and helipads.
- needs to exercise current provisions of the Environmental Planning and Assessment Act to provide, particularly in regard to Western Sydney, that Public Transport Corridors are identified and preserved where appropriate in new residential estates, with developers subsidising the construction of those corridors.

### **Telecommunications**

Local Government:

- should retain the responsibility for determining locally appropriate development in regard to telecommunications infrastructure and all telecommunications carriers should be subject to the Environmental Planning and Assessment Act.
- should boycott the use of carrier services until all carriers agree to install pay-TV cables to an environmental standard acceptable to Local Government.

### **Community participation/ consultation**

Local Government is best placed to consult with the public.

Communities should have the opportunity to comment on any development or land-use control proposal or policy that will affect their locality.

State and Federal Governments should implement a mechanism to enable councils to examine major government proposals that will directly affect their communities, without financial penalty.

The EP&A Act should be amended so that it is mandatory for proposed SEPPs and REPs to be advertised for community and Local Government input prior to implementation.

The EP&A Act should be amended so that councils have the opportunity to specify requirements for Environmental Impact Statements, in conjunction with the Department of Urban Affairs and Planning.

### **Environmental and planning dispute resolution**

Local Government:

- should retain responsibility for the determination of development applications.
- believes that appeals against council decisions should be limited to matters of law.
- encourages the development of increased opportunity for dispute resolution through alternative dispute resolution techniques (including mediation) so that disputes can be resolved independently of the Land and Environment Court.
- believes that the State Government should provide councils with resources to develop and implement alternative dispute resolution techniques.
- believes that where the Land and Environment Court overrides a council's code or policies, then reasons should be given so that the council can make a proper review of that code or policy.
- seeks to have a review of the functions and powers of the Land and Environment Court.
- believes that councils should have appeal rights on merit from the Land and Environment Court.

Where an applicant in an appeal against a council decision in relation to a proposed development changes the circumstances which existed at the time of the decision by council (for example, partial

compliance with the conditions required), the proposed development must be referred back to council for reconsideration before the appeal can be determined.

### **Ecologically sustainable development**

Local Government supports the concept of ecologically sustainable development.

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

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

*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

*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.

### *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.

Local Government believes that urban and regional development strategies should contain central objectives for the achievement of ecologically sustainable development through:

the implementation of integrated approaches to planning and decision-making land-use and transport interaction  
the protection of environmentally or culturally sensitive locations development control strategies, including the design of spaces and buildings and building materials  
an integrated and holistic approach to the mutual achievement of economic and environmental sustainability.

### **Approval practices**

Local Government:

- supports the further improvement of approvals processes through streamlining and rationalisation.
- believes that Approval practices should facilitate accountable, transparent and consistent decision-making based on the legitimate interests of all stakeholders in the approval process.
- supports the introduction of regulations which provide for on-the-spot fines for failure to obtain development approval and/or breach of a condition of development consent.
- opposes any form of third party certification in building regulation subject to the State Government providing detailed information addressing concerns pertaining to implementation, liability, impacts on councils, public participation, etc.

### **Heritage**

Local Government:

- supports the principles of heritage conservation contained in the Burra Charter which establishes a framework for identifying and managing heritage places and objects.
- recognises that councils have a role to play in the conservation of Aboriginal, natural and cultural heritage places and movable items.
- recognises that heritage considerations should form an integral part of social and environmental planning.
- recognises the role of heritage in providing a balance between continuity and change in the local environment and acknowledges that this balance is the hallmark of a rich and productive culture.
- should assist all cultural groups in their local communities in the identification, assessment and on-going management of heritage places in their local area.
- should actively participate with the service providers of professional development short courses in Heritage Management to identify the professional education needs of Local Government and have input into course content and structure.
- believes that councils should adopt a heritage conservation strategy, that applies to all council services and regulatory functions, which provides for the conservation of heritage.

### **Licensed premises**

Greater powers should be given to local councils to regulate the environmental impact of licensed premises through requirements in the licensing laws which provide that all types of liquor licenses/certificates of registration, whether new or existing, undergo an integrated environmental assessment through the development application process pursuant to the Environmental Planning and Assessment Act 1979.

"Licensed Premises Impact Policies" should be developed as environmental protection instruments under applicable licensing laws so that they must be taken into consideration by local councils in the assessment of development applications for late night/early morning licensed premises.

The control of hours for licensed premises should revert to local councils.

Any proposal by the NSW State Government to legislate for the sale of alcohol from service stations should be vehemently objected to.

### **Brothels/disorderly houses**

Local Government's role in the regulation of brothels/disorderly houses should be confined to building and land-use planning matters. Health aspects and other control aspects should be undertaken by the NSW Department of Health, the NSW Police Service and other relevant agencies.

## **ENVIRONMENT**

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.

### **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.

### **Climate change**

Local Government in NSW is committed to understanding the impacts of climate change at the local and regional level, and addressing them in the short, medium and long term.

Local Government in NSW is committed to providing a leadership role to assist local and regional communities, including agriculture and industry, to understand and address the impacts of climate change.

Local Government in NSW is committed to working in partnership with all levels of government, industry and community to develop and implement effective mitigation and adaptation climate change strategies.

Local Government in NSW is committed to utilising current and reputable scientific information, robust risk assessment methodologies and community consultations when developing mitigation and adaptation strategies, establishing priorities and the allocation of resources.

### **Greenhouse, energy conservation**

Local Government:

- 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.
- supports the use and further development of renewable and ecologically sustainable forms of energy and practices that conserve energy and/or increase energy efficiency.
- supports the establishment of energy conservation development control plans.
- 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, insulation and passive solar design of buildings.
- supports the imposition of a carbon tax on industry in accordance with principles of economically sustainable development.
- State, Federal and Local Governments should introduce an energy conservation principles policy and strategy in respect of all government buildings and activities.
- endorses in principle measures to reduce the environmental impact of council fleets

- Councils should 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) that are consistent with best environmental practice
- encourage energy efficient and resource saving design and building practices of residential, commercial and industrial developments
- 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.

## **Waste**

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 material
- in that order of priority.

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.

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 life-cycle 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.

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.

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.

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.

Funding for waste education is critical, and should be restored. 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'.

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

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.

Financial support for self-determined Regional Waste Forums/Groups should extend at least to the funding of core administrative and operational costs.

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

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.

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

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.

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.

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.

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.

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.

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.

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

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.
- supports the concept of Waste Boards taking responsibility for the disposal of waste within their own region.
- opposes the practice of waste incineration except for waste confiscated as quarantine items or through international customs operations.
- 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 licencing 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.

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 licenced by the EPA.

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

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.

### **State of environment reporting**

Local Government supports the concept of coordinated State of Environment reporting at appropriate intervals by Federal, State and Local Governments.

Local Government supports the preparation of State of Environment reports on a regional basis where appropriate

Local Government maintains that information should be freely available between the three spheres of government, for the cost of information transfer only.

State of Environment reports should be used to assist in the development of environmental management plans.

Local Government supports an interval of four years between major SOE reports, with annual updates as necessary

### **Biodiversity**

Local Government supports the conservation of biological diversity.

Councils should develop policies that maximise biodiversity and protect threatened and endangered species and their ecosystems.

Councils should maximise the development and maintenance of habitat corridors

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.

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.

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.

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.

- the rights of private property landholders and leaseholders should not be infringed by land being eligible for wilderness nomination unless the written authority of the landholder or leaseholder is obtained for such nomination.

That legislation seeking to control the collection of firewood on private holdings does not:

- adversely impact grazing activities by allowing fallen timber to build up and thus reduce available land and create a hazard for people and stock, and a harbour for noxious weeds and feral animals
- list the collection of firewood as a key threatening process in terms of environmental planning and assessment legislation.
- in addition, that action is taken by the government to encourage the identification of cleaner, cheaper heating alternatives and does not take away landholders rights to collect firewood for heating purposes.

The Shires Association is supportive of an environmentally sustainable Native timber industry based on the accepted criteria for determining native timber harvesting allocations. (the RFA agreement) Supports trade practices legislation that prevents the imposition of restrictions on commercial trade agreements with industries involved in the Native Timber Industry.

### **Total catchment management**

Local Government supports the management of land and water resources on a water catchment basis.

Local Government supports the activities of the Department of Land and Water Conservation and other catchment management organisations to reduce the level of phosphorus in waterways.

The use of riparian buffer zones is supported as a means of reducing the flow of phosphorus from farming lands into waterways.

Local Government calls on the Department of Local Government to prepare new guidelines allowing councils to raise dedicated funding for improved catchment management.

### **Stormwater**

Local Government believes that stormwater should be managed on a catchment basis.

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.

The community should be educated about the polluting impacts of urban runoff and improper disposal of products.

Councils (in co-operation with State Government) should be given legislative powers to control land use practices which may cause stormwater pollution.

Councils should control sediment, acid run off, and silt from construction sites through conditions on all building and subdivision approvals.

Local Government supports soil conservation and sediment control policies being adopted by councils and by the RTA and other departments.

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.

The Association supports the repair by Sydney Water of sewage infrastructure which is allowing overflow into the stormwater system

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.

## **Pollution**

Local Government supports the minimisation of all forms of pollution.

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.

The Association recognises visual pollution as a form of pollution.

Local Government supports the imposition of on the spot fines for littering.

Local Government supports the preparation of air quality management plans.

Local Government supports measures to minimise air pollution from domestic solid fuel burning appliances.

## **Environmental audits**

Environmental audits of public and private premises are encouraged.

## **Contaminated sites**

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.

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 EPA should retain the role of determining appropriate action on a contaminated site.

The EPA and DUAP should, in consultation with Local Government, develop and update guidelines to assist councils to appropriately manage contaminated land.

## **Noise**

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.

Strategies to curb noise pollution from vehicles are supported.

## **Transport**

An integrated transport system is needed to minimise the adverse health and environmental health effects of private and public transport.

Public transport should be promoted as an alternative to private transport, especially for journeys to and from business centres.

Local Government supports the bicycle as an appropriate form of transport. Federal, State and Local Governments should recognise bicycles as a nonpolluting alternate transport mode through increased provision of cycling facilities.

Councils should encourage the use of bicycles through the provision of local area bicycle maps.

Light rail is supported as an efficient and effective public transport system.

### **Water conservation**

Local Government supports and encourages the conservation of water.

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

Water pricing must encourage the conservation of water.

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

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

### **Tree preservation**

Councils should be encouraged to develop and implement tree preservation orders.

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.

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 AS4373-1996

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.

### **Hazardous chemicals**

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

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

Manufacturers should be responsible for the disposal of chemical containers

That any regulation introduced requiring that keeping of records for pesticide use under the Pesticides Act apply to all users and not just those engaged in commercial activities.

### **Ecologically sustainable development**

The principles of ecologically sustainable development are supported

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

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

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

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.

Improved valuation and pricing of environmental resources

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.

### **Community involvement**

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

### **Enhancing the role of Local Government in natural resource and environmental management**

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.

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 boards.

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

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

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.

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.

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.

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.

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.

## **ROADS AND TRANSPORT**

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### **Road administration**

The road system is a national asset and should be developed and maintained by all three spheres of government, according to their mutually agreed responsibilities.

State and Federal road funding arrangements with Local Government should be predictable, administratively simple and flexible.

Local Government supports a road funding distribution regime with objectives that provide a balance between the need for acknowledging regional development, traffic intensity, and the need to maintain access links for industry and the community to rural and remote areas.

Federal road funding to Local Government should be clearly identified within inter-governmental funding arrangements.

Regional roads should be administered under a shared arrangement with the State Government and Local Government. State Government should not transfer crown roads to a council without the council's consent.

Local Government supports the Pacific Highway being declared as a national highway due to the volume of traffic which it carries.

Local Government supports uniform national vehicle regulation but compensation should be paid by the Federal Government to NSW for any loss of revenue from the introduction of the scheme.

Local Government supports the introduction of the national road rules but only if adequate compensation is provided to help implement the changes, especially with regard to signposting.

Local Government should be fully compensated by the State and Federal Government for damage done to roads by inter and intrastate trucks.

Local Government supports the concept of "Demand Management" in urban areas by restraining traffic growth through certain policies, traffic management, bus priority lanes and car pooling.

However, any policies must fully consider the impacts on social equity and availability of public transport.

### **Road funding**

Local Government is entitled to an equitable share of State and Federal Government road funds for the purposes of developing and maintaining roads and bridges under Local Government control.

To that end, the Association supports additional and significant sums of money to be directed specifically to upgrade rural and regional roads, which are of importance to retaining existing industries and attracting new ones, to standards which meet all RTA Assessment guidelines for B doubles and road trains.

All road-user charges should be expended on road construction, maintenance and management.

The Federal Government should cease using fuel excise for general revenue purposes and return all such revenue raised to the financing of road maintenance and construction.

Local Government asserts its right to an equitable return for local roads from any road-user charge system.

All GST collected in NSW from automotive fuel, oil and rubber products should be hypothecated to road funds.

Councils are entitled to recover from State and Federal Government road funding sources an appropriate portion of the cost of providing road services to non-local traffic, and in meeting the community service obligation of local roads and classified roads under their control.

Local Governments supports the need to have a special funding program aimed specifically at eliminating "Black-spots"

Commonwealth identified road funds provided to the States should be fully allocated for road maintenance and construction.

*Funding for regional roads is a State Responsibility.* The unsatisfactory level of funding for regional roads should be increased by the State Government to a level which recognises the importance of

the regional road network and which allows councils to maintain the roads to a safe and reasonable standard.

Funding for roads should not be reallocated to other transport modes.

Local Government supports the continuation of the 3X3 Program in NSW.

The Federal Government should take more responsibility by providing funding assistance for major bridges at border crossings

Where public non rate-paying authorities carry out major work in a council area that causes damage to roads that Authority is required to pay compensation for such damage. Compensation payable to the Council concerned will recognise obvious surface damage and also make allowance for reduction in pavement life

### **Road safety**

State and Commonwealth Governments should recognise that roads need to be maintained to a high standard if the rate of road accidents is to decline.

Governments at all levels need to ensure motorists are aware of their responsibility to drive vehicles safely.

Local Government supports the reduction of the general urban speed limit from 60 km/h to 50 km/h provided the cost of signage is met by government and the hierarchy of precincts to which it applies is determined by the local traffic committee.

Local Government supports the introduction of integrated road safety management plans into councils.

Local Government supports the use of Local Area Traffic Management schemes where pedestrian and traffic problems exist.

### **Fuel pricing**

Local Government supports efforts to improve competition in the petroleum industry from the wholesaler to the retailer.

Local Government supports some price control at the wholesale level, where competition is limited, through the introduction of terminal gate pricing.

Local Government supports a full review of the petroleum industry by the Australian Competition Commission, focusing particularly on fuel pricing in country areas.

Local Government supports elimination of the Federal environmental levy on fuel in country areas as a means to reducing the price differential between metropolitan and rural areas.

Local Government supports a reduction in Commonwealth fuel excise levies, and the removal of GST on diesel, unleaded petrol and auto gas (to remove the unfair impost of a tax on a tax).

### **Rail**

The country rail network should be preserved and upgraded to attract a greater number of passengers through use of innovative technology.

The State Rail Authority should cease closing branch lines and implement a policy of re-opening previously closed lines and stations.

State Government should not close rail lines due to short term reduction in freight due to seasonal factors.

Local Government considers rail to be the most appropriate form of transport for mass/bulk freight.

Local Government considers that the community service obligation of the rail system should be recognised by governments and the community.

Local Government considers heavy/light rail to be the most appropriate form of transport for major new release areas in the urban development program.

This Association expresses its support for the Inland Rail Bridge Project.

## **Aviation**

State and Commonwealth Governments should provide policies and regulations that allow for provision of air services to country NSW that are safe and accessible.

Local Government supports the continuing access for regional airlines to Kingsford Smith Airport at an equitable landing charge.

Local Government does not support the privatisation of the airports of the Federal Airports Corporation, but if privatisation does occur there must be an undertaking that there will be no more increases in landing fees for regional operators at Kingsford Smith Airport.

Local Government supports the construction of a second airport in NSW to international standard.

The Federal Government should subsidise airports in remote areas as a community service obligation.

## **Urban transport**

Local Government supports the concept of a "best transport option" where no one particular mode of transport is appropriate for all situations.

Local Government supports implementation of an accessible and integrated transport system in conjunction with land use planning to ensure economic development, social cohesion, environmental sustainability and employment growth.

Local Government supports a transitional move towards a pricing regime that adequately reflects the cost, including environmental impacts, of providing the transport service and which clearly identifies the community service obligation.

Local Government supports local environmental plans that give consideration to linking housing and commercial development with interchanges and parking around public transport nodes.

Local Government supports the construction of freight corridors to minimise infiltration of heavy vehicles into local government areas.

Local Government supports the expansion of the mass public transport system, in preference to facilitating commuter vehicle transport, as the only environmentally sustainable alternative to control urban transport growth.

Local Government supports multi-modal ticketing as a priority in urban transport reform and improvements to the integration of different state transport authorities.

Local Government supports an investigation by the Minister for Transport to investigate alternate types of water transport vessels capable of providing public transport to bays (where a customer demand has been established) but because of low water levels cannot be serviced by the River Cat. In view of the significant environmental advantages and the air quality crisis currently facing the community, both State and Commonwealth Governments should fund more detailed research into the use of electric vehicles generally and in particular by government departments, and offer registration fee and taxation incentives to encourage ownership of electric vehicles.

The Commonwealth Government should offer taxation incentives for research into electric vehicles particularly reducing the costs of conversion.

## **Environment**

Local Government supports preservation of remnant vegetation along side roadside corridors.

Local Government supports the need to reduce traffic noise in urban environments. Addressing the issue through Local Government requires the provision of additional resources.

Local Government calls for increased monitoring of car noise and air pollution.

## **Bicycles**

The State and Federal Governments should recognise bicycles as a non-polluting alternate transport mode through improved funding of cycleways.

Local Government supports the bicycle as an appropriate form of transport.

Councils should encourage the use of bicycles through the provision of bicycle facilities, bicycle plans, education, promotion, land-use planning and driver awareness campaigns.

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## **STRUCTURE AND MANAGEMENT**

### **Constitutional and legislative basis of Local Government**

Local Government, individually and jointly through representative bodies, has an independent role in the Australian system of government. This role, and the necessary powers to fulfil it, should be clearly defined and protected.

The Australian and NSW Constitutions should provide for legal recognition of a duly elected system of Local Government as a separate tier of Government in proper recognition and respect for the sovereignty of the people to elect their representatives.

The Local Government system should be based on the democratic principle of election of the governing body from, and by, the community at large.

Voting at Local Government elections should be compulsory for residents.

Local Government elections should be conducted under the preferential system where one or two positions are to be filled. Where more than two positions are to be filled, election should be conducted on the proportional systems. Provided preferential and proportional systems are used as outlined in this policy, Local Government supports uniform voting systems for all three tiers of Government.

There should be no prohibition on the Electoral Commissioner selecting the General Manager or other senior staff from being Returning Officer or Deputy Returning Officer.

There should be a high commonality of electoral systems followed by the three levels of government. A special review committee consisting of the Local Government and Shires Associations, Institute of

Municipal Management, Electoral Office and Department of Local Government should agree upon administrative and other arrangements.

Local Government requires candidates at elections seeking to have the word “independent” shown next to their name on the ballot paper to sign a statutory declaration to the effect that they are not a member of a party registered in the Local Government Register of Political Parties.

Any review and change in council boundaries should occur on the basis of co-operation between affected councils and by/with the agreement of councils concerned.

Priority should be given to the economic and social impact on rural based Local Government areas in accordance with guidelines contained in rural impact statements.

In relation to structural reform of local government, there should be an agenda and a timeframe for a structural reform process within local government, which involves roles and responsibilities to service our communities; provides adequate funding and a suitable structure to meet those needs; and development of an equitable partnership agreement between local government and the state government which recognises the responsibilities, financial arrangements, communities of interest of local government, including effective service delivery; and further, that the Shires Association support those councils targeted for structural reform and urgently request the Premier to:

- Table the government’s plan or program for structural reform of local government
- Write to each council outlining the government’s commitment to structural reform of local government
- Implement a democratic and truly independent community consultation process involving all local government and communities of NSW to ensure the entire process has support credibility and integrity
- Provide a program of financial incentives and support to those affected councils similar to the South Australian model to encourage participation and ensure there are no penalties for reform.

### **Conduct**

Council affairs should be conducted with efficiency, honesty, impartiality and integrity. Service to the public will be foremost and elected members and staff shall act properly and in accordance with the law and appropriate codes of behaviour. Members are encouraged to stringently observe the requirements of a councils’ Code of Conduct.

### **Dismissal of councils**

No council should be dismissed without a prior full public inquiry.

The report of the inquiry should be made public.

A council should not be dismissed unless the report of the inquiry recommends dismissal.

An election should be held within three months of dismissal of council.

### **Local Government management**

Local Government should be responsive and efficient in the provision of services to the community.

Performance reporting, incorporating local government management performance indicators, should primarily be to provide feedback to individual councils and to permit improved community reporting, rather than comparisons between individual councils or summary reports of council performance and not be used as a basis for determining grants funding.

Council costs should be comparable with private-sector providers, and contractors may be used at council discretion where significant net advantages to council and community are obtained.

Local Government should develop and maintain appropriate systems and technology to permit high-level efficiency and effectiveness.

Local Government should develop effective financial management systems consistent with the practical application of Australian accounting standards.

The voluntary establishment of regional organisations of councils is supported as a mechanism for promoting closer co-operation between councils at a regional level.

Planning, training and development of human resources should be pursued as a priority.

Local Government recognises that the skill and knowledge of elected members is a critical factor in developing more efficient and effective Local Government.

Planned training and development of the resource should be pursued as a priority organisation development strategy. Comprehensive training on environmental issues should be undertaken as a priority.

### **County councils**

Having regard to contempt shown by the Government in refusing to consult Local Government about abolition of electricity county councils, the Associations take every opportunity to prevent the Government from taking similar preemptive action without consultation on other functional areas of Local Government.

### **General**

State Government should introduce legislation to prohibit and increase fines for bill posting on telegraph poles and other community property, placing of "A" frame advertisements on public land, use of trailers and other vehicles as defacto bill boards and standing of vehicles for sale on public roads.

The Act should be amended to allow councils to take legal action against the beneficiary/ies of unauthorised signs and advertising where instructions of a council officer have not been complied with.

### **Women in Local Government**

In consultation with appropriate stakeholders, the Shires Association of NSW and its member councils

- encourage women to stand for Local Government elections
- encourage women in Local Government to nominate for external representation.

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## **WATER MANAGEMENT**

### **General principles**

Local Government is the primary provider of water supply and sewerage services in regional New South Wales.

In order to most closely reflect community demands and expectations for the provision of healthy, high quality, environmentally responsible, and efficiently managed local services, Local Government must retain responsibility for the provision of water supply and sewerage services outside the service areas of Sydney and Hunter Water Corporations, with adequate funding from other spheres of government recognising that the benefits gained from these services apply to the entire community.

Local Government acknowledges that water is a scarce resource that must be carefully managed on a catchment basis, in partnership with the other levels of government, and in consultation with the community and essential stakeholders. To this end, Local Government must be represented on all

government boards and peak committees established to develop and implement policies in this area, with representation arranged through the Association where this is appropriate.

Further, to maintain precious water resources for sustained use and the protection of aquatic ecosystems, Local Government supports:

- (a) the setting of realistic water quality and river flow objectives; and
- (b) the development of innovative, cost-effective water collection, recycling and reuse schemes.

Local Government opposes load-based pollution licensing principles as they are currently proposed insofar as they apply to council sewerage undertakings.

Local Government supports the principle of transparent, cost-reflective pricing for provision of water services, on the basis that this provides governments with information on which to base subsidy payments and meet community service obligations.

### **Integrated Water Cycle Management**

The IWCM planning process is primarily developed, managed and implemented by councils and council owned water utilities.

IWCM is a tool by which council owned water utilities can manage local water systems in harmony with regional water systems, aiming to maximise benefits to the community and the environment.

IWCM involves integrating the planning and management of water supply, sewerage and stormwater functions to ensure that water is used optimally for urban development within the catchments and national water quality objectives are met. Principles of IWCM could be equally applied at a local, regional, state and national level.

The integration of these systems should examine, and where appropriate incorporate, the impact of other roles and functions councils are responsible, for such as: roads, public health, urban land use planning and subdivision design, floodplain management, tradewaste, environmental protection and management of open space.

Importantly, defining clear outcomes via achievable strategies and applying sound financial analysis are critical to IWCM success. The IWCM process is based on the principles of triple bottom line analysis which should balance social, environmental and economic considerations.

While the focus must remain on the water utility, it emphasises the linkages between these roles and functions and the relationship between the urban water cycle and catchment planning. (It needs to be acknowledged that on a broader scale while councils can actively develop local IWCM plans the plan outcomes may appear to be relatively minor if these do not feed the development of a broader IWCM catchment plan or if they identify issues that lie outside the jurisdiction of councils.)

IWCM takes into account, where appropriate, the broad policy directions of the state and national water reform process.

For IWCM outcomes to be reflected in council business they need to be incorporated into Council Management Plans, the specific water, sewerage and stormwater strategic business plans, State of the Environment and Condition of Public Works reporting and relevant landuse planning policies. IWCM, however, cannot be implemented in isolation. It must involve key government agencies.

IWCM's success is dependent on a close working relationship between local government and state government. Advice and input are required from all relevant State government agencies, including but not exclusively limited to the Department of Energy, Utilities and Sustainability, Department of Environment and Conservation, Department of Infrastructure, Planning and Natural Resources, Department of Primary Industries, Department of Health and Catchment Management Authorities. It

is imperative that the structure of state government agencies, policies and funding programs are designed to promote this integrated approach.

### **IWCM is a flexible process**

In recognition that water management issues vary from region to region, it is imperative that the IWCM process is designed to reflect the current and future water management issues of concern, takes into account past management practices and current research planning and the resources of the local councils available to develop and implement the process.

The IWCM strategy should provide the basis for utilities to implement integrated water cycle management principles, which may include further analysis to better define areas of importance or concern.

The IWCM plan must be a living document that requires review to ensure changes over time are taken into consideration.

### **IWCM requires a long term commitment**

IWCM outcomes recognise good holistic work practices that have long been adopted by councils that reflect good environmental and social outcomes. It also identifies situations that simply require the redesign of local and regional water management and work practices. In other instances the process seeks a commitment to significant changes in infrastructure delivery that require long lead time and significant financial and staff resources.

IWCM recognises realistic implementation timeframes. For long term planning to be realised, realistic timeframes are needed to ensure that IWCM principles are incorporated into the planning cycles of council business strategies State and national government policies are reconfigured to promote IWCM principles at a State and local level and ensure the principles are reflected in corresponding funding programs, and large scale local and regional infrastructure priorities are reconfigured to reflect the IWCM principles.

## **Specific issues**

### **Water supply and sewerage infrastructure**

The Association in recognising that Local Government is the major owner and operator of this important infrastructure in regional and rural NSW:

- (a) gives priority to the development of water and sewerage policy and the pursuit of the Local Government interests in these matters;
- (b) strongly defends continued ownership and control of water supply and sewerage assets by Local Government; and
- (c) assertively represents the interest of councils in water related issues and continues to provide information and advice to councils.

### **Country Towns Water Supply Sewerage and Drainage Program**

A robust Country Town Water Supply Sewerage and Drainage Program is essential to the development and maintenance of Local Government water and sewerage operations in rural NSW. It is essential the program

- has its funding fully restored to ensure it is completed within the original timeframe
- is administered in an accountable manner to ensure service providers certainty in the level of subsidy likely to be made available and to improve transparency
- continues to support the most appropriate low cost solutions, as provided under the Sewerage for Small Communities program.

Resources for backlog water and sewerage management programs within the catchments of the Sydney and Hunter Corporations

The adequate funding of the early provision of modern reticulated water and sewerage systems to all urban properties and the management of backlog programs, to address sewerage overflows and stormwater management, is essential due to

- high priority public health issues;
- significant government environmental concerns; and
- issues whose improvement benefits the whole community.

The Sydney and Hunter Corporations should undertake this commitment, as a minimum, to customers within their catchment.

### **Sewage management**

All options for sewage management should be evaluated on a case-by-case basis and include the discharge of sewage effluent to oceans, rivers and estuaries, dunes, artificial wetlands, and other land-based applications where appropriate.

Criteria used in assessing sewage management options should include those that relate to:

- minimising health risk;
- optimising the benefits and costs; and
- assisting in ecologically sustainable developments that meet community derived water quality and river flow objectives.

To assist in promoting innovative solutions, the performance outcomes expected of each sewage management option should be identified and used as the principal objective, rather than imposing the process requirement of always having to meet prescribed technical water quality criteria. Assessment of sewage management options should include an evaluation of the impact that treated sewage discharges have on the receiving environment, including the positive benefits appropriately treated discharges can contribute to ecological, social and economic flow requirements. Increasing re-use, including potable re-use in the longer term, should be incorporated into the evaluation of sewage management options.

### **Load-based licensing**

The Association opposes the manner in which load-based pollution licensing has been implemented for sewerage treatment plants and other industrial discharges, and strongly urge the reform of this legislation.

### **Re-use of sewage effluent**

The Association believes that wastewater should be considered a resource for suitable purposes; and

- strategic action is required to decrease reliance on the ocean for the discharge of treated wastewater;
- an investigation should be carried out into the feasibility and validity of redirecting treated wastewater from Sydney Water Corporation's existing sewage treatment plants to their water supply catchments.
- the State Government should urgently fund a study into the options for urban re-use of sewage effluent, which includes an assessment of liability considerations.

The Association supports the introduction of volumetric credit arrangements for council sewerage systems discharging high quality effluent into rivers where land-based effluent disposal is not feasible.

Managed flows into streams throughout NSW should not be ceased, without first consulting with and obtaining the agreement of those affected and having carried out an effective socio-economic impact study into the State Government's water reforms.

## **On-site sewage management**

The Association

- supports initiatives to minimise pollution from septic systems
- seeks the adequate resourcing by state government of councils to implement local initiatives
- seeks a review of the impacts of the licensing requirements of on-site sewage management systems and develop, in collaboration with Local Government,
- supports the development of a range of financial assistance mechanisms to assist property owners in upgrading outdated systems or to connect to existing urban infrastructure.

Legislation should ensure that registration and inspection charges of on-site sewage management are treated in the same manner as sewerage rates, i.e. they are charged on the land and therefore subject to the Pension Rate Rebate Scheme.

## **Stormwater**

Local Government believes that stormwater should be managed on a water catchment basis, and in partnership with other spheres of government, should have legislative power to control: land-use practices which may cause stormwater pollution; and other practices whereby stormwater is contaminated by sewage.

The Association deplores the continued lack of adequate funding for stormwater infrastructure upgrading in the inner west of Sydney, given that the State Government's commitment to pursue urban consolidation policies will generate increased volumes of stormwater.

## **Healthy Rivers**

The Association supports the State Government's Healthy Rivers initiatives and believe that adequate resources should be provided to Local Government to fully fund the implementation of any strategies to improve water quality, under these initiatives.

Local Government supports any actions being taken to reduce nutrients in waterways, including phosphorus awareness campaigns and the use of vegetated buffer zones adjacent rivers and streams, as a means of reducing the flow of non-naturally occurring pollutants into waterways.

## **Representation**

The State Government should immediately allow for directly elected Local Government representation on the Boards of Sydney and Hunter Water Corporations.

## **Flooding and floodplain management**

The Association believes that both State and Federal Governments should provide adequate funding for flood mitigation within metropolitan and non-metropolitan areas.

## **Water storage dams**

Where feasibility studies indicate regional economic development necessitates an increase in water storage capacity the Association seeks the lifting of the State Government embargo on the construction of water storage dams.

## **Sydney Water charges**

The Association seeks the restoration of community service obligation treatment of Council swimming pools and similar public services.

In particular, the Association rejects Sydney Water Corporation's introduction of commercial charging arrangements and calls on the State Government to direct Sydney Water to undertake full consultation before amending any charges.

In the event that these charges are not repealed, the Association give notice of their examination of the scope and introduction of full reciprocal charging arrangements for Corporation properties.

### **Water reforms**

The Association seek a clear commitment from the State Government to the proper harnessing of the water reform agenda to ensure that environmental concerns are balanced with the social and economic needs inherent to the river valleys throughout NSW.

The Association requests the NSW State Government, to undertake an effective socio-economic impact study of the water reforms

The Association supports the principle of water property rights.

The Association calls on the Minister for Natural Resources to revise the methodology for providing water allocations within river valleys and in doing so, adequately account for drought declaration.

The Association endorses proposals to accord town water entitlements the highest security, but believes that growth factors in entitlements should reflect actual and anticipated growth patterns being experienced and planned for in each community. This growth factor should include water for industrial development purposes. Further, the Association calls for communities in border areas of the State to not be disadvantaged in attracting industry due to less restrictive water allocation practices interstate.

The Association give qualified support to water trading and recognise the value of temporary trading as an alternative source of income to primary producers. The Association believes that for permanent trading to be introduced, the Government must introduce a system so that its economic and social consequences on individual communities can be determined and addressed according to the Government's regional development policies, prior to trading being approved.

In particular, the Association is concerned that over time, market valuations in areas subject to water export through trading will decline and that diminished land valuations will affect the ability of councils to raise sufficient rate revenue to fund a basic level of service to regional communities. The Association therefore, seeks a commitment from the State Government, that the impact of water trading on land valuations be monitored, and that measures be implemented to ensure that council services be funded and maintained at agreed minimum service levels.

The Association seeks a commitment from the Minister for Land and Water Conservation that, in light of the introduction of the water cap for the Murray Darling system, the State Government will examine the present and proposed arrangements for water allocations and charging, and that concurrent with charging for water use, the Government will consider paying for water production.

The Association believes that compensation should be paid to the holders of existing water entitlements who have those entitlements altered or restricted by the Government's water reforms.