



2011 LGA Late Conference Motions

Late motions and an addendum to the Business paper is available in Attachment A of this edition of the LG Weekly.

Passing of Cr Janet Hayes, Vice President, Shires Association of NSW

The Shires Association of NSW and the Local Government Association of NSW are deeply saddened to advise of the passing of colleague and friend, Cr Janet Hayes yesterday evening (Thursday 13 October 2011) following health complications.

LGSA website survey

The LGSA is currently reviewing its website, and has sent an important survey to all NSW General Managers, Mayors, and Councillors to be completed by 10am on Monday 24 October.

Local Government Association of NSW and the Shires Association of NSW

tel: 02 9242 4000
fax: 02 9242 4111
email: lgsa@lgsa.org.au
website: www.lgsa.org.au
GPO Box 7003 Sydney 2001
Level 8, 28 Margaret St
Sydney NSW 2000

Email subscription

Subscribe to receive the Local Government Weekly and media releases directly by email on the LGSA website at: www.lgsa.org.au/subscribe

Conferences and Events

Item 1: Upcoming conferences and events

View upcoming conferences and events relevant to Local Government

General Interest

Item 2: Passing of Cr Janet Hayes, Vice President, Shires Association of NSW

The Shires Association of NSW and the Local Government Association of NSW are deeply saddened to advise of the passing of colleague and friend, Cr Janet Hayes yesterday evening (Thursday 13 October 2011) following health complications.

Item 3: Local Government Events Network meeting

The Local Government (LG) Events Network invites you to attend the next meeting, jointly hosted by the LGSA and Blacktown City Council.

Item 4: EOI for the LGSA Tourism Conference 2012

The LGSA is inviting Expressions of Interest (EOI) from councils and industry wishing to provide speakers to present case studies relating to the program and theme - '*Check in or Check Out!*' *Does your service meet your customer's expectations?*

Item 5: Tourism Trends survey – Attention: General Managers

The LGSA is supporting a student from UTS, Neisha Turner, with a paper on Tourism Trends in Local Government. A questionnaire has been sent to member councils in order to collate the information for the paper.

Item 6: LGSA website survey

The LGSA is currently reviewing our website, and has sent an important survey to all NSW General Managers, Mayors, and Councillors to be completed by 10am on Monday 24 October.

Item 7: Public Interest Disclosures training for Local Government

In NSW, changes to Public Interest Disclosures (PID) legislation, policies and procedures are intended to encourage and ease the pathway for public officials to report wrongdoing.

Community

Item 8: Child-Friendly by Design Resource Toolkit

The NSW Commission of Children and Young People and NSW Health have funded a series of regional workshops to promote the Child-Friendly by Design Resource Toolkit across NSW.

Item 9: Squalor and Hoarding Conference

Registrations for the *Pathways Through The Maze* – National Hoarding and Squalor Conference 2012 are now open.

Item 10: Supported accommodation innovation fund (SAIF)

The Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA) is urging applicants to the Supported Accommodation Fund (SAIF) to speak with their State or Territory Government contact ASAP.

Economic

Item 10: Productivity Commission Review of Local Government & Business Regulation – Consultations at LGA Conference

Two staff from the Productivity Commission will be attending the LGA Annual Conference in Nowra to meet with Mayors and General Managers.

Environment

Item 11: Behaviour Change for Sustainability National Congress 2011

Behaviour Change for Sustainability National Congress 2011 is presented in partnership with the NSW Office of Environment & Heritage.

Item 12: Roundtable on Impact of Carbon Price on Local Government: 28 October 2011, Tamworth

The Australian Government is holding a number of roundtables with Local Governments to provide an overview of the carbon price and the opportunities available. These meetings are being held during late October and early November.

Learning

Item 13: Heritage Short Course for Local Government Development Approvals: The Heritage Perspective

Local Government Learning Solutions offers regional areas the opportunity to attend this short course at a special subsidised price made possible with the assistance of the Office of Environment and Heritage and the Heritage Council.

Item 14: In-House Training - Work Health and Safety (WHS) – various workshops

Learning Solutions is pleased to offer councils a variety of workshops on WHS to ensure you are prepared for the 1 January 2012 changes and beyond.

Item 15: Local Government Reform Funding – Free Long Term Financial Planning eLearning program

Our item in last week's LG Weekly neglected to give you the security code for logging into the eLearning program.

Item 16: Verbal Judo for Contact Professionals

Local Government Learning Solutions is offering this practical program to help staff deal with hostile people.

Item 17: Writing Skills Training – October to November 2011

Learning Solutions is offering a range of skills workshops to make writing more productive and less stressful.

Procurement

Item 18: Local Government Procurement Annual Conference

Planning

Item 19: NSW Planning System Review – Consultations continue around the State

Former NSW Environment Minister, Tim Moore and former NSW Public Works Minister, Ron Dyer continue their two-month 'listening tour' across NSW as part of the NSW Government's planning system review.

Item 20: Planning Act Review Panel - Consultations at LGA Conference

The Co-Chairs of the Planning System Review Panel, Tim Moore and Ron Dyer, will be attending the LGA Annual Conference in Nowra to meet with Mayors and General Managers.

Water

Item 21: Draft Public Health Regulation 2011 Consultation - Webinars

NSW Health is undertaking webinars for non-metropolitan councils that have drinking water supply responsibilities in the draft *Public Health Regulation (NSW) 2011*.

Item 22: Program for Advancing Sustainability Leaders

A reminder to councils in Sydney Water's and Sydney Catchment Authority's operating areas that applications for the Advancing Sustainability Leaders program are closing soon.

In the News

Item 23: Media from the LGSA

View the latest media releases distributed by the LGSA

Conferences and Events

Item 1: Upcoming conferences and events

View upcoming conferences and events relevant to Local Government

Local Government Events Network meeting

The Local Government (LG) Events Network invites you to attend the next meeting, jointly hosted by the LGSA and Blacktown City Council.

EOI for the LGSA Tourism Conference 2012

The LGSA is inviting Expressions of Interest (EOI) from councils and industry wishing to provide speakers to present case studies relating to the program and theme - '*Check in or Check Out!*' *Does your service meet your customer's expectations?*

Squalor and Hoarding Conference

Registrations for the *Pathways Through The Maze* – National Hoarding and Squalor Conference 2012 are now open.

Productivity Commission Review of Local Government & Business Regulation – Consultations at LGA Conference

Two staff from the Productivity Commission will be attending the LGA Annual Conference in Nowra to meet with Mayors and General Managers.

Behaviour Change for Sustainability National Congress 2011

Behaviour Change for Sustainability National Congress 2011 is presented in partnership with the NSW Office of Environment & Heritage.

Roundtable on Impact of Carbon Price on Local Government: 28 October 2011, Tamworth

The Australian Government is holding a number of roundtables with Local Governments to provide an overview of the carbon price and the opportunities available. These meetings are being held during late October and early November.

Planning Act Review Panel - Consultations at LGA Conference

The Co-Chairs of the Planning System Review Panel, Tim Moore and Ron Dyer, will be attending the LGA Annual Conference in Nowra to meet with Mayors and General Managers.

Draft Public Health Regulation 2011 Consultation - Webinars

NSW Health is undertaking webinars for non-metropolitan councils that have drinking water supply responsibilities in the draft *Public Health Regulation (NSW) 2011*.

[| Top |](#)

General Interest

Item 2: Passing of Cr Janet Hayes, Vice President, Shires Association of NSW

The Shires Association of NSW and the Local Government Association of NSW are deeply saddened to advise of the passing of colleague and friend, Cr Janet Hayes yesterday evening (Thursday 13 October 2011) following health complications.

Cr Janet Hayes, biography
<http://www.lgsa.org.au/www/html/1536-executive-profiles.asp#anchor1535>

Ref: 00/0039-10 MG

Cr Hayes was passionate about Local Government and was very well-respected and dedicated in her role as Vice President of the Shires Association of NSW, Chair of the A Division of councils, and as a councillor and former mayor of Kempsey Shire Council.

She will be dearly missed by all of Local Government in NSW, and the thoughts of the LGSA Executive, members and staff are with her family and community during this sad time.

| Top |

General Interest

Item 3: Local Government Events Network meeting

The Local Government (LG) Events Network invites you to attend the next meeting, jointly hosted by the LGSA and Blacktown City Council.

'Kicking Goals' is the name of the day, and it's not all about sports; it's about the successes achieved by council in a variety of areas. We have planned some topical and informative sessions including a tour of the newly built AFL Cricket precinct, with Gavin Robertson, Corporate Partnerships Executive, Greater Western Sydney Giants.

Gavin will also inform attendees on 'how to attract a sporting group to your city'. This question and more will be answered at this month's meeting!

Other program topics will include:

- **Alcohol Free Events, Australia Day Case Study, Superintendent Wayne Cox** - Mount Druitt Police.
- **Social Networking for Events** - Blacktown City Council - PR Department.
- **Sustainable Events update on working policy** – BCC Peter Filmer, Manager Communication, Events & Industry Liaison, Blacktown.
- **Australia Day Ambassadors - How to make them work for you.** Tina Baines Principal Project Officer Community Initiatives Branch, Community Engagement and Events, Premiers Department.

This will be a great opportunity to catch up with other Events Officers in the sector, so don't miss out!

Join the network

Whether you're in events, marketing, communications, in the Mayor's office or the library - if you're involved in organising council events – then this network is for you! Visit the website and sign up to become a member.

Only Local Government employees in NSW are able to become members. You will have access to members only pages, be able to sign up to attend events, receive updates on industry news and have the opportunity to speak directly with other members in the Events Network Forum.



Event Network Meeting

Monday 7 November
AFL Function Room, Blacktown
International Sports Park,
Eastern Rd, Rooty Hill

RSVP

Thursday 3 November

Program

<http://eventsnetwork.lgsa.org.au/content/events>

Cost

Free for NSW LG staff
Includes morning tea & lunch

Events Network website

eventsnetwork.lgsa.org.au

Further information

Jann Hing
LGSA Events Coordinator
02 9242 4031
jann.hing@lgsa.org.au

Ref: R11/0021 JH

[| Top |](#)

General Interest

Item 4: EOI for the LGSA Tourism Conference 2012

The LGSA is inviting Expressions of Interest (EOI) from councils and industry wishing to provide speakers to present case studies relating to the program and theme - *'Check in or Check Out!' Does your service meet your customer's expectations?*

The Conference is presented in conjunction with Destination New South Wales, industry partners and sponsors.

Participants will hear from representatives of the four taskforce areas established as part of the State Government's new tourism strategy: Local Government, Planning and Investment, National Parks (Nature Tourism), and Education.

Draft program of topics:

- Integrating tourism into council Community Strategic Plans (Local Government).
- National Parks development of and product (nature).
- Indigenous tourism development of and products (nature and education).
- Ecotourism, caravan and camping, sustainability issues, road tourism (nature, planning and investment).
- Sports tourism including beach and surf tourism, cruising markets (all strategies).
- The international student market, backpackers markets and youth markets (education).
- Attracting accessible markets and aging populations (planning and investment).
- The growth of the museums and galleries markets and cultural tourism (education, investment and planning).

The program will aim to showcase examples of councils who have successfully developed the listed topic areas and who have in fact 'exceeded your visitor's expectations' or who have had problems in doing so. We are also looking for great examples of 'Innovation in Tourism' for a special highlights section of the program.

E.O.I Deadline

A short outline of your proposed topic or presentation must be sent to Meg Fisher (see below) by Monday 7 November

Conference Dates

Monday 12 – Wednesday 14
March 2012

Host

Gunnedah Shire Council

Website

www.tourismconference.lgsa.org.au

Further Information

Meg Fisher
LGSA Events Manager
02 9242 4044
meg.fisher@lgsa.org.au

Ref: R10/0002 JH

[| Top |](#)

General Interest

Item 5: Tourism Trends survey – Attention: General Managers

The LGSA is supporting a student from UTS, Neisha Turner, with a paper on Tourism Trends in Local Government. A questionnaire has been sent to member councils in order to collate the information for the paper.

As part of the course, Neisha is undertaking a research project on behalf of the LGSA. The aim is to gain an understanding of tourism participation within Local Government. The information from this survey will be used to provide guidance and support for councils within NSW. Results of this survey will be made available to any council upon request, and will be presented at the LGSA Tourism Conference 2012 in Gunnedah Shire Council.

For the purpose of this study, tourism participation refers to individual councils actively promoting local tourism and using council resources to grow and/or maintain tourism within the council area.

Due to the nature of the information required, the council staff member most responsible for tourism or an appropriate staff member with detailed knowledge should complete this questionnaire. The questionnaire will take approximately 15 minutes to complete.

If you wish to participate and have not as yet received the email, please see the fact box above for the website.

Thank you in advance for taking the time to complete it.

Online Information

http://utsbusiness.qualtrics.com/SE/?SID=SV_5oNVgxz50kw4Ndq

Contact

Tony Griffin
Senior Lecturer
UTS Business School
University of Technology, Sydney
02 9514 5103

Ref: R10/0002

[| Top |](#)

General Interest

Item 6: LGSA website survey

The LGSA is currently reviewing its website, and has sent an important survey to all NSW Mayors, Councilors and General Managers to be completed by 10am on Monday 24 October.

Your input is valuable to us, and we would be grateful if you could please spend ten minutes completing the survey.

If you are a Mayor, Councillor or General Manager and did not receive an email about the survey, please click on the link below and complete it.

<http://www.surveymonkey.com/s/LGSAWebSurvey>

Thank you for your time in advance.

Survey Due

10am, Monday 24 October

Survey

<http://www.surveymonkey.com/s/LGSAWebSurvey>

Contact

Loren Plummer

LGSA Communications Team

02 9242 4061

loren.plummer@lgsa.org.au

Ref: R90/1050-01 LP

[| Top |](#)

General Interest

Item 7: Public Interest Disclosures training for Local Government

In NSW, changes to Public Interest Disclosures (PID) legislation, policies and procedures are intended to encourage and ease the pathway for public officials to report wrongdoing.

It is important that Local Government staff, managers and councillors are aware of what they can report, who is involved in the disclosure process and how disclosures are managed.

The NSW Ombudsman is providing **free** half-day training sessions for Local Government, which we can provide in-house or at a location convenient to you.

What are the benefits of PID training to your organisation?

- Promotes awareness of the importance of Public Interest Disclosures.
- Helps to promote a positive reporting environment, by providing strategies for supporting and protecting staff who report wrongdoing.
- Helps compliance with the requirements of the *Public Interest Disclosures Act 1994*.
- Helps you manage your public interest disclosures effectively.

Who should attend PID training?

Councillors, staff, managers and staff with PID responsibilities should attend PID training. We can also tailor our training sessions to meet your organisation's training needs.

What does the PID training session cover?

PID training provides an overview of the public sector organisation's responsibilities under the *Public Interest Disclosures Act 1994* and the roles and responsibilities of parties involved in disclosures.

Participants will:

- Explore the what, why, who and how of disclosures.
- Examine your organisation's obligations regarding confidentiality and protection of staff who make disclosures.
- Gain knowledge of the parties involved in the disclosure and managing their expectations.
- Gain insight into the role and responsibilities of your staff with PID responsibilities, such as your Disclosure Co-ordinator and Disclosure Officers.
- Clarify the responsibilities of your organisation and the Ombudsman in relation to PID.

Training bookings

www.ombo.nsw.gov.au/training/workshops/onlineregform.asp.

PID e-news

To receive the NSW Ombudsman PID e-news, please email 'subscribe' with your contact details to: pid@ombo.nsw.gov.au

NSW Ombudsman website

www.ombo.nsw.gov.au/aboutus/PublicInterestDisclosures.html.

Ref: R94/0022

[| Top |](#)

Community

Item 8: Child-Friendly by Design Resource Toolkit

The NSW Commission of Children and Young People and NSW Health have funded a series of regional workshops to promote the Child-Friendly by Design Resource Toolkit across NSW.

The workshops take a practical approach to turning the theory of child-friendly places into the practice of making places child-friendly at a Local Government level.

A range of tools, strategies and working examples of designing child-friendly places will be presented, together with suggestions for working with children and young people, Local Government and professionals such as planners and designers.

Workshops will be presented by the Child-Friendly by Design (CFbD) expert team:

- Deb Langridge, CFbD Project Coordinator and co-author of the CFbD Resource Toolkit.
- Assoc Prof Geoff Woolcock, CFbD Consultant and co-author of the CFbD Resource Toolkit, Child Friendly Communities Researcher at Griffith University's Urban Research Program.
- Prue Walsh, International Play Expert and Consultant to the CFbD Project.

The workshops are supported by the Division of Local Government – Department of Premier & Cabinet, Premier's Council for Active Living (PCAL), Healthy Cities Illawarra – CFbD Project, Department of Planning & Infrastructure and the LGSA.

Workshop Details

Western Sydney - Tuesday 18 October

Riverina Murray - Tuesday 22 November

Far South Coast NSW - Thursday 24 November

Far North Coast NSW - TBA

Online information

<http://www.kids.nsw.gov.au/kids/ourwork/builtenvironment/Child-friendly%20by%20design%20workshops.cfm#ixzz1aQxCJvVO>

Ref: R90/1182 MB

[| Top |](#)

Community

Item 9: Squalor and Hoarding Conference

Registrations for the *Pathways Through The Maze – National Hoarding and Squalor Conference 2012* are now open.

The Conference is designed to attract delegates from a range of fields including mental health, community services, health, aged care, social work, emergency services, Local, State and Commonwealth Government, and academia. The Conference is open to anyone who would like to learn more about the issues of hoarding and squalor and who want to see some action for fundamental long term assistance for this client group are welcome to attend.

The purpose of the Conference is to identify priorities for action and the broad issues which will be covered throughout the two days are:

- Ethics and Media.
- Funding for Services.
- Improving Collaboration.
- Law Reform.
- OH&S.
- Principles & Practicalities of Intervention.
- Research Agenda.
- Workforce & Professional Development.

Conference dates

Tuesday 21 – Wednesday 22
February 2012

Early Bird Registration close

Friday 28 October

Abstract Submissions close

Monday 31 October

Online information

info@hoardingsqualorconference.com.au

www.catholiccommunityservices.com.au

Contact

Johanna Stewart
Conference Coordinator
Catholic Community Services,
NSW/ACT
02 8306 2900
nationalsqualorconference@chcs.com.au

Ref: R90/0127 MK

[| Top |](#)

Community

Item 10: Supported accommodation innovation fund (SAIF)

The Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA) is urging applicants to the Supported Accommodation Fund (SAIF) to speak with their State or Territory Government contact ASAP.

The SAIF initiative is open to eligible organisations seeking capital grants to build innovative supported accommodation or respite places for people with disability.

State and Territory Governments will require sufficient time to consider and prioritise projects for endorsement, as well as requests for ongoing support funding. Applicants must have their project endorsed by the appropriate State or Territory Government prior to submitting an application to FaHCSIA. FaHCSIA is aware some States/Territories have already set dates by which SAIF applicants are required to submit a request for endorsement or ongoing support funding.

In NSW, Ageing, Disability and Home Care (ADHC) currently purchases accommodation support services through a pre-qualified panel (PQP) of approved accommodation service providers. ADHC will be conducting a refresh and reopening of the current PQP. Enquires about the refresh and reopen of the PQP for accommodation support services should be directed to ADHC.

Applications close
Friday 20 January 2012

Online information
<http://saif.govspace.gov.au/>

Application forms
<http://www.fahcsia.gov.au/sa/disability/funding/saif/Pages/default.aspx>

Contact
Katrina Armstrong
02 9277 5609
katrina.armstrong@fac.s.nsw.gov.au

Ref: R96/0126 MK

[| Top |](#)

Economic

Item 10: Productivity Commission Review of Local Government & Business Regulation – Consultations at LGA Conference

Two staff from the Productivity Commission will be attending the LGA Annual Conference in Nowra to meet with Mayors and General Managers.

The Productivity Commission is currently examining the nature and extent of Local Government regulatory responsibilities which impact on business costs.

The Commission is seeking input from councils and is interested in your views on matters such as:

- The extent to which Local Government implements state policies versus developing their own laws.
- What would indicate good practice for business regulation?
- What influences the ability of Local Governments to implement regulations (such guidance material from the state, resources, skilled staff)?

All regulations which impact on business are under reference, although under its ongoing benchmarking of business regulation the Commission has recently reviewed food safety and planning, zoning and development assessments. While new issues relating to these two areas will be addressed, we are particularly interested in your views on all other regulation which affects business and Local Government's role in administering it.

The Productivity Commission issues paper for the study on Business Regulation Benchmarking: Role of Local Government was released on Tuesday 6 September 2011. Submissions are to be lodged by Monday 31 October 2011.

The Productivity Commission (PC) staff attending the LGA conference will be Rosalyn Bell (02 6240 3308) and Troy Podbury (02 6240 3257). Please feel free to contact them to discuss the project or to organise to meet with them during the Conference. You may also arrange to meet with them by visiting the LGA Information Stand in the Conference trade display area.

LGA Conference consultations
Monday 24 October

Closing Date for submissions
Monday 31 October

Online information

<http://www.pc.gov.au/projects/study/regulationbenchmarking/localgov>

PC Contacts

Rosalyn Bell
02 6240 3308

Troy Podbury
02 6240 3257

LGSA Contact

Shaun McBride
02 9242 4072
shaun.mcbride@lgsa.org.au

Ref: R93/0128-14 smcb

[| Top |](#)

Environment

Item 11: Behaviour Change for Sustainability National Congress 2011

Behaviour Change for Sustainability National Congress 2011 is presented in partnership with the NSW Office of Environment & Heritage.

This Congress will:

- Bring together a diverse range of thinkers, researchers and practitioners.
- Explore complex issues around behaviour change.
- Use a careful blend of traditional and innovative facilitation techniques.
- Inform and inspire you to come up with agile solutions to complex problems.
- Maximise on the knowledge, ideas and experience of all congress delegates.

Everyone will be actively involved throughout these two days of knowledge sharing, guided by Lead Facilitator Geoff Brown and members of our Behaviour Change for Sustainability Active Learning Program.

Key Speakers:

- Professor Garry Egger, author of Planet Obesity: How we are eating ourselves and our planet to death and Director of the Centre for Health Promotion and Research.
- Ed Gillespie, Co-Founder, Futerra (UK), via video.
- Tom Crompton, Change Strategist, WWF (UK), via video and author of Common Cause.
- Ian Lowe, President, Australian Conservation Foundation.

Key Themes:

- New mindsets and ways of looking at our work.
- Cross sector learning and collaboration.
- Communication and reaching past the converted.
- Evaluation and measuring success.

PLUS Separately Bookable:

- [Clinic](#) for Behaviour Change Practitioners.
- [Workshop](#) on How to build a community of change agents.

Dates and Location

Thursday 10 – Friday 11
November
Australian Technology Park,
Sydney

Early bird rates end

Friday 21 October

Online information

<http://www.3pillarsnetwork.com>

Further information

<http://www.3pillarsnetwork.com>

Registrations

Zaf Makdum
02 9555 4203
zaf@3pillarsnetwork.com.au

Ref: R90/1138 RV

[| Top |](#)

Environment

Item 12: Roundtable on Impact of Carbon Price on Local Government: 28 October 2011, Tamworth

The Australian Government is holding a number of roundtables with Local Governments to provide an overview of the carbon price and the opportunities available. These meetings are being held during late October and early November.

The Roundtable will be held at Tamworth on 28 October 2011. Councils are encouraged to attend.

Parliamentary Secretary Hon Mark Dreyfus QC MP and Mr Tony Windsor, Independent Federal MP for New England will both now be attending.

The program will be as follows:

Date and

10am – 2pm, Friday 28 October

Location

Tamworth Regional Council
Ray Walsh House
437 Peel St, Tamworth

Registrations

Anthony Bennie
02 6159 7906
Anthony.bennie@climatechange.gov.au

Ref: R90/0561 RV

Agenda Item	Start	Finish
1. Welcome and introductions	10.00	10.05
2. Overview of the carbon price mechanism and impacts for Local Governments <ul style="list-style-type: none">• Landfill emissions.• Fuel excise changes.	10.05	10.45
3. Reporting under the carbon price - Introduction to National Greenhouse & Energy Reporting	10.45	11.15
4. Opportunities for Local Government <ul style="list-style-type: none">• Carbon Farming Initiative.• Low Carbon Communities.	11.15	12.00
5. Lunch	12.00	12.30
6. Public information session on the Carbon Farming Initiative	12.30	2.00

[| Top |](#)

Learning

Item 13: Heritage Short Course for Local Government Development Approvals: The Heritage Perspective

Local Government Learning Solutions offers regional areas the opportunity to attend this short course at a special subsidised price made possible with the assistance of the Office of Environment and Heritage and the Heritage Council.

Short course topics include:

- The Development Assessment Environment.
- Conducting an Informed Assessment.
- Conservation Area Management.
- Assessment Criteria.
- Heritage Conservation Principles - The Burra Charter.
- Case Study: Site Visit.

The cost to attend this course is normally \$550 including GST, so if you are a councillor, director, planner, health and building inspector, engineer, or have an interest in heritage issues in Local Government, don't miss out on this unique opportunity to be trained by an expert in the heritage field at a special subsidised price.

Location and Date

Dubbo, Wednesday 26 October

Other regional courses will be scheduled in Wagga, Lismore and Armidale during 2012/2013.

Cost

1 day workshop - \$396 inc. GST

Registrations

<http://www.lgsa.org.au/www/html/152-courses-for-staff.asp>

Contact

Jennifer Fanning
Learning Solutions
02 9242 4181
learning@lgsa.org.au

Ref: I98/0012 DR

[| Top |](#)

Learning

Item 14: In-House Training - Work Health and Safety (WHS) – various workshops

Learning Solutions is pleased to offer councils a variety of workshops on WHS to ensure you are prepared for the 1 January 2012 changes and beyond.

These workshops are available on a fee for service basis, and include:

1. **WHS Legislation Awareness** workshop for all staff or Managers (half day).
2. **WHS Duty Holders** workshop for all levels of Managers and HR/OHS staff, committee members and Health and Safety representatives (half day).
3. **Due Diligence** workshop for all levels of Managers and HR/OHS staff, committee members and Health and Safety representatives (half or full day).
4. **WHS Consultation** workshop for Line Managers and HR/OHS staff, committee members and Health and Safety representatives (half day).
5. **WHS Regulation** workshop for Line Managers, Supervisors, OHS staff, committee members and Health and Safety representatives (half day).
6. **WHS Codes of Practice** workshop for Line Managers, Supervisors, OH&S staff, committee members and Health and Safety representatives (half day).
7. **WHS Regulation and Codes of Practice** workshop for Line Managers, Supervisors, OH&S staff, committee members and Health and Safety representatives (full day).
8. **WHS Management Plan** workshop for Executive Managers, Line Managers, HR Managers and OH&S Officers (half day).
9. **WHS for Volunteers and Contractors** workshop for Line Managers, Supervisors, OH&S staff, committee members and Health and Safety representatives (half day).

These workshops are available on an in-house basis so please call for a quote today!

Contact

Judy Archer,
Learning Solutions
02 9242 4182
learning@lgsa.org.au

Ref: I98/0012 DR

[| Top |](#)

Learning

Item 15: Local Government Reform Funding – Free Long Term Financial Planning eLearning program

Our item in last week's LG Weekly neglected to give you the security code for logging into the eLearning program.

An eLearning program called "Long Term Financial Planning", has been developed under the federally sponsored LG Reform Fund and is available at www.lgls.edmore.com.au.

To log on, **enter your email address and the security code eromde1161118** and follow the prompts.

To access the eLearning program

www.lgls.edmore.com.au

Contact

Learning Solutions

02 9242 4182

learning@lgsa.org.au

Ref: I98/0012 DR

[| Top |](#)

Learning

Item 16: Verbal Judo for Contact Professionals

Local Government Learning Solutions is offering this practical program to help staff deal with hostile people.

Verbal Judo is one of Learning Solutions' most requested programs.

This one day program teaches a set of specific behaviours and tactics with which staff can redirect hostile or aggressive behaviour of others and generate voluntary compliance.

Rangers and other compliance staff, child care, customer service, librarians, development planners and health and building staff have all benefited attending this excellent workshop in the past.

Date and location

Wednesday 30 November
(previously 9 November)
Sydney CBD

Cost

\$550 inc. GST

Registrations

<http://www.lgsa.org.au/www/html/152-courses-for-staff.asp>

Contact

Jennifer Fanning
Learning Solutions
02 9242 4181
learning@lgsa.org.au

Ref: I98/0012 DR

[| Top |](#)

Learning

Item 17: Writing Skills Training – October to November 2011

Learning Solutions is offering a range of skills workshops to make writing more productive and less stressful.

We all struggle with writing reports, preparing complex applications, answering complaints, making correspondence user friendly and getting outcomes out of our emails and other mail. Writing skills training is the solution!

The following courses are Local Government oriented. Venues/dates are as follows:

Writing Powerful Proposals and Grant Applications
Sydney, Thursday 27 October

Improve Your Business Writing
Lismore, Wednesday 2 – Thursday 3 November

English Grammar and Punctuation
Sydney, Wednesday 16 November

Cost

\$550 inc. GST for one day workshops

\$990 inc. GST for 2 day events

Registrations

<http://www.lgsa.org.au/www/html/421-public-staff-course-registration-form.asp?intSiteID=1>

Contact

Jennifer Fanning

Learning Solutions

02 9242 4181

learning@lgsa.org.au

Ref: I98/0012 DR

[| Top |](#)

Procurement

Item 18: Local Government Procurement Annual Conference

Local Government Procurement (LGP) is very proud to coordinate the fifth Annual Procurement Conference for the NSW Local Government sector.

With a theme of 'Smarter Not Faster', the Conference will bring together an array of speakers with hands on experience covering a variety of topics, which will assist you in your role within your council.

Who should attend?

This Conference is aimed at Local Government professionals, particularly procurement staff, senior management and any other professional staff involved in purchasing.

FREE attendance for general managers and directors

Free registration is available to either a general manager or director, when attending with a registered/paying council officer.

Local Government Procurement Pty Ltd (LGP) is a wholly owned subsidiary of the Local Government and Shires Associations of New South Wales (LGSA).

Date

Thursday 17 and Friday 18 November

Times

10am to 5pm (Thursday), 9am to 4pm (Friday)

Location

Sydney Masonic Centre,
66 Goulburn Street, Sydney

Cost

\$495 inc. GST – early bird rate until 31 October
\$577.50 inc GST – from 1 November

Contact

Emma Murray
LGP
emurray@lgp.org.au
02 8270 8700.

Ref: R05/0057 EM

[| Top |](#)

Planning

Item 19: NSW Planning System Review – Consultations continue around the State

Former NSW Environment Minister, Tim Moore and former NSW Public Works Minister, Ron Dyer continue their two-month 'listening tour' across NSW as part of the NSW Government's planning system review.

This week the Planning Review Panel visited Tamworth, Muswellbrook and Willoughby. Next week the Panel will be in Newcastle, Parramatta, Campbelltown and Bankstown.

The locations, dates and times of the consultation forums around NSW and in the Sydney metropolitan area are available on the Panel's website (see fact box). Council staff and Councillors are encouraged to participate.

To find a forum, visit the Planning Review Panel's website and select [Consultation Map](#), or view the complete list of all locations and schedules by clicking on [Consultation List](#). You do not have to pre-register to attend the forums.

The Review Panel proposes to publish an issues paper in early December 2011. The Panel is inviting submissions for this first phase of the process from all interested parties by Friday 4 November 2011.

The LGSA will be making an initial submission to the Panel in November.

Submissions due

Friday 4 November

Submissions to

Planning System Review, GPO Box 39, Sydney 2001

NSW Planning Review Panel

<http://www.planningreview.nsw.gov.au/Consultation/CommunityForumMap/tabid/89/Default.aspx>

News items on planning issues

<http://planningnetwork.lgsa.org.au>

Ref: R04/0066 JP

[| Top |](#)

Planning

Item 20: Planning Act Review Panel - Consultations at LGA Conference

The Co-Chairs of the Planning System Review Panel, Tim Moore and Ron Dyer, will be attending the LGA Annual Conference in Nowra to meet with Mayors and General Managers.

The Panel will be available for consultations for around 2 hours on the morning of **Monday 24 October** during the LGA conference. This is a good opportunity to speak with the Panel Chairs on a one to one basis.

Interested Mayors and General Managers are requested to contact Kate Messer of the Review's Secretariat (02 9228 2053) to make a 15 minute appointment with the Panel. This will be on a first come/first served basis.

You may also arrange to meet with them by visiting the LGA Information Stand in the Conference trade display area.

LGA Conference consultations
Monday 24 October

Contact

Review Secretariat
Kate Messer
02 9228 2053

NSW Planning Review Panel

<http://www.planningreview.nsw.gov.au/Consultation/CommunityForumMap/tabid/89/Default.aspx>

Ref: R04/0066 smcb

[| Top |](#)

Water

Item 21: Draft Public Health Regulation 2011 Consultation - Webinars

NSW Health is undertaking webinars for non-metropolitan councils that have drinking water supply responsibilities in the draft *Public Health Regulation (NSW) 2011*.

Sessions will provide the opportunity to discuss issues raised by the draft Regulations in a group setting and suggest ways of dealing with them in the final drafting of the Regulations.

Webinars have been scheduled on these issues as follows:

- Tuesday 18 October, 10am – 11.30am on safety measures for drinking water supplies.
- Tuesday 18 October, 2pm – 3.30pm, on Local Government responsibilities under the new regulation in general (for example air-conditioning facilities, public swimming pools, skin penetration processes and premises, drinking water supplies, record keeping and fee structure).
- Thursday 20 October, 10am – 11.30am, on Local Government responsibilities under the new regulation in general (e.g. air-conditioning facilities, public swimming pools, skin penetration processes and premises, drinking water supplies, record keeping and fee structure).

Please note that as places for the webinars are limited, councils who could not attend the face-to-face sessions and/or those with drinking water authority responsibilities are to be given priority.

The webinars are free and designed for council staff, elected officials, staff from Regional Organisations of Councils and from local water authorities. Department of Health staff from Policy, Legal and Water Teams will be taking part. The webinars will be facilitated by Grahame Collier from T Issues Consultancy and Hazel Storey from The Storey Agency.

Access to both a computer and landline telephone will be needed to take part. Details on how to join the webinar will be sent by email only to people who have registered.

Submissions due

Friday 11 November 2011 at publichealth@doh.health.nsw.gov.au

Bookings

<https://lgovtworkshopregistration.wufoo.com/forms/z7x3k7/>

Online information

The draft *Public Health Regulation (NSW) 2011* and the accompanying regulatory impact statement are available at www.health.nsw.gov.au/aboutus/legal/regsreview.asp

The new *Public Health Act (NSW) 2010* is available at www.legislation.nsw.gov.au/sessionalview/sessional/act/2010-127.pdf

Ref: R90/1056-12 SM

[| Top |](#)

Water

Item 22: Program for Advancing Sustainability Leaders

A reminder to councils in Sydney Water's and Sydney Catchment Authority's operating areas that applications for the Advancing Sustainability Leaders program are closing soon.

The Advancing Sustainability Leaders (ASL) program is a 12-month leadership program specifically for managers and emerging leaders in Local Government. It is designed to provide benefits to participants, their staff and their council.

The program features:

- Seven face to face training and program days in Sydney over 12 months.
- Up to five hours of private phone coaching.
- An intensive off-site two day retreat to kick start learning and build group cohesion.
- On the job development activities.
- Personal capacity assessment and professional development planning.
- A practical project component, which involves applying program learnings to a water related sustainability project that council has committed to undertake.

ASL encourages participants from any area of council to apply, such as planning, engineering, cultural services, facilities, human resources, marketing, communications, policy, design and IT.

Advancing Sustainability Leaders is provided at no cost to councils. Selection is competitive and merit based. Places are limited. Only councils are eligible to apply.

Applications close

Monday 17 October

Cost

No cost to councils

Selection criteria and application form

www.waterforlife.nsw.gov.au/education/asl/apply_now

Online information

www.waterforlife.nsw.gov.au/asl or Inger Shimell at 9372 8351 or inger.shimell@services.nsw.gov.au.

Ref: R90/1056-12 SM

[| Top |](#)

In the News

Item 23: Media from the LGSA

View the latest media releases distributed by the LGSA

We need an answer about our Elections, Premier O'Farrell.

10 October 2011

<http://www.lgsa.org.au/www/html/3933-10-october-2011-we-need-an-answer-about-our-elections-premier-ofarrell.asp?intSiteID=1>

The Local Government and Shires Associations of NSW (LGSA), has voiced their disappointment and great concern that they have been waiting more than three weeks for an urgent, yet basic, decision from Premier O'Farrell on their request to defer the date that the councils must decide who is running their own elections.

Doubts about whether WA drought pilot will deliver

7 October 2011

<http://www.lgsa.org.au/www/html/3932-7-october-2011-doubts-about-whether-wa-drought-pilot-will-deliver.asp?intSiteID=1>

The President of Shires Association of NSW, Cr Ray Donald, has this week called for more support for drought affected communities, saying that the recent WA Drought Pilot does not provide sufficient support for long-term drought.

View media releases from the Australian Local Government Association (ALGA)

ALGA welcomes amendments to new carbon legislation

12 October 2011

<http://www.alga.asn.au/newsroom/media/2011/20111012.php>

Amendments to effectively exempt small landfills from the Australian Government's carbon pricing legislation have been welcomed by the national body for local government.

[| Top |](#)

ATTACHMENT A

Category 2 Late Motions for Conference

Aboriginal Affairs (Education and Communities)

1 - Lane Cove

*DEVELOPMENT OF A LOCAL GOVERNMENT RECONCILIATION ACTION PLAN

That the Local Government Association in conjunction with Reconciliation Australia, Aboriginal Elders, ALC and other state holders seek to develop a Local Government RAP.

Note from Council:

Reconciliation Australia have been partnering with business, Federal, State and Local Governments, Schools and other community groups in developing Reconciliation Action Plan's (RAP's). The overall objective of RAP's are to reduce the life expectancy gap between Aboriginals and Non-Aboriginals in Australia.

We know that the current life expectancy gap is about 17 years and simply having Aboriginals complete their HSC increases their life expectancy by 11 years. Blacktown City Council finalised their RAP in 2010 and there have been other NSW Councils that have also developed RAP's. A better approach may be that a global view be taken rather than a piecemeal approach.

Notwithstanding the great work done by Blacktown and other NSW councils in developing their RAP's a global approach would provide unity in vision and efficiencies with respect to education and health. To this end Lane Cove puts forward that that the LGA build on the great work of Blacktown and other NSW Councils and develop a Local Government RAP.

2 - Ashfield

*ABORIGINAL REPRESENTATIVE TO BE ELECTED ON EACH COUNCIL

That the Local Government Association calls for there to be an Aboriginal person with full voting rights on each Council in New South Wales and that this person be elected by Aboriginal people of the local area or appointed by the State Government of the day.

Note from Council:

The process of Reconciliation will be enhanced by practical steps which ensure Aboriginal people have an effective say in the decisions impacting on community life. An inclusive approach in decision making will ensure acknowledgement of the living culture and unique role of Aboriginal people.

Attorney General and Justice

3 - Gunnedah

*DEFAULT OR NON-PAYMENT OF COURT IMPOSED PENALTIES AND COMPENSATION

That the Local Government Association make representation to the State Government to introduce legislation to empower the Courts to order sentencing options deemed appropriate where there is a default by non-payment of an order for compensation when a person pleads guilty or is found guilty for any offence of intentionally or recklessly damaging the property of another.

Note from Council:

During the mid 1990s the Government changed legislation which had the effect of removing powers held by Magistrates and Judges to impose penal sanctions in default or non-payment of orders for compensation made at the court's discretion. An order, prior to the legislative amendments, could contain a penalty that would apply if an order for compensation to the victim was not complied with.

Now under current legislation, the courts can order compensation to be paid, however on non-payment the amount becomes a civil debt that a private individual or Government Agency would need to pursue. The costs and procedure associated with court action often means the action is not pursued.

There is therefore no significant consequence for the criminal act. With the suggested amendments the Magistrates and Judges would again have the discretion to impose a range of sentences including community services, periodic detention or imprisonment. This option would assist in improving recovery of benefits lost to Government and individuals through wilful and destructive criminal behaviour. This also ensures there is a closer nexus between the criminal act and consequences – a link that has been increasingly severed over time.

Education and Communities

4 - Ashfield

***MULTICULTURALISM - AN INCLUSIVE AUSTRALIAN IDENTITY**

1. That the Local Government Association resolves to endorse the statement "Reclaim Multiculturalism" and supports a 'National Multicultural Agenda for all Australians statement"
2. That the Local Government Association write to the Premier and the Prime minister advising them of our support of a National Multicultural Agenda for all Australians.
3. That the Local Government Association commend FECCA for their campaign.

Note from Council:

Ashfield Council recognises that apart from the original inhabitants this area, the Wangal people of the Eora nation, we or our ancestors have come from all around the world to make Ashfield a great place to live. Council has supported the policy of Multiculturalism since its beginning as a practical way of us all getting along. Following representation from the Federation of Ethnic Communities Councils Australia, Council has endorsed the attached statement 'reclaiming multiculturalism'.

Energy and Resources

5 - Sydney

***AUSGRID PILLARS AND SUBSTATION KIOSKS**

That the Local Government Association support the City of Sydney's position on Ausgrid pillar and substation kiosks.

Note from Council:

The City of Sydney is seeking a change in legislation requiring City of Sydney concurrence be required for any proposed installation of above ground Ausgrid infrastructure in the City of Sydney Local Government Area.

Environment and Heritage

6 - Ashfield

*DEVELOPING WASTE MANAGEMENT FACILITIES FOR PROCESSING MUNICIPAL WASTE

That the Local Government Association calls upon the NSW Government to take a more active role in developing waste management facilities and/or reuse markets that can deal with the processing and reuse of municipal waste.

Note from Council:

The State Conference recognises the value of the NSW State Government's Waste and Sustainability Improvement Payment scheme in furthering the sustainability and resource recovery capabilities of NSW Local Government Authorities. However a more active role is needed at a State and National Level to develop waste management facilities and markets that can reuse or process municipal waste materials.

The NSW Government has set a target for Council's to reduce municipal waste to landfill by 66% by 2014. The NSW Government through DECCW provides a rebate from the waste levy to Council known as the Waste and Sustainability Improvement Payment. In order to reach the 66% reduction target councils will need to implement new waste disposal options for example food and organics collections, however there are very limited facilities for Sydney based councils to divert these wastes to making it impossible to meet this 66% diversion target.

We need the Government to take an active role in providing waste management facilities or reuse markets that can deal with the collection and reuse of these materials.

7 - Ashfield

*NATIONAL PRODUCT STEWARDSHIP SCHEME AND ELECTRONIC WASTE

That the Local Government Association calls upon the Australian Government to further address the environmental and economic impacts of electronic waste by broadening the National Product Stewardship scheme to include other forms of electrical waste, including the large proportion of inexpensive, short-lived appliances that currently find their way to landfill.

Note from Council:

The State Conference congratulates the Australian Government on progressing the National Product Stewardship Scheme, with particular regard to the forthcoming television and computer scheme. However the Assembly recognises that more work is needed to further address the environmental and economic impacts of electronic waste by broadening the scheme to include other forms of electrical waste.

Alternative waste disposal options have long been discussed and are a continuing growth area of residential enquiries at a local government level. In order to meet the needs of residents many local councils have implemented individual drop off collection streams to capture smaller electronic waste items, including light globe recycling and mobile phones. These drop off collection streams provided limited options to local residents but ultimately do not provide a resolution to this ongoing problem. In

addition local councils have conducted individual and often ad hoc electronic waste collection days at which residents can drop off many types of electronic waste for recycling, these events are at a considerable expense to Council and again do not provide a sustainable solution to the electronic waste issue.

The Federal Government has been working towards implementing the National Television and Computer Product Stewardship Scheme, which will help divert some sections of electronic waste but will not be enough to cover everything. This motion calls on the Government to extend the Product Stewardship Schemes to other areas of electronic waste in order to solve this national issue.

8 - Ashfield

*SAVING OUR UNIQUE MARINE ENVIRONMENT

- That the Local Government Association resolve to strongly support the creation of a Sydney Marine Park.
- That the Local Government Association write to the Premier of NSW, and the Opposition Leader calling for the creation of a Sydney Marine Park in Sydney Harbour.
- That the Local Government Association write to the Federal Environment Minister strongly expressing our support for a national network of Marine Parks and sanctuaries to ensure biodiversity and species survival.

Note from Council:

Sydney's harbour and coastline are home to an extraordinary diversity of marine life – seahorses, turtles, dolphins, penguins and more than 580 species of fish – a greater variety of marine creatures than is found in all of New Zealand's waters. Sydney's unique marine environment deserves world-class protection.

Establishing a Sydney Marine Park can provide improved conservation for marine life, while encouraging Sydneysiders to continue enjoying their world-renowned beaches and harbours. Sydney Marine Park would be the world's first marine park in the heart of a major city, providing a welcome boost to the local economy through tourism, boosting fish stocks and reflecting our love and respect for the ocean.

There is overwhelming scientific and community support for the creation of marine parks that strike a win-win, balancing uses like fishing with a series of protected sanctuaries where marine life can breed and thrive undisturbed.

9 - Ashfield

*PROMOTION OF HABITATS FOR NATIVE BIRDS

1. That the Local Government Association support development of an integrated policy, which includes existing initiatives, to promote and establish habitat for native birds.
2. That in developing this policy, the relevant State authorities be consulted about surveys and policies they may have developed to promote native bird species.
3. That appropriate habitat or plant species 'native to the area' (rather than simply native) be included in the landscape plans of future developments, which are of an appropriate scale to include such habitat.

Note from Council:

Birds are the most conspicuous animal species in urban environments, making them outstanding indicators of our performance in meeting obligations to sustainability. Unfortunately in most urban areas bird diversity continues to decline, indicating our continuing failure to maintain suitable habitat. Sydney Turpentine Ironbark Forest, for example, once was widespread across the Cumberland Plain, is now increasingly rare. Dissemination of information about which local species of birds and flora are, or were, important would be a part of any plan. Areas of high human-population density are the places where we have the resources to design and manage habitat to meet the specific needs of particular fauna. In the long-term, by meeting these needs we can facilitate an increase in local populations or possibly the return of a species that was previously present.

10 - Ashfield

*OUR HARBOUR AGREEMENT

That the Local Government Association supports the updated Our Harbour Agreement, actions and concerns listed below

PART 1: The Sydney Harbour Councils agree 'in-principle' to support the 'Our Harbour' Agreement and its eight core issues.

1. The harbour is the focus of Sydney. Sydney Harbour is of fundamental importance to the residents, and workers of the harbour catchment, to the people of the Sydney region and its visitors, to all of New South Wales and to all the people of Australia. All spheres of government need to work as one to protect and manage all aspects of the harbour without favouring single sectors or special interests at the expense of the harbour's integrity and sustainability.
2. The quality of the physical and natural environments is under pressure. The urgent and continuing attention of all levels of government is needed for the protection and restoration of the terrestrial and aquatic environments and for the rehabilitation and maintenance of infrastructure, both through new programs and the concerted implementation of existing action and management plans.
3. The harbour is a key cultural and recreational resource. Projects in the Sharing Sydney Harbour Regional Action Plan – particularly the cultural audit and the Sydney Harbour Dreaming project Tuhbowgule Nangamay – provide enhanced opportunities for community involvement and for links to the full range of cultural, educational, and recreational resources.
4. Our maritime industries are in danger of disappearing from the Harbour. All spheres of government, acting together, need to act to ensure that Sydney Harbour remains a working harbour with
 - (a) suitable zones and policies administered by councils on land which is appropriate for a wide range of water related activities and
 - (b) a stock of well located government-owned land available for water related activities under secure tenure and affordable terms.
5. There is concern over the privatisation of the harbour foreshore. All spheres of government need to enhance the ecological and urban qualities of the shoreline, to seize every opportunity to increase the public ownership of foreshore land, and to progressively remove impediments to access to and from the water, for instance through the foreshore and access improvement program of the Sharing Sydney Harbour Regional Action Plan.
6. Foreshore developments should display the highest possible quality of design. All spheres of government must adopt consistent standards for the design of all elements added to the harbour environment, must share a commitment to quality, must maintain and enhance views to and from the water, and must actively and consistently re-establish the native plant communities of the harbour catchment.
7. A complex arrangement of administrative responsibilities has developed around the harbour. In Sydney Harbour there are necessarily a very large number of distinct roles and responsibilities, technical, administrative, regulatory, financial, local and central. Inter-agency and inter-government coordination mechanisms must continue to be developed as the only way to

enable the planning and place management outcomes to be achieved with efficiency and effectiveness. Of highest priority are the mechanisms established under this agreement.

8. Proactive consultation is essential. Forums are needed for the resolution of issues between all harbour councils and agencies, based on the principles of this agreement. The sustainable management of Sydney Harbour is not achieved through unilateral action but through meaningful prior consultation between agencies and the Sydney Harbour Councils.

PART 2

1. That State Conference express its concern at the apparent lack of commitment from the government to the eight core issues and request The Minister for Planning and the Minister for Ports and Waterways to renew the 'Our Harbour Agreement' (as amended); and
2. That the Leader of the Opposition is requested to consider accepting the revised 'Our Harbour' Agreement as part of their party's planning policy.

Note from Council:

There have been very few changes to the words since 2001. The Sydney Harbour Councils are hoping to re-ratify the updated 2001 agreement and re-confirm Council membership.

11 - Newcastle

***ORICA PLANT INCIDENT**

- That the Local Government Association support the Stockton community calls to have input into crisis management, emergency response and notification alert systems to better manage any future unlicensed emissions or other hazardous events.
- That the Local Government Association welcome the NSW Government's agreement to hold an independent inquiry into the Orica chemical leak and supports community calls for this Inquiry to conduct public hearings.
- That the Local Government Association support the creation of 'Community Right to Know' protocols to better protect public health and the environment.

Note from Council:

The motion is accompanied by a supporting letter from the Concerned Citizens of Stockton dated 13 August 2011.

12 - Leichhardt

***FRUIT TREE NETTING**

That the Local Government Association endorse a recommendation to educate residents about correct back yard fruit tree netting that includes:

- Stretching durable knitted netting over a square frame
- Using a net with mesh size 40mm or smaller
- Stretching the netting tightly over the frame and pegging it securely to the ground
- Never to use thin nylon netting, never to throw netting loosely over trees and always to ensure that netting is stretched taut and held away from the tree

Note from Council:

Flying foxes are an endangered and protected species. They are vital to our healthy ecology, as they are responsible for much of the pollination of the east coast of Australia. Many flying foxes and birds are injured and either killed or euthanased as the result of incorrectly installed netting each year. The above recommendations are taken from the Department of Environment

Fair Trading

13 - Ashfield

*LEGISLATIVE PROTECTION FOR MARGINAL RENTERS

That the Local Government Association call on the NSW Government to protect marginal renters, such as boarders and lodgers, by enacting legislation on occupancy rights, thus ensuring that such people have access to basic standards of social justice

Note from Council:

Marginal renters, such as boarders and lodgers, are not covered by NSW residential tenancies legislation. As a result, these renters are without effective legal rights. Some of these renters are amongst the most vulnerable people in our community. Ashfield has numerous boarding and lodging house premises within its boundaries. Legislation on occupancy rights can ensure reasonable notice of rent increases and terminations, and allowing the Consumer, Trader and Tenancy Tribunal to resolve disputes.

14 - Ashfield

*RENTERS AND THE RENTAL MARKET

That the Local Government Association condemn illegal rental practices which contravenes the Residential Tenancies Act, acknowledge the role Real Estate agents and Landlords play in the provision of rental properties and consider strategies to raise awareness of renters of their rights.

Note from Council:

Rental properties in the Ashfield municipality amount to 39.5% of all households. This is significantly higher than the Sydney Metropolitan area as a whole where only 29.7% of households rent. In the Summer Hill North area 54.1% of households rent, 42.9% in Summer Hill South and 49.5% in the Ashfield North area. Approximately 93% of renting households in the LGA are based outside of Haberfield. Renters come from diverse backgrounds, but especially in the Ashfield area, many are either elderly or come from a non-English speaking background. While this should not affect their rights as renters under the Residence and Tenancy Act 1987, anecdotal evidence shows that many are being exploited. This appears to be exacerbated by the fact that many Ashfield renters may not fully understand their rights under NSW law, and so are tricked into accepting conditions which are unlawful.

Family and Community Service

15 - Ashfield

*COMMUNITY BASED PROGRAMS FOR FAMILIES

That the Local Government Association calls on the NSW Government to assist local Councils in their work with families, by funding:

- culturally appropriate information and programs for children and families
- affordable childcare services and child minding services
- parenting education for Culturally and Linguistically Diverse families

Note from Council:

Ashfield Council for many years has been funding and providing prevention and early intervention programs for children and families, such as parent education, child minding, playgroup support etc. It is essential that Council has funding support from the State Government for such community based programs.

16 - Hawkesbury

*PROPOSED NATIONAL DISABILITY INSURANCE SCHEME

That the Local Government Association calls on the Australian Government to implement the recommendation of the Productivity Commission to establish a National Disability Insurance Scheme and notes the widespread community support for ensuring that people with disabilities and their carers are given a fair go.

Note from Council:

As noted by the Productivity Commission the current disability support system is 'inequitable, underfunded, fragmented and inefficient'. It has recommended the establishment of a National Disability Insurance Scheme to meet the long term needs of over two million Australians who either have a disability, or care for someone who does. The proposed motion calls on the LGA to note the widespread community support for a NDIS and to endorse its establishment.

The proposal for a NDIS has been widely debated within the community and has garnered both bipartisan political backing, the endorsement of disability groups and widespread community support. There has been increasing recognition that the current system for providing services to people with disabilities and their carers is not working and needs to be restructured. The core aim of a national system should be to deliver choice to people with disabilities through a scheme which is flexible, portable, and consistent and actively facilitates their greater participation in the community and workforce. The current system does not do this.

Hawkesbury City Council believes that local government, as the level of government closest to the community, should support the establishment a National Disability Insurance Scheme because it is simply the right thing to do. The NDIS would provide a lifetime approach to care and support for people with a disability and would replace the current arrangements for funding specialist disability services. It would provide financial support to people with a disability on the basis of individual need rather than on the current prescriptive approach which often excludes people with disabilities from receiving the support they need because they do not meet the specific eligibility criteria for a designated service.

The evidence from overseas demonstrates that the most successful outcomes for people with disabilities and the most financial efficient way to achieve these outcomes is a person centred approach. The establishment of a NDIS would achieve the transition to a person centred approach and is long overdue.

Industrial Relations

17 - Canterbury

*COUNCIL CONTRACTS FOR WASTE COLLECTION SERVICES

That the Local Government Association encourages councils to uphold the principles of job security and fairness in the workplace when they change from one contractor to another following a tender process.

Note from Council:

Recognising the key importance to our communities of efficient and effective waste collection services, and acknowledging the contribution made by the workers of companies that councils engage under contract for the collection of domestic and other waste, councils be encouraged to uphold the principles of job security and fairness in the workplace when they change from one contractor to another following a tender process. In particular:

- All workers of the previous company should be offered equivalent positions with the new company.
- There should be full continuity of entitlements such as untaken rostered days off, long service leave, annual leave, and sick leave.
- A change in contractor should not result in the diminution of wages and working conditions.
- Inclusion of these principles in the tender documentation.

18 - Gosford

***SUPPORT FOR PAY EQUITY IN THE COMMUNITY SECTOR**

That the Local Government Association support pay equity for social and community workers, 80% of whom are women, in the Social and Community Sector.

Note from Council:

This motion requests that the Local Government Association support the Australian Services Union (ASU) Equal Pay Case before Fair Work Australia. The female-dominated community sector has for some time now struggled for respect and equal pay. Community workers are invaluable in our lives, however they are vastly underpaid for their work and qualifications.

The Equal Pay Case is about justice and equal rights. It is the most important case for the rights of women in the last 20 years. The basis of the equal remuneration case is that Community Sector workers are being under paid, which is a result of the gender makeup of the predominately female Community Sector workers (80%). Social and Community Sector workers employed in the community sector earn far less than their counterparts in the public sector. In NSW the difference can be up to 30%. Pay equity is critical for service sustainability. Market-based wages are essential for the sustainability of social services, which have been facing growing problems in attracting and retaining staff. Market-based wages are also essential for attracting staff with the skills and experience necessary to ensure the ongoing, effective and efficient delivery of social services to the clients and communities that rely on them. In July 2011 the Federal Government announced it will provide 'fair and appropriate supplementation' to help support any phased-in pay increase Fair Work Australia may award in the Social and Community Sector equal pay case.

Without the full support of the NSW State Government for the cost impact of the Equal Pay Case the actual principle of equality will be lost and services will be significantly reduced as the wage increase cost impact will fall on the Social and Community Sector employers and their clients. Without the commitment to fully fund the Equal Pay Case the Community Sector will be forced to reduce employee numbers, cut standards or limit the range of services they provide. Traditionally, those services are offered to those who need it most in our community.

19 - Ashfield

***EQUAL PAY FOR THE COMMUNITY SERVICES SECTOR**

1. That the Local Government Association recognises the important work that the Social and Community Sector does in the municipality.
2. That the Local Government Association calls on the NSW and Federal Governments to support the ASU's Equal Pay case before Fair Work Australia on behalf of community and disability sector care workers.

3. That the Local Government Association calls on the NSW and Federal Governments to acknowledge the importance of the Equal Pay Case to address pay discrepancies.
4. That the Local Government Association calls on the NSW and Federal Governments to increase funding to the Social and Community Services sector.
5. That the Local Government Association calls on the NSW and Federal Governments to commit to funding the outcome of the ASU's Equal Pay case
6. That the Local Government Association write to the Prime Minister Julia Gillard and the Minister for Human Services The Hon. Tanya Plibersek urging them to live up to their previous promise to fund the much needed pay equity outcomes from the Equal Pay case

Note from Council:

The ASU's Equal Pay Case is the most important case for the rights of women in the last 20 years. For decades the work of the nation's 150,000 or so community sector employees - 85 per cent female – has been undervalued and underpaid. Everyone thinks they are wonderful - the Prime Minister included. But no one wants to pay them what they are worth. The Australian Services Union's [ASU] Equal Pay case has been lodged with Fair Work Australia on behalf of Australia's 200,000 community and disability workers, seeking to establish equal pay for the sector, over 12 months ago the Federal Government, fully aware of the potential costings involved, signed an agreement to support the ASU's Equal Pay Case, and agreed to the phase in of any increase in a submission to Fair Work Australia last week in regards to the Equal Pay Case, the Federal Government indicated that any money to fund the outcome of this case would be at the cost of other government services, in effect seeking either a more moderate wage increase, or reduced employment and services in the sector.

This amounts to the Federal Government reneging on their agreement to support the ASU's Equal Pay Case, without full Federal Government support for the cost impact of the Equal Pay Case, the principle of equality will be lost and services in the sector will dramatically reduce because the cost impact of the wage increase will fall on the SACS sector employers and their clients, particularly on the women workers who the case was intended to assist, and without a commitment to fully fund the Equal Pay Case, the community and disability sector will be forced to reduce employee numbers, cut standards of care and limit the range of services it has traditionally offered to some of the most marginal members of our community.

20 - Ashfield

***FAMILY VIOLENCE AFFECTING FAMILIES**

1. That the Local Government Association call on all NSW Councils to adopt this family violence leave policy
 - a. General Principle
 - i. The Local Government Association recognises that employees sometimes face situations of violence or abuse in their personal life that may affect their attendance or performance at work. Therefore, we are committed to providing support to staff that experience family violence.
 - b. Definition of Family Violence
 - i. Ashfield Council accepts the definition of family violence as physical, sexual, financial, verbal or emotional abuse by a family member.
 - c. General Measures
 - i. Proof of family violence may be required and can be in the form an agreed document issued by the Police Service, a Court, a Doctor, district nurse, maternal and child health care nurse a Family Violence Support Service or Lawyer.

- ii. All personal information concerning family violence will be kept confidential in line with Ashfield Council Policy and relevant legislation. No information will be kept on an employee's personnel file without their express written permission.
- iii. No adverse action will be taken against an employee if their attendance or performance at work suffers as a result of experiencing family violence
- iv. The Councils will refer staff to appropriately qualified services to support staff.
- v. An employee experiencing family violence may raise the issue with their immediate supervisor or the Human Resources contact. The supervisor may seek advice from Human Resources if the employee chooses not to see the Human Resources contact.
- vi. Where requested by an employee, the Human Resources contact will liaise with the employee's supervisor on the employee's behalf, and will make a recommendation on the most appropriate form of support to provide in accordance with sub clauses 4 and 5.
- vii. The Ashfield Council will develop guidelines to supplement this clause and which details the appropriate action to be taken in the event that an employee reports family violence.

d. Leave

- i. An employee experiencing family violence will have access to 20 days per year of paid special leave for medical appointments, legal proceedings and other activities related to family violence. This leave will be in addition to existing leave entitlements and may be taken as consecutive or single days or as a fraction of a day and can be taken without prior approval
- ii. An employee who supports a person experiencing family violence may take carer's leave to accompany them to court, to hospital, or to mind children.

e. Individual Support

- i. In order to provide support to an employee experiencing family violence and to provide a safe work environment to all employees, the Ashfield Council will approve any reasonable request from an employee experiencing family violence for:
 1. changes to their span of hours or pattern or hours and/or shift patterns;
 2. job redesign or changes to duties;
 3. relocation to suitable employment within the Ashfield Council;
 4. a change to their telephone number or email address to avoid harassing contact;
 5. any other appropriate measure including those available under existing provisions for family friendly and flexible work arrangements.
 6. An employee experiencing family violence will be referred to the Employee Assistance Program (EAP) and/or other local resources. The EAP shall include professionals trained specifically in family violence. An employee that discloses to HR or their supervisor that they are experience family violence will be given a resource pack of information regarding support services

2. That the Local Government Association write to the Secretary of the NSW branch of the USU and congratulate them on their campaign to introduce family violence leave.

Note from Council:

The scourge of family violence has devastating effects on its victims, children, families and people's ability to work. Councils, as community leaders should recognise that employees sometimes face situations of violence or abuse in their personal life that may affect their attendance or performance at work. In December 2010, Ashfield Council adopted a Family Violence Leave Policy to support staff who experience family violence. Ashfield's policy provides staff with up to 20 days per year of paid special leave for medical appointments, legal proceedings and other activities related to family

violence as well as access to counselling and other support services. Ashfield calls on councils to do the same.

Local Government

21 - Tamworth

*IMPACT OF THE CARBON TAX ON LOCAL GOVERNMENT

That the Local Government Association call on the NSW Minister for Local Government to recognise the effects of the Carbon Tax on Local Government and provide appropriate exemption from the financial burden on rate-payers through IPART's role in the setting of the maximum allowable increase for general revenue.

Note from Council:

In 2010, IPART was delegated functions by the Minister for Local Government in regulating council rate increases. IPART's new roles and functions include:

- Determining the rate peg (the maximum allowable increase in Local Government general income)
- Establishing a Local Government Cost Index to be used in setting the rate peg
- Reviewing applications from councils for special rate variations and determining special rate variations
- Reviewing applications from councils for minimum rates above the statutory limit and determining minimum rate increases. Council is concerned that under the carbon tax, local governments will have extra costs for electricity; fuel etc and this will significantly affect the supply and level of services that they can provide to their local communities, unless these costs are included in the IPART determination

22 - Ashfield

*SPORT AND RECREATIONAL FUNDING PROGRAM

That the Local Government Association calls on the Federal and State Government to establish a sport and recreational facilities infrastructure funding program for local councils.

Note from Council:

With the growing population the demand for sports and recreational facilities has increased quite dramatically, and the trend is that the demand will continue to increase into the future. Open space in an urban environment is at a premium so it is difficult for Council to acquire land to establish more recreational areas to keep up with this increasing demand. Without the possibility to increase facilities Council is faced with a higher concentration of usage, which in turn requires higher levels of maintenance in order to provide facilities that are acceptable and safe to the public.

Over time Local Government has assumed increased responsibility for the maintenance and management of recreational areas and facilities and spends a considerable proportion of its budget on these facilities. However with the increasing demand for these facilities Council can not continue to sustain the expenditure required to provide a suitable level of service. Funding programs are essential to facilitate the ongoing maintenance required for these facilities to be adequately maintained and continually upgraded.

23 - Hunter's Hill*IMPROVING REGIONAL ORGANISATION OF COUNCILS (ROC'S), STRATEGIC ALLIANCES OR GROUPS

That the Local Government Association calls on the Minister for Local Government to amend Section 377

(1) General power of the council to delegate, to allow Councils to delegate to Regional Organisation of Councils (ROC's), strategic alliances or groupings of Councils, the power and authority to allow them to accept tenders on behalf of the member Councils. This can be simply achieved by the following amendment to the clause: 377

(1) A council may, by resolution, delegate to the general manager or any other person or body (not including another employee of the council) any of the functions of the council, other than the following: The acceptance of tenders, which are required under this Act to be invited by the council, INSERT THE WORDS ...except where by individual resolution, a Council may delegate to a Regional Organisation of Councils (ROC's), strategic alliances or grouping of Councils, the authority to undertake and accept or reject tenders on behalf of member Councils. Such an action may not take place unless the majority of members have passed such a motion and the Minister concurs.

Note from Council:

This motion is crucial to facilitating the ability of Councils to lead change by leveraging their ability to work as larger groups to obtain critical financial, administrative and cost benefits for both their own and broader communities. It has been identified on a number of occasions that while the tendering sections of the Local Government Act (1993) (Section 55) and the Tendering Regulations allow Regional Organisations of Councils (ROC's), strategic alliances or groupings of Councils to conduct a tender process, the requirements of the legislation is overly restrictive in that each participating Council must adopt an individual resolution to accept, or reject, a tender at the conclusion of the process.

Given the number of Councils that may be involved in a regional tender and the fact that they invariably have different meeting dates and cycles, the administrative and bureaucratic processes involved in requiring individual Council resolutions is both inefficient and commercially insensitive to the best outcome that may be achieved.

The efficiency of the process can be significantly improved with a simple amendment to Section 377 (1) of the Local Government Act (1993), to allow Councils to delegate the tender function to Regional Organisations of Councils (ROC's), strategic alliances or groupings of Councils. There are already sufficient measures within Section 55 of the Act and the Tendering Regulations to ensure that appropriate governance and accountability standards are maintained during the tender process. This additional power of delegation would allow the Regional Organisations of Councils (ROC's), strategic alliances or groupings of Councils to accept and negotiate a tender without the need for individual resolutions.

It is envisaged that any subsequent contractual or related documentation required by the tender would still need to be executed by all parties to the agreement. However, consideration of the execution requirement may not be necessary if the Regional Organisations of Councils (ROC's), strategic alliances or groupings of Councils were separately incorporated and the Councils were shareholders of the corporation.

24 - Hurstville*MODIFY REQUIREMENTS IN THE LOCAL GOVERNMENT ACT FOR GM TO KEEP A REGISTER S328A

That the Local Government Associations approach the Minister for Local Government to amend section 328A (1) of the Local Government Act to remove the mandatory requirement for general managers to keep a register of copies of current declarations of disclosures of political donations as follows:

1. The General Manager may keep a register of copies of current declarations of disclosures of political donations lodged with the Election Funding Authority by or on behalf of councillors of

the council concerned (including in their capacity as candidates for election as councillors) or provide a link to the Election Funding Authority.

Note from Council:

Reporting of Political Donations to Councillors – s328A of the Local Government Act (LGA) The Division of Local Government (DLG) during a recent Promoting Better Practice Review drew Council's attention to the various legislative requirements for reporting on Council websites political donations received by Councillors and those made by persons lodging Development Applications and those making submissions on Development Applications.

With respect to declarations lodged by or on behalf of Councillors with the Election Funding Authority (EFA),

the Local Government Act states:- 328A General manager to keep register of political donation disclosures (1) The general manager is required to keep a register of copies of current declarations of disclosures of political donations lodged with the Election Funding Authority by or on behalf of councillors of the council concerned (including in their capacity as candidates for election as councillors). Under the Government Information (Public Access) Act 2009 Council's are required to place on its website certain open access information. The Act states:- Schedule 5 Government Information (Public Access) Regulation 2009 3) Information contained in the current version of the following records is prescribed as open access information: e) register of current declarations of disclosures of political donations kept in accordance with section 328A of the LGA, The Election Funding, Expenditure and Disclosures Act 1981 requires the Election Funding Authority to place disclosures on its website. The Act states:- Part 6 Political donations and electoral expenditure 95 Public access to disclosures, expenditure etc (1) The Authority is to publish on a website maintained by the Authority the disclosures of reportable political donations and electoral expenditure under this Part (and other information it considers relevant).

Further, the Environmental Planning and Assessment Act (EPA) states 147 (12) (1 Disclosures of reportable political donations and gifts under this section are to be made available to the public on, or in accordance with arrangements notified on: (a) a website maintained by the Department (in the case of planning applications or submissions made to the Minister or the Director-General), or (b) a website maintained by the council (in the case of planning applications or submissions made to that council). The disclosures are to be made so available within 14 days after the disclosures are made under this section. The DLG's Promoting Better Practice Review Report highlighted the differences in the Local Government Act (LGA), the Election Funding, Expenditure and Disclosures Act and the Environmental Planning and Assessment Act with respect to political donations. It is noted that the Election Funding Authority (EFA) maintains a website of all political donations received by Councillors. As noted, the declarations must be lodged with the EFA and not Council.

Why is there a requirement in the LGA for the General Manager of a Council to duplicate a service that is already provided to the community? With respect to Hurstville City Council, we provide a link on our website redirecting enquiries to the EFA website for Councillor political disclosures and believe that in doing so, has complied with the intent of the LGA. The LGA should not impose requirements on Councils to duplicate a service already provided by another Public Agency. The Division of Local Government should be encouraging the removal of unwarranted and unnecessary red-tape from the LGA.

25 - Leichhardt

***SUBSIDISED LOCAL GOVERNMENT LOANS**

That the Local Government Association press the State Government to provide the structure and detail of the subsidised loan scheme as was promised during the lead up to the 2011 State elections with details on how councils can apply for such loans.

Note from Council:

In the lead up to the 2011 State Government elections the Coalition announced that it would give councils subsidised government loans by allowing them to borrow against their assets. The interest rate subsidy was promised to be equivalent to half the government bond rate at a cost of \$70 million over four years.

26 - Penrith***DESTINATION 2036 ACTION PLAN**

That the Local Government Association calls on the Division of Local Government to review the timeframe for the preparation of an Action Plan concerning the outcomes of the Destination 2036 workshop.

Note from Council:

Council acknowledges the success of the Destination 2036 workshop and supports the intention of the development of an Action Plan. However, there is a strong view that the timeline which has been agreed upon is not sufficient enough to allow appropriate comment and consultation with communities. While Council may be able to consider and provide feedback on the draft action plan, there is a concern that subsequent consultation with the various communities, groups and other stakeholders will not be able to effectively be carried out, especially in light of the holiday period over December, and that a large majority of Councils will not meet from mid-December 2011 until February 2012.

Planning

27 - Ashfield***FUNDING FOR PREPARING DEVELOPMENT CONTROL PLANS**

That the Local Government Association calls on state government to provide additional funding to local Councils to research/prepare Development Control Plans.

Note from Council:

Development Control Plan preparation needs to be give a much higher and better resourced profile. It is currently under- resourced. Yet, these plans are critical for a responsive, speedy approval process which will achieve acceptable community endorsed built form outcomes. Planning reform funding should be significantly expanded for Councils to update DCP's in a timely fashion and to have appropriate documents in place that will facilitate timely and appropriate development outcomes. for a range of development types.

28 - Ashfield***REVIEW OF STATE ENVIRONMENTAL POLICIES AND LAND USES**

That the Local Government Association call on State Government to encourage competition by reviewing state policies and standard Local Environmental Plan templates that may limit competitive land uses - eg retail activity in Enterprise Zones

Note from Council:

The standard LEP template refers to limiting retail uses within the Enterprise Zone. The intention is to maintain the retail strength of existing centres. However this is inappropriate for areas such as Ashfield where our Enterprise Zone will primarily service east - west commuters most of whom do not patronise Ashfield Town Centre. Each case must be considered on its merits. Excessive land use control can be potentially anti-competitive if not applied fairly and judiciously having regard to local circumstances.

29 - Ashfield

*FLEXIBLE LAND USE ZONING POLICIES

That the Local Government Association call on State Government to enhance business activity, streamline the planning process, and reduce ongoing requirements for rezoning of land by encouraging flexible land use zoning policies which permit the widest possible range of compatible land uses commensurate with good urban design/preservation of local amenity.

Note from Council:

Ashfield's proposed Enterprise Zone will allow a wide range of appropriate land uses that are different yet compatible with each other and will have similar environmental impacts. This "flexible" approach will create additional development opportunities, boost economic activity/employment and, as development proceeds, will significantly enhance the appearance of the road corridor and the public domain whilst protecting and buffering adjacent residential areas. This "flexible" approach also minimises the need for future rezoning of land - therefore the need for a convoluted, costly rezoning process will be largely eliminated.

30 - Sutherland Shire

*PREVENTING CHILDREN'S FALLS FROM BUILDINGS

That the Local Government Association prepare a submission to the Minister for Planning and Infrastructure seeking the support of the Minister and the NSW Government for the Building Code of Australia to be amended as a matter of some urgency to incorporate the following provision in relation to windows and openings in multi level buildings that will effectively prevent children falling from any such openings:

"Where it is possible for a person to fall through an openable window from a floor level greater than 1m from a surface below, a barrier must be provided to restrict the opening so that at any point a 125mm sphere cannot pass through that section of the opening. The barrier can be provided in any robust form including a screen, louvres or mesh, and may also serve other purposes such as protection from bushfire hazard, security or solar heat load."

Note from Council:

The issue of children's safety and falls from windows and buildings is a serious issue that has received significant national attention. In response to broad concern, the Australian Building Codes Board (ABCB) has now reviewed the Building Code of Australia (BCA) and proposed changes to address this issue. These changes have been canvassed with both industry and councils during the consultation process and the draft BCA changes have been exhibited. Once the ABCB completes its review a national solution will be put in place and this will take effect in the next BCA amendment scheduled for 1 May, 2012.

The BCA is considered to be the most appropriate mechanism to address the safety risk of children falling from windows as new standards in the BCA can be applied consistently across Australia. As such, the construction industry and building material suppliers will be able to respond to the new controls with products that meet the new standards. While reviewing the BCA, the ABCB has proposed changes to make buildings safer and reduce the number of fatalities and injuries in

buildings as a result of falls from balconies, verandahs and through windows. It should be noted that the BCA applies to all buildings across Australia and is the construction standard by which the adequacy of buildings is assessed. The key BCA amendments proposed are:

- Handrails for private stairways and ramps – There are currently no provisions for this. The proposed changes require a handrail to be provided to at least one side of a stair flight or ramp located along its full length.
- Barriers for operable windows – The proposed change requires barriers for operable windows so that where it is possible for a person to fall through an operable window from a floor level greater than 1m from a surface below, a barrier to the height of 1m is to be provided. The provision does not apply where the operable window is restricted in its opening so that it does not allow a 125mm sphere to pass through, or a robust screen is provided to protect the opening.
- Non-climbable balustrades – Currently this provision only applies to floors more than 4m above the surface beneath. It is proposed that this will now apply to floors more than 1m above the surface beneath, requiring a balustrade or other barrier not to have climbable elements. However, the proposed provisions in the BCA will not address every situation where children can fall from windows or balconies. Most significantly, it will not address circumstances where furniture is used by a child to access a window or climb over a balcony.

The BCA currently contains a provision regarding safe movement and access in relation to houses, however there is no similar provision in relation to units within a multi level residential building. Further provisions are necessary and to be consistent with current means for controlling the size of openings it would be appropriate to incorporate a provision similar to the below:

‘Where it is possible for a person to fall through an openable window from a floor level greater than 1m from a surface below, a barrier must be provided to restrict the opening so that at any point a 125mm sphere cannot pass through that section of the opening. The barrier can be provided in any robust form including a screen, louvres or mesh, and may also serve other purposes such as protection from bushfire hazard, security or solar heat load.’

The BCA is considered to be the most appropriate mechanism to address the safety risk of children falling from windows as new standards in the BCA can be applied consistently across Australia. The proposed changes by the ABCB are adequate however there is need for further provisions to make buildings safer and reduce the number of fatalities and injuries in buildings as a result of falls from balconies, verandahs and through windows, in particular, within multi level residential unit buildings.

31 - Bankstown

*DISABLED PARKING SPACE DIMENSIONS

That the Local Government Association of NSW calls upon the State and Federal Governments to:

1. Arrange a review by Standards Australia, in consultation with key stakeholders, of the suitability of the dimensions of parking spaces for people with disability in its Standard - AS/NZS 2890.6:2009 Part 6: Off-street Parking for People with Disabilities.
2. Take regulatory measures to ensure that both existing and new disabled parking spaces are required to comply with the latest Standard within a reasonable time frame.

Note from Council:

Nil.

Police and Emergency Services

32 - Hornsby

*PROCEDURES TO CONTROL THEFT OF METAL FROM COUNCIL FACILITIES

That the Local Government Association request the State Government to implement the necessary procedures to require a person attempting to sell brass or copper to a metal recycling facility to provide personal identification, a description and registration number of the vehicle used to transport the metal, and either:

- provide evidence in writing that the person was the legal owner or lawfully was entitled to sell the metal; or
- sign a written statement provided by the facility that the person legally owned or was entitled to sell the metal offered for sale.

The recycling facility shall be required to visually verify and photocopy the seller's identification for record keeping purposes. Additionally, the facility shall be allowed to take a picture of the seller and the vehicle used to transport the metal, a photo of which could be accepted in lieu of the description and registration number, if the registration number is clearly identifiable in the photo.

Note from Council:

The theft of metal items from Council facilities is becoming an increasing problem and substantiates the claim that the metal is being stolen for sale as scrap metal. Common items stolen include copper wiring from sportsfield floodlights, brass water infrastructure from parks and sportsfields, and even plaques from local War Memorials.

All of the thefts are a huge burden on Councils scarce resources and it is necessary for the State Government to take action to control the sale of these metals, particularly brass and copper, such that the seller can be identified. This motion seeks the implementation of the necessary procedures for metal recycling operators which requires them to obtain personal identification from any person attempting to sell brass or copper as a means of providing a trail of evidence for Police investigation.

33 - Wyong

*TAG MEANS JAIL

That the Local Government Association make representation to the State Government, to reverse the onus of proof for graffiti offences such that the owner of a "tag" is prima facie guilty of a graffiti offence whenever this "tag" appears illegally.

Note from Council:

Nil.

34 - Armidale Dumaresq

*WHITE COLLAR CRIME

That the Local Government Association Conference 2011 call upon the Federal Government to establish a Royal Commission into white collar crime in Australia, with particular reference to the Administration and Liquidation industries.

Note from Council:

A Royal Commission into White Collar Crime especially in the Administration/Liquidation Industry is desperately needed. Last year's conference called for a parliamentary inquiry. A Senate Inquiry found widespread corruption in this industry. The recent Ariff case is just one of the many cases of rampant corruption and crime. A full Royal Commission is desperately needed with powers to investigate the industry and its sorry record of regulation.

35 - Hornsby

*PROCEDURES TO CONTROL THEFT OF METAL FROM COUNCIL FACILITIES

That the Local Government Association request the State Government to implement the necessary procedures to require a person attempting to sell brass or copper to a metal recycling facility to provide personal identification, a description and registration number of the vehicle used to transport the metal, and either:

- provide evidence in writing that the person was the legal owner or lawfully was entitled to sell the metal; or
- sign a written statement provided by the facility that the person legally owned or was entitled to sell the metal offered for sale.

The recycling facility shall be required to visually verify and photocopy the seller's identification for record keeping purposes. Additionally, the facility shall be allowed to take a picture of the seller and the vehicle used to transport the metal, a photo of which could be accepted in lieu of the description and registration number, if the registration number is clearly identifiable in the photo.

Note from Council:

The theft of metal items from Council facilities is becoming an increasing problem and substantiates the claim that the metal is being stolen for sale as scrap metal. Common items stolen include copper wiring from sportsfield floodlights, brass water infrastructure from parks and sportsfields, and even plaques from local War Memorials. All of the thefts are a huge burden on Councils scarce resources and it is necessary for the State Government to take action to control the sale of these metals, particularly brass and copper, such that the seller can be identified.

This motion seeks the implementation of the necessary procedures for metal recycling operators which requires them to obtain personal identification from any person attempting to sell brass or copper as a means of providing a trail of evidence for Police investigation.

Roads and Transport

36 - Ashfield

*CYCLE SHARE SCHEMES

That the Local Government Association support and promote initiatives, especially joint council initiatives towards the establishment of bike share schemes.

Note from Council:

A cycle share system could be a positive way of encouraging sustainable transport within our local areas, but we recognise that standalone systems may not be feasible. Issues include supply of helmets (and other associated safety considerations), the placement of 'hubs', consideration of topography in addition to resources. A cycle share scheme by Ashfield Council and other inner west Councils should be carried out in partnership with City of Sydney and/or Sydney University, so that Ashfield can benefit from their greater capacity and resources, and so that any future scheme involves compatible infrastructure.

That the Local Government Association write to the Premier and the Minister for Transport supporting the long term cycling needs of the Inner West and request support for the construction of a cycle link adjacent to the inner west light rail extension and city west link road.

Note from Council:

Council supports the construction of a Cycle Link adjacent to the Inner West Light Rail Extension and City West Link Road. The proposal is a logical extension to the Greenway corridor and would provide a unique opportunity to link the Inner West with other major cycle routes. To capitalise on this unique opportunity a request for support in approaching the State Government to immediately fund the link to provide for the long term cycling needs of the Inner West, we sent letters of support to the Premier and Minister of Transport are requested.

That the Local Government Association calls on the Australian Government to immediately implement its long-standing commitment to the development of a "safe rates" pay system for the trucking industry in Australia.

Note from Council:

Recognising the key importance to our communities of safe roads, and noting the many studies that have found that, poor safety in the transport industry with the ensuing risks of more accidents, is being driven to a large extent by low rates of pay, the Federal Government be asked to immediately implement its long-standing commitment to the development of a "safe rates" pay system for the trucking industry in Australia.

Category 3 Late Motions for Conference

Aboriginal Affairs (Education and Communities)

39 - Ashfield *COUNCIL RECONCILIATION ACTION PLANS AND ABORIGINAL CONSULTATIVE COMMITTEES

That the Local Government Association calls for every Council in New South Wales to prepare a Reconciliation Action Plan and establish an Aboriginal Consultative Committee to implement the plan, drawing on the positive experience in Ashfield Council.

Note from Council:

Ashfield Council's experience suggests that the Reconciliation process can be greatly enhanced by an Action Plan that systematically addresses the key issues relevant to a particular locality. Participation by local Aboriginal people in this process is essential. In this way a community can move toward true cultural understanding and appreciation.

Environment and Heritage

40 - Ashfield

*APPROVALS FOR NEW COAL FIRED POWER STATIONS

That the Local Government Association call on the NSW Parliament to join Greenpeace and other environmental, community and faith groups in NSW in calling for a stop to further approvals of new coal fired power stations.

Note from Council:

As leaders of our community we are an important voice in our communities who want to see strong action on climate change and energy transition to renewable energy and so we ask for a moratorium on new approvals for coal fired power stations.

41 - Ashfield

*ENERGY EFFICIENT STREET LIGHTING

That the Local Government Association lobby the NSW Parliament to legislate for the compulsory installation of energy efficient street lighting to replace the current light fittings which do not meet the new standard within a 5 year period, and specifically to support a standard of energy efficient luminaries such as compact fluorescent and LED.

Note from Council:

Street lights account for, on average, over a third of total energy consumption for councils. Current light fittings are very inefficient and, as a result, generate more greenhouse gases. Councils have no legal rights to change the light globes to more efficient globes as this is the domain of the energy providers.

Under the current policy, only those globes that fail are being replaced with energy efficient globes which mean that it could be up to 25 years before all globes are converted to energy efficient ones. Councils are forced to pay ever increasing energy charges for these inefficient globes and these charges are set to increase dramatically.

That the Local Government Association calls on all Australian councils to adopt a co-coordinated partnership to control the numbers and spread of Indian Myna birds.

Note from Council:

Myna birds are an increasing problem throughout mainland Australia and a coordinated national approach is needed to address their proliferation and impacts.

That the Local Government Association recognise the need for proper legislation to control the impending waste crisis facing Sydney Metropolitan Councils, approach Councils across Sydney to request support for a campaign calling for the introduction of container deposit legislation.

Note from Council:

The introduction of Container deposit legislation may address the problem of roadside litter and support its introduction to reduce the financial burden of operating curbside collection services.

That the Local Government Association give consideration to the additional costs that will be put on Councils as a result of the imposition of the proposed Federal Government carbon tax and call for compensation for such costs.

Note from Council:

The Federal Government's proposed introduction of a carbon tax will have a significant negative impact on the operations of Local Government and its financial sustainability. Local councils have estimated that a \$20 per tonne carbon price will increase road construction costs by 5%. This will result in additional cost pressures for local government, and as a consequence higher council rates, less road maintenance and substantial budget cuts. This will have a significant impact on local government as it is responsible for over 80% of Australia's road by length and provide and maintain road and road related infrastructure of approximately \$103 billion.

Currently there is a lack of detail which limits available information regarding the overall impact on Council's operations. It is expected that in addition to significant cost increases in road construction and maintenance, all council's operations will be affected from electricity purchasing to the cost of running our waste disposal facilities. It is imperative that the Local Government Association gain an assurance from the Federal Government that it will appropriately compensate Local Government for additional costs incurred in its operations as a result of the introduction of any carbon tax.

That the Local Government Association of NSW make representations to the Premier of NSW, the Minister for Local Government and the Minister for Energy requesting that energy providers be required to undertake tree pruning activities as a sensitive and sustainable practice that achieves a suitable balance between providing an adequate clearance from overhead cables whilst maintaining local streetscapes and the natural environment.

Note from Council:

In discussions with Council's energy provider the company maintains that the current vegetation management practices carried out by its contractors fully comply with legislative requirements and that the tree pruning works are essential for safety and service reliability. Council however is of the opinion that these practices do not provide a suitable balance between local streetscapes and the natural environment and is seeking a review of current practices.

Family and Community Service

46 - Ashfield

***INFRASTRUCTURE AND DISABILITY STANDARDS FOR ACCESSIBLE PUBLIC TRANSPORT**

That the Local Government Association calls upon the Australian Government to provide funding and resources in order to modify existing and/or establish new infrastructure to assist local councils with their obligations under the Disability Discrimination Act (DDA) to comply with the Disability Standards for Accessible Public Transport (DSAPT) requirements so that the necessary infrastructure can be transformed to meet the required standards.

Note from Council:

The Disability Discrimination Act (DDA) seeks to eliminate discrimination "as far as possible", against people with disability. Public transport is a service covered by the DDA and in 2002 a Disability Standards for Accessible Public Transport (DSAPT) was issued to assist public transport operators and providers to meet their obligations under the DDA. In order to comply with these requirements there is a considerable cost implication to Council in order to establish any new infrastructure or modify its existing infrastructure so that it conforms to these standards.

Council is committed to delivering DDA compliant infrastructure but there is a need for a higher level of assistance from a national level that should be channeled to this area so that the necessary infrastructure can be transformed to the required standards.

47 - Ashfield

***INTRODUCTION OF STATE-WIDE ALCOHOL TRADING RESTRICTIONS**

That the Local Government Association call on the NSW Government to respond to the efforts of the NSW Nurses Association, NSW Police and other emergency service organisations by introducing alcohol trading restrictions across the State.

Note from Council:

A seeming inability or unwillingness to regulate alcohol advertising and the alcohol industry generally, poses a real threat to the social fabric of our community, both locally and nationally. It results in enormous social costs to individuals, families and society. It amounts to significant financial costs to the community and ties up important hospital and health resources that could otherwise be used to deal with other health issues. At a local level we see the Exodus Foundation trying to campaign against alcohol labelling, perhaps because it sees at close quarters the human cost of alcohol abuse. Commenting on reports issued by the Foundation, the Rev. Bill Crews has stated: "These reports make it clear that there must be a change in public policy regarding alcohol consumption and gambling. Our findings clearly show that the status quo will only result in more lives being destroyed."

The NSW Nurses Association has joined forces with other emergency service organisations to launch the Last Drinks campaign, which calls on the NSW Government to introduce alcohol trading restrictions such as lockouts and reduced trading hours to help put an end to nurses, doctors, police

and paramedics becoming the victims of alcohol-related abuse. Ashfield Municipality has numerous outlets for the selling and consumption of alcohol and thus the issue is very relevant at a local level. The Local Government and Shires Association is supporting the introduction of new restrictions on the sale of alcohol at pubs and clubs across NSW as proposed in the Last Drinks campaign.

Local Government

48 - Ashfield

*ADDRESS STRUCTURAL CONSTRAINTS RATE PEGGING

That the Local Government Association calls upon the State Government to address the structural constraints rate-pegging places on Local Governments ability to raise the revenue required to meet the service expectations of their communities.

Note from Council:

The following table the percentage increases in the rate pegging limit in recent years. 2011/12 – 2.8% 2010/11 - 2.6% 2009/10 - 3.5% 2008/09 - 3.2% 2007/08 - 3.4% 2006/07 - 3.6% 2005/06 - 3.5% For the 2011/12 financial year and future years, the rate peg is determined by IPART using a Local Government Cost Index. Whilst this index is somewhat better than previous CPI, it still does not address the problems of cost shifting, service expectations and the continual funding required to maintain Council's infrastructure assets.

Special rate variations are available in order to undertake projects (e.g. environmental works, redevelop community and civic facilities and address maintenance backlogs) however these variations are often for limited timeframes and still dependent on receiving IPART's approval. Overall the current system effectively removes some of the ratepayer's democratic rights. Council's operational plans should be driven by the needs and desires of their community and be empowered to raise the required income accordingly. Ratepayers can then hold Council accountable at the ballot box in the same way as they hold the other two levels of government accountable.

49 - Ashfield

*IMPLEMENT A NATIONAL STRATEGY TOWARDS INTEGRATED TRANSPORT

That the Local Government Association calls on the Federal and State Government to establish a sport and recreational facilities infrastructure funding program for local councils.

Note from Council:

With the growing population the demand for sports and recreational facilities has increased quite dramatically, and the trend is that the demand will continue to increase into the future. Open space in an urban environment is at a premium so it is difficult for Council to acquire land to establish more recreational areas to keep up with this increasing demand. Without the possibility to increase facilities Council is faced with a higher concentration of usage, which in turn requires higher levels of maintenance in order to provide facilities that are acceptable and safe to the public.

Over time Local Government has assumed increased responsibility for the maintenance and management of recreational areas and facilities and spends a considerable proportion of its budget on these facilities. However with the increasing demand for these facilities Council can not continue to sustain the expenditure required to provide a suitable level of service. Funding programs are essential to facilitate the ongoing maintenance required for these facilities to be adequately maintained and continually upgraded.

That the Local Government Association calls upon the Federal and State Government to suitably compensate Local Government for increasing the fees charged to and the operations required to be performed by Local Government, generally referred to as cost shifting.

Note from Council:

In the annual "Impact of Cost Shifting on Local Government in NSW" report prepared by the Local Government and Shires Association, Ashfield Council has consistently been the Council with the greatest impost from cost shifting. The following table details the ever increasing drain cost shifting has placed on Council's finances.

Financial Year	Total income from operations before capital amounts in \$	Total amount of cost shifting in \$	Proportion of cost shifting in relation to total income
2005/2006	21,565,000	2,441,284	11.32%
2006/2007	22,756,000	2,630,495	11.56%
2007/2008	26,671,000	2,869,196	10.76%
2008/2009	27,326,000	3,132,944	11.47%
2009/2010	30,132,000	4,200,000	13.90%

The main items identified as cost shifting included:

- Contributions to the NSW Fire Brigade and State Emergency Services
- Unfunded pensioner rates rebates
- Operating public libraries
- Administration of the Companion Animals Act
- Functions under the Protection of the Environment Operations Act (NSW) 1997
- Provision of educational services such as schools using council parks and aquatic centre
- Paying the waste levy under s88 of the Protection of the Environment Operations Act (NSW) 1997
- Processing development applications under the Environmental Planning and Assessment Act (NSW) 1979

That the Local Government Association calls on the Federal Government to implement a national strategy towards integrated transport to improve the productivity, liveability and sustainability of major cities.

Note from Council:

Transport is a critically important issue for local communities - and therefore for local councils. Local roads comprise 85% by length of Australia's road network. They are the essential means of accessing homes, businesses, health, education and community services and recreational opportunities, and are thus a vital component of the infrastructure of our local communities. However, provision of transport services in Australia is facing substantial challenges.

It is estimated that by 2020, Australia's total freight task is expected to almost double; urban passenger trips will increase by about a third; and non-urban passenger travel could rise by about 70%. This growth will place much greater demands on local transport infrastructure and the safety margins of our road system. The issue of passenger transport and community infrastructure has largely been seen as a state/territory and Local Government responsibility, with much less emphasis by the Australian Government. Australia needs more than ever a national coordinated push towards integrated transportation which Local Governments can not do on their own.

Local Government is a crucial partner in the efficient and effective planning and delivery of road services, but the Federal Government needs to play a stronger role in developing the nation's ability to integrated transportation, traffic and parking facilities.

52 - Willoughby

*REVIEW OF RATING PROVISIONS

That the Local Government Association request that the Division of Local Government review the rating provisions of the Local Government Act to broaden the options available to Councils in relation to the sub-categorisation of residential properties.

Note from Council:

In terms of sub-categorisation of residential properties, council are limited in scope for determining an equitable rate structure due to the current legislative tests to be applied. The tests are limited to the centre of population test. That is, a residential sub-category can only be introduced to a rating structure where there are clear and defined centres of population such as a town or village.

Councils in largely urbanised areas cannot reasonably argue to satisfy the centre of population test due to the homogeneous nature of their areas, ie there is no defining boundary between types of residences. The legislation needs to be broadened to allow rating of property types within a defined area. For example a unit in a CBD area compared to the same type of property in another part of council's area. The value of the units in the CBD are comparable to the values of nearby land parcels for free standing dwellings but are considerably higher in value than units in other parts of a council area.

Current legislation provides for rating structures that can combine base amount and ad valorem rates, or ad valorem rates and minimum rates. In the case of the base amount structure, the rate bill includes a base rate which is a fixed amount charged to all properties in a sub-category, added to an ad valorem amount which is calculated on the land value of the property. Therefore in the case of a large unit development, the "land value" assigned to each unit based on unit entitlement is so low, units pay little more than the base amount. This is viewed as an inequitable outcome. The intent of the Motion is that councils have the legislative flexibility to differentially rate similar property types located in different defined areas.

53 - Wollondilly

*CONSTITUTIONAL RECOGNITION FOR LOCAL GOVERNMENT

That the Local Government Association continue to pressure the Australian Federal Government to uphold their election commitment and hold a referendum to constitutionally recognise Local Government.

Note from Council:

The purpose of this motion is to reinforce and support the Association in its efforts to have Local Government formally recognised.

54 - Greater Taree

*SPECIFIC INFRASTRUCTURE LEVIES

That the Local Government Association request the NSW State Government enable legislation which widens the use of levies that can be applied as part of annual rates, for specific infrastructure works or projects.

Note from Council:

The restriction that rate pegging applies in meeting infrastructure provision means that where there is a demand and expectation for a community to deliver a specific project, Councils are often unable to satisfy those needs due to existing infrastructure maintenance demands.

55 - Greater Taree***INFRASTRUCTURE BONDS**

That the Local Government Association requests the NSW Government enables legislation and a means that provides a method of NSW Government endorsed and guaranteed infrastructure bonds to fund Local Government borrowing program.

Note from Council:

The Triple A rating that may to be attached to such instruments is likely to be a source of investment for both Institutional and Private investors and a means to fund public works at a rate less than the prevailing commercial rates.

Planning

56 - Ashfield***REVIEW OF ENVIRONMENTAL PLANNING LEGISLATION**

That the Local Government Association commends the NSW Government for proposed review of environmental planning legislation and is requested to closely co-operate with Local Government and its communities on the review of the legislation

Note from Council:

The NSW Government is embarking on a major review of the system which defines how planning decisions are made. This will include the creation of new State Planning Legislation. The roles of State and Local Government and how to get high-quality public participation in the planning system will be investigated. The first stage of the review is a "listening process". It is important that during this stage the views of local communities are taken on board. Agreeing on an appropriate balance between State and Local Government planning responsibilities will be a critical part of the process.

57 - Ashfield***CONSOLIDATION OF LAND USE PLANNING SYSTEM**

That the Local Government Association call on State Government to enact legislative changes as part of the review of the NSW Planning legislation that will vastly simplify the land use planning system and to consolidate state environmental planning policy requirements that are still relevant into local plans.

Note from Council:

The existing planning system is convoluted and multi-layered. It has been characterised in recent years by an ever increasing level of complexity as a result of multiple layers of planning controls enacted primarily at State level. There is a need to simplify and consolidate controls in a single document. Superfluous/outdated controls should be discarded. Changing responsibilities between State and Local Government will also guide the structure and content of future planning controls.

That the Local Government Association call on state government to review the standard LEP template to allow more discretion on land use planning by local councils - for example review "catch all" land use definitions which make it difficult to exclude land uses that may be inappropriate in certain locations.

Note from Council:

The evolution of the standard template for LEP's has to some degree overly focused on procedure and applies a "generic approach" in the sense that some controls do not allow sufficient leeway to respond to local circumstances. One example is the inclusion of intensive uses such as drive-in-restaurants as a type of retail premises which makes it impossible to selectively exclude them from particular geographical locations.

That the Local Government Association call on State Government to provide funding to Councils for implementation on a statewide basis of uniform e-services platform accessed via internet to lodge, track, comment and view decisions on development applications.

Note from Council:

The United Kingdom has a uniform system that achieves the above (the "Planning Portal"). A similar system needs to be implemented in Australia preferably on a Federal basis -perhaps fine tuned to align with State/Local planning legislation. Efficiency, transparency, accountability and are all numerous benefits that would flow from this.

That the Local Government Association call on state government to upwardly review the monetary thresholds that trigger referral of development applications to the Joint Regional Planning Panels (JRPP).

Note from Council:

The development approval process in NSW should be reviewed so that an appropriate democratic demarcation is achieved between what are genuinely regional and what are more properly termed local matters. The JRPP is arguably less democratic and less accountable to local communities for its decisions. It currently considers applications that are arguably local matters and should be entirely the responsibility of Councils. The current criterion for referral to the JRPP is \$10m. If the "panel" system is to be retained this should be revised upwards to at least \$20m so that only genuinely "regional" matters are considered by the panel.

That the Local Government Association call on State Government to streamline the referral process relating to development applications for significant developments by requiring statutory authorities to convene a panel of experts that would provide a "one stop shop" for expedited referral responses.

Note from Council:

The current system for referral of significant development applications to different statutory authorities is a lengthy process leading to delays in determinations. There needs to be a dedicated multi-disciplinary approach that could for example involve a panel comprising representatives of all statutory authorities. This would also improve the quality of decision making/comments as statutory authority views on an application would be discussed openly and shared between members of the panel.

Police and Emergency Services

62 - Great Lakes

*FUNDING OF THE NSW RURAL FIRE SERVICE

That the LGA advocate:

1. The removal of local government from their responsibilities within the day to day operations of a RFS district as currently dictated under the Rural Fires Act. 1997.
2. To advocate solidly for a broad based property levy, which is the system adopted in other states such as Queensland, South Australia and Western Australia.

Note from Council:

The current management arrangements for the NSW Rural Fire Service where Local Government has the responsibility of the day to day operation with all budgeting and management undertaken at the State level, has imposed severe financial and operational pressures on Local Government. Having one agency control all aspects would lead to efficiencies. Subsequently the funding for this agency should not fall within the confines of Local Government.

63 - Wyong

*COMMUNITY APPROACH TO COMBAT GRAFFITI ISSUES

That the Local Government Association urge all Councils to take a whole of community approach to combat the growing issues of graffiti.

Note from Council:

Nil.

Primary Industries

64 - Warringah

*COAL SEAM GAS INQUIRY

That the Conference:

1. Support the Coal Seam Gas (CSG) inquiry being undertaken by the NSW Legislative Council
2. Calls on the NSW Government to ensure the role of councils adequately considered in dealing with CSG exploration and production
3. Calls on the Government to institute a moratorium on any further CSG development until the findings of the inquiry have been responded

Note from Council:

Nil.

Roads and Transport

65 - Ashfield

*INCREASE CURRENT LEVEL OF FUNDING

That the Local Government Association calls upon the Federal Government to substantially increase the current level of funding provided to councils for the sustainable asset management of local roads.

Note from Council:

Council's greatest asset is the roadway consisting of approx 1,000,000 sqm of asphaltic concrete with supporting footpaths and stormwater networks. This infrastructure is known as primary or critical infrastructure as it constitutes the main framework for other secondary and supporting infrastructure within a local community. Also it represents the highest single item expenditure for Council in any financial year, and will continue to do so. Currently funding is provided from the following sources to assist Council in maintaining its local roads:

- Roads to Recovery Program – Federal Government
- Financial Assistance Grant (local roads component) – Federal Government
- Various Special Grants - Roads and Transport Authority

This funding only goes part of the way to adequately maintain the local roads and unless further funding is made available from the above sources the condition of the local roads will continue to decline. There is clearly a gap between the needs and the funds that are available.

66 - Greater Taree

*ROADS TO RECOVERY PROGRAM

That the Local Government Association calls on the Federal Government to:

1. Recognise the successful delivery of the Roads to Recovery Program by Local Government since 2000
2. Continue the Roads to Recovery Program on a permanent basis to assist Local Government meet its responsibilities of providing access for its communities
3. Continue the Roads to Recovery Program with the current administrative arrangements and
4. Provide an increased level of funding under a future Roads to Recovery Program that recognises the shortfall of funding on local roads of \$1.2 billion annually.

Note from Council:

This motion is for the Local Government Association to support the advocacy of the ALGA in seeking a level of funding for local roads. The ALGA commissioned research which was released at the 2010 National Local Roads and Transport Congress in Bunbury, which shows the national shortfall in the level of funding for local roads amounts to approximately \$1.2 billion annually. At the 2011 National Local Roads and Transport Congress to be held in November in Mount Gambier, the ALGA will launch a campaign to have the R2R program made permanent at a rate that recognises the backlog of needs on local roads. If the R2R program could be made permanent, this would provide Council's with certainty of funding and give Council's control over the works to be funded.

67 - Greater Taree

*ROAD STANDARDS

That the LGA Executive advocate a review of the appropriateness of Auspec standard to remote rural roads of roads that are not of a regional status with the objective that a standard such as 4 wheel drive only, no caravans permitted, local commuter road only be devised.

Note from Council:

The standard expected by current legislation is cost prohibitive and often exceeds the expectations and needs of commuters travelling on such rural and remote roads.

68 - Byron

***REGULATION OF CAMPING IN MOTOR VEHICLES ON PUBLIC PLACES**

That the Local Government Association urges the NSW Government to amend the provisions of the Local Government Act and consequential Statutes and Regulations by repeal or amendment of Section/Clauses which prohibit a council's power to regulate camping in motor vehicles on public places which are road related areas.

Note from Council:

Camping in residential streets in the Byron Shire, particularly in parts of Byron Bay and Suffolk Park, is an issue of concern for many residents because of the impacts of noise, disturbance, rubbish and loss of amenity. Council receives regular complaints from the community about this issue. Generally the profile of these campers includes younger travellers, often backpackers, people attending events or itinerants, transients or homeless people. The vehicles involved range from specifically designed campervans to sedans.

Management and enforcement of street camping at present is carried out via installation of signs prohibiting parking between 1am – 5pm or 1am - 6am, under the Australian Road Rules. Council's Rangers carry out early morning patrols of streets known to be of concern and move campers on and issue penalty notices where applicable. 'No camping' signs have also been erected in parks, reserves and beaches under S632 of the Local Government Act.

It should be noted that a number of councils in NSW are currently being lobbied by both pro and anti overnight rest area lobby groups and this is potentially a contentious issue. Council has undertaken a review of the legislation providing Council with its enforcement powers as well as undertaking research and enquiry. It would seem that other than the usual traffic management and car parking regulation powers available to Council there do not appear to be any mechanisms available to Council to control camping in motor vehicles on the roads.

Section 632 of the Local Government Act is in the following terms:

632 Acting contrary to notices erected by councils

1. A person who, in a public place within the area of a council, fails to comply with the terms of a notice erected by the council is guilty of an offence. Maximum penalty: 10 penalty units.
2. However, a notice:
 - a. must not prohibit the drinking of alcohol in any public place, including any public road or car park, and accordingly a sign under section 632A or 644C is not a notice under this section; and
 - b. must not prohibit or regulate the taking of a vehicle into, or the driving, parking or use of any vehicle in, any public place that is a road or road related area within the meaning of the Road Transport (General) Act 2005 .

The question is what does "use" mean in the context of "use of any vehicle"? Council has considered the interpretation of the word "use" when linked to "motor vehicle" and whether "use" is limited to traffic use.

In *State Government Insurance Commission v Stevens Brothers Pty Ltd and Another* - (1984) 52ALR 441 the High Court said (although in a different context)

"...in choosing the expression 'the use of the motor vehicle' as the basis for the requirement of a policy of insurance and for the delimitation of the area of the indemnity to be obtained, the Act indicates an intention to cover a very wide field, a field more extensive than what might be called the traffic use of the motor vehicle."

The fact that the use of a vehicle is more expansive than merely a traffic use it confirms the conclusion that, while section 632 of the Local Government Act empowers council to regulate the doing of anything in a public place, that power is not entirely unfettered. Any notice erected by council must not prohibit or regulate the parking or use of any vehicle in a public place that is a Road or Road related area.

The powers presently available to Council appear to be:

1. Council can regulate camping in public places via Section 632 of the Local Government Act.
2. However, Council cannot "prohibit or regulate the taking of a vehicle into, or the driving, parking or use of any vehicle in, any public place that is a road or road related area within the meaning of the Road Transport (General) Act 2005" pursuant to s632(2A)(b) of the Local Government Act 1993.
3. Road or road related area is defined in the Road Transport (General) Act 2005 as being: " 'road' means an area that is open to or used by the public and is developed for, or has as one of its main uses, the driving or riding of motor vehicles" and " 'road related area' means:
 - a. an area that divides a road, or
 - b. a footpath or nature strip adjacent to a road, or
 - c. an area that is open to the public and is designated for use by cyclists or animals, or
 - d. an area that is not a road and that is open to or used by the public for driving, riding or parking vehicles, or
 - e. a shoulder of a road, or
 - f. any other area that is open to or used by the public and that has been declared under section 15 to be an area to which specified provisions of this Act or the regulations apply."
4. Therefore, no power exists to enable Council to regulate, via the provisions of the Local Government Act, camping in motor vehicles on public roads, footpaths, nature strips adjacent to roads or car parking areas etc. on the basis that it falls within the meaning of 'use of any vehicle' in Section 632(2A)(b). The sleeping of persons in vehicles constitutes the use of the vehicle as a refuge in which to sleep. Accordingly it is beyond the power of Council, pursuant to section 632, to prohibit the sleeping of persons in vehicles. Interestingly, it appears open to Council to prohibit sleeping generally (that is, outside the vehicle) pursuant to section 632 by erecting the appropriate notice. Similarly, camping and overnight staying (not involving vehicles) could be similarly prohibited by notice.

5. Council does have powers to regulate motor vehicle parking under the Roads Act 1993 and related traffic legislation, through parking signage limiting the hours during which parking (even if not sleeping in vehicle) is permitted.

69 - Blue Mountains

*ROADS TO RECOVERY PROGRAM

That the NSW LGA calls on the Federal Government to:

Recognise the successful delivery of the Roads to Recovery Program by local government since 2000;

1. Continue the Roads to Recovery Program on a permanent basis to assist local government meet its responsibilities for its communities
2. Administer the Roads to Recovery Program under the current administrative arrangements
3. Provide an increased level of funding under a future Roads to Recovery Program that recognises the shortfall of funding on local roads of \$1.2 billion annually
4. That the LGA write to the Prime Minister, the Leader of the Opposition, Minister for Infrastructure and Transport, Opposition spokesperson for Transport and the local Federal Member of Parliament to advise them of Council's support for the Roads to Recovery Program.

Note from Council:

This motion is submitted in response to the Australian Local Government Association's (ALGA) call to local government to support the continuance of the Federal Roads to Recovery Program.

The ALGA motion calls for the Roads to Recovery Program to be made permanent, providing all Councils with certainty of funding and control over the works to be funded.

Trade, Investment, Regional Infrastructure

70 - Wollongong

*UPGRADE OF SYDNEY TO WOLLONGONG RAIL LINE

That the Local Government Association make representations to Infrastructure New South Wales, Regional Development Australia - Illawarra and Infrastructure Australia in support of Wollongong City Council's attempts for a high priority to be given to the upgrade of the rail line between Sydney and Wollongong to improve safety, reliability and speed of passenger and freight services.

Note from Council:

The upgrade of the rail corridor between Sydney and Wollongong is one of the key components associated with the development of the Illawarra Regional Transport Strategy together with the Maldon-Dombarton railway line and the extension of the F6. Due to the ageing infrastructure along this line and particularly along the Illawarra Escarpment, trains are required to travel at reduced speeds and it is considered that with the large number of workers commuting to Sydney on a daily basis, together with the development and expansion of Port Kembla Harbour, there is an urgent need for this line to be upgraded to reduce travel time.

ATTACHMENTS

Motion: 64 - Orica Plant Incident

Attachments: Supporting Letter

Motion: 11 - Coal Seam Gas Inquiry

Attachment: Notice of Motion 42/2011

Concerned Citizens of Stockton who attended community meeting on 13/8/11
c/- Kate Johnson
66 Hunter St
Stockton
NSW 2295

Mr James Bonner
Orica Mining Services General Manager
15 Greenleaf Road
Kooragang Island
NSW 2304

Cc by email to:

Sharon Claydon	Councillor, Newcastle City Council
Michael Osborne	Councillor, Newcastle City Council
Tim Owen MP	State Member, New South Wales State Government
Robyn Parker MP	State Member for Maitland, Minister for the Environment and Heritage, New South Wales State Government
Luke Foley MLC	State Shadow Minister for Environment and Climate change
Julian Skinner MP	State Member for North Shore and Minister for Health
Sharon Grierson MP	Federal Member for Newcastle
Tony Burke MP	Federal Member for Watson, Minister for Sustainability, Water, Population and Communities
Roger Brock	The Editor, Newcastle Herald

13 August 2011

This is an open letter from me on behalf of the concerned citizens of Stockton who attended the community meeting at Stockton on 13 August 2011.

The Stockton community held a public meeting on Saturday in response to the emission of hexavalent chromium from the Orica Plant across our peninsula on Monday 8th August 2011. The meeting was attended by approximately 200 people.

Orica has refused to speak publicly to the community or provide us with any information regarding the incident.

As Orica will not communicate with us, we have developed the following messages for Orica to respond to:

1. Orica must come and speak to the community and provide us information on:
 - Why did it take so long before the hazard was reported to the community?
 - How was the area of impact defined?
 - What is the potential impact of the chemical on the community?
 - What is Orica's documented emergency response and safety plan with respect to chemical discharge or explosion on site (i.e. informing & evacuating the community? Was this plan followed during this incident?)

- How did the Chromium VI get released and how did Orica know it had been released?
 - What are the cumulative risks and impacts to the community from the continued breaches of Orica's licensing requirements?
 - What other toxic chemicals are on the Orica Kooragang site with potential to affect our community and environment? What is Orica's response plan for these should they be released?
 - We would like to see a copy of the Project Risk Assessment of the recent plant upgrade that defines the potential risk to the community.
2. Orica and NSW Health must provide the results of last week's samples to the community.
 3. The Stockton community would like to work with the Office of Environment and Heritage and Orica to contribute to Orica Kooragang's regulatory licensing and monitoring requirements, to improve the monitoring conducted at the facility and to incorporate local monitoring to be conducted on Stockton (including groundwater and air monitoring).
 4. The Stockton community would like MSDS's (Material Safety Data Sheets) to be made available publicly for all chemicals used at the Orica Kooragang facility.
 5. The Stockton community would like to work with Orica to develop and have input into crisis management /emergency response and notification alert systems as they affect Stockton residents to manage future unlicensed emissions and potential hazardous situations.
 6. The Stockton community would like there to be a requirement for regular independent site inspections /audits to be conducted to review site safety practices and environmental conformance requirements. We would like the outcomes of these to be provided to the community.

We understand that the results that have come back from this incident have shown negligible levels of hexavalent chromium, however would like to know the timing of those samples being taken and their subsequent representativeness to highlight the potential risks.

We are very concerned about the lack of immediate response to the incident and adequate communication of risks by Orica to the Stockton community.

We require surety that in the future we will be given immediate notification of possible hazardous chemicals in our atmosphere so that we can make decisions that affect ourselves and those in our care.

A Public Meeting for the Stockton community is planned for Tuesday 23 August at 7:00pm and Stockton RSL Club. We understand that representatives from Orica will be attending this meeting and seek your response to the above matter either prior to or at this meeting to enable appropriate communication of the issues to the community.

Kate Johnson

On behalf of the concerned citizens of Stockton who attended the community meeting on 13 August 2011

6.6 Notice of Motion No 42/2011 Local Government Association Conference Late Motion

(BP REF 22)

RESOLVED

Cr Harris / Cr Kirsch

That Council endorse the following Motion for submission to the Local Government Association Conference as a late motion (late motions are required to be submitted by 7 October 2011):

That the conference:

1. Support the Coal Seam Gas (CSG) inquiry being undertaken by the NSW Legislative Council; and
2. Calls on the NSW Government to ensure the role of councils adequately considered in dealing with CSG exploration and production; and
3. Calls on the government to institute a moratorium on any further CSG development until the findings of the inquiry have been responded.

CR LAUGESEN LEFT THE CHAMBER AT 9.57PM.

VOTING

For the resolution: Crs De Luca, Giltinan, Harris, Kirsch, Ray, Regan, Sutton and Wilkins.

Against the resolution: Cr Falinski.

CR LAUGESEN WAS ABSENT FROM THE CHAMBER DURING VOTING ON THIS ITEM.

