

# LGNSW Annual Conference 2023

## Record of Decisions

### F1 LGNSW Board

### Standing Orders

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

**Decision: Carried**

Association business

### 1 LGNSW Board

### Standing Orders

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

**Decision: Carried**

### 2 LGNSW Board

### Fundamental Principles

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That the LGNSW Annual Conference:

1. Endorses the LGNSW Board exercising its functions and determining advocacy activities and priorities giving consideration to all applicable legislative requirements, the LGNSW Rules, the Objects of LGNSW as set out in the Rules, resolutions of LGNSW Conferences, the LGNSW budgetary process and the LGNSW Fundamental Principles.
2. Endorses the LGNSW Fundamental Principles, as set out below:

#### *Economic*

- A. Local government must have control of its revenue raising and investment decisions and be fairly funded by the Commonwealth and State/NSW Governments to meet its infrastructure and service responsibilities.
- B. Local government promotes local and regional economic development and employment growth.

#### *Infrastructure*

- C. Local government is best placed to plan for, deliver and manage essential local infrastructure.

#### *Planning*

- D. Local government is best placed to lead and influence local and regional planning processes according to the needs and expectations of local communities

E. Our communities' quality of life is a priority of local government planning.

### ***Environment***

F. Local government actions reflect Ecologically Sustainable Development. ESD requires the effective integration of economic, environmental and social considerations in decision making processes and is based on the following principles:

- Intergenerational equity – today's actions maintain or enhance the environment for **future generations**
- **Precautionary principle – prevent environmental degradation and manage and mitigate risk**
- **Conservation of biological diversity and ecological integrity**
- **Improved valuation and pricing of environmental resources – recognising the value of the environment to the community**
- Commit to the principles of the circular economy and minimise the consumption of finite natural resources.

### ***Social and Community***

G. Local government is committed to the principles of:

- Equity – fair distribution of resources
- Rights – equality for all people
- Access – to services essential to quality of life
- Participation – of all people in their community
- Recognition – of the unique place of Aboriginal people in NSW and the right of Aboriginal people to be involved in all decisions affecting Aboriginal communities
- Health and Safety – for all in the community.

### ***Governance***

H. Local government must be constitutionally recognised and respected as an equal sphere of government.

I. Local government is democratically elected to shape, serve and support communities.

J. Local government is committed to the principles of good governance.

### ***Accountability***

K. Local government is responsible and accountable to the citizens and the communities it represents, through consultative processes, legislative accountabilities, efficient delivery of services and effective customer service.

L. Local government is recognised as a responsible and place-based employer.

M. Local government reduces and mitigates the risk of climate change for the communities we serve.

**Decision: Carried**

## Financial sustainability

### **3 Strathfield Council                      Impact of cost shifting by state government on local government finances**

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That Local Government NSW lobbies the State Government to address the negative impacts of its cost shifting activities on local government finances through the following actions:

1. Engaging in direct communication with Local Government officials and bodies to discuss concerns about the consequences of cost shifting on local communities.
2. Engage in constructive dialogue with local councils to explore sustainable solutions that ensure adequate funding is available to support Local Government services and programs that are State mandated.
3. Commit to fully funding the programs and services that State Government mandates Local Councils to administer. This involves providing sufficient financial and technical resources to cover the costs associated with these responsibilities.
4. Implementing a requirement for State Governments to conduct a comprehensive fiscal impact assessment before transferring any new responsibilities, implementing statutory fees and charges, or increasing statutory payment burden (such as the ESL) on Local Councils. This review should include a thorough cost analysis to ensure that Local Councils receive the necessary funding or are able to raise the appropriate revenue to cover the expenses related to these statutory responsibilities. Transparency in these cost calculations and funding allocation is crucial.
5. Establish transparent mechanisms for revenue sharing between State and Local Governments. This should involve allocating a certain percentage of State revenue (separate from and in addition to capital grants) to Local Councils to help cover the costs of transferred responsibilities.
6. Create an independent body or utilise existing bodies such as IPART for reviewing potential unfunded mandates (responsibilities without

adequate funding) before they are imposed on Local Councils. This body can assess the financial impact and recommend appropriate funding levels.

7. Involve Local Councils in the decision-making process when considering changes in responsibilities or funding allocations. Collaboration ensures that the needs and challenges of local communities are taken into account.

## Decision: Carried

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

### Waverley Council

### Cost-shifting

That Local Government NSW increases its advocacy to oppose any cost-shifting that impacts member councils, including returning 100% of income from the waste levy to all NSW councils and reimbursing councils for the mandatory pensioner rate rebates.

### 4 Junee Shire Council

### Removal of sect. 119 of the *Rural Fires Act 1997*

#### Motion

That Local Government NSW lobbies to remove s119 (5) of the *Rural Fires Act 1997* referencing the vesting of Rural Fire Services equipment with NSW councils.

#### Amendment

That Local Government NSW:

1. Notes the ongoing objections regarding the previous NSW Government's determination on ownership of Rural Fire Service assets;
2. Acknowledges the impact of the Government's position on council finances of this accounting treatment;
3. Calls on the newly elected NSW Government to take immediate action to permanently clear up inequities and inconsistencies around the accounting treatment of Rural Fire Service (RFS) assets by acknowledging that rural firefighting equipment is vested in, under the control of and the property of the RFS;
4. Calls on the NSW Government to amend s119 of the Rural Fires Act 1997 (and any other relevant legislation and regulation) so that the effect is to make it clear that RFS assets are not the property of councils; and

5. Continues advocating on behalf to affected councils to get clarification from the State Government about the accounting treatment of RFS assets.

**Decision: Amendment Carried**

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

**City of Newcastle                      NSW Audit Office and ownership of rural fire service assets**

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That Local Government NSW:

1. Notes the ongoing objections regarding the previous NSW Government's determination on ownership of Rural Fire Service assets;
2. Acknowledges the impact of the Government's position on council finances of this accounting treatment;
3. Calls on the newly elected NSW Government to take immediate action to permanently clear up inequities and inconsistencies around the accounting treatment of Rural Fire Service (RFS) assets by acknowledging that rural firefighting equipment is vested in, under the control of and the property of the RFS;
4. Calls on the NSW Government to amend s119 of the *Rural Fires Act 1997* so that the effect is to make it clear that RFS assets are not the property of councils; and
5. Continues advocating on behalf to affected councils to get clarification from the State Government about the accounting treatment of RFS assets.

**Greater Hume Shire Council                      NSW Rural Fire Service asset recognition**

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That Local Government NSW:

1. Supports the continued position that NSW Rural Fire Service plant and equipment is NOT included in the asset register and financial statements of any Local Government Authority, as these Authorities do not have care, control nor management of the plant and equipment, and
2. Writes to the Minister for Emergency Services requesting an urgent review of the legislation to ensure any ambiguity is resolved and removed.

**5 Cabonne Council                      Rural fire services – repair and maintenance of fleet**

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That Local Government NSW lobbies the NSW Government to provide funding for the Rural Fire Service annual repairs and maintenance budget for firefighting fleet, including annual indexation based on the Consumer Price Index.

**Decision: Carried**

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

**Lithgow City Council**

**NSW government to fully fund RFS maintenance and repair costs**

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That Local Government NSW calls upon the NSW Government to fully fund RFS maintenance and repair costs. Between \$300 and \$400K is received each year to maintain both fleet and buildings with insufficient consideration of what is actually required and small increases year-on-year. For example, with RFS buildings, it is recognised that Council's asset management responsibilities cannot be sustainably met without some process of inspection, condition reporting and responsive funding allocation. In the past, the funding shortfall has led to Council subsidising the cost of operations to deliver necessary building works. However, going forward, Council does not have the capacity to absorb these unplanned costs.

A solution is required which honours the value of local volunteer firefighters, responds to the unique operational needs of this function, and assigns adequate and responsive funding without cost-shifting onto local government

**Blayney Shire Council    Funding shortfalls - RFS trucks and equipment maintenance**

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That Local Government NSW requires the NSW Government to fully fund the Maintenance and Repair expenditure on trucks and other equipment for all Zones and Districts of the NSW Rural Fire Service through the current grant process and not see Councils have to pick up any shortfalls.

**6 Cabonne Council**

**Stronger Country Communities Fund**

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That Local Government NSW lobbies the NSW Government to:

1. Recognise the positive impact the Stronger Country Communities Fund has had on rural and regional communities across NSW by providing new and upgraded community infrastructure and programs.
2. Prioritise continued commitment of at least \$160 million, each year, towards the Stronger Country Communities.

**Decision: Carried**

**7 Cabonne Council**

**Resources for Regions**

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**Motion**

That Local Government NSW:

1. Recognises that the Resources for Regions program supports the ongoing prosperity of mining communities by funding infrastructure.
2. Calls on the NSW Government to commit to funding future rounds of Resources for Regions.

## Amendment

That Local Government NSW:

1. Recognises that the Resources for Regions program supports the ongoing liveability of mining communities.
2. supports incorporating into the NSW Regional Development Trust Fund a dedicated amount for mining councils based on mining activity, no cost benefit ratio, and no co-contribution, to support community programs.

**Decision:** Amendment Carried

### **8** Lake Macquarie City Council

### **Certainty and visibility of FA Grants**

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That Local Government NSW advocates to the Federal Government to address the scheduling of the payment of Financial Assistance Grants and maintain that schedule.

**Decision:** Carried

### **9** Tweed Shire Council

### **Local government grants agency**

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That Local Government NSW writes to the NSW Premier and the NSW Minister for Local Government requesting the establishment of a NSW Local Government Grants Agency to coordinate all the state and federal grants programs through one central agency. This would provide a single point of contact for councils and establish consistent grant application, reporting and acquittal arrangements.

**Decision:** Carried

### **10** Upper Lachlan Shire Council

### **One off funding for distressed projects**

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That Local Government NSW advocates on behalf Local Government to the Federal Government and NSW Government to create a one off rescue grant funding round for councils who have unfinished critical community infrastructure projects due to the collapse of building construction companies.

**Decision:** Carried

**11 Walcha Council** **Impose a rate category on unrateable land**

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That Local Government NSW ~~lobbies calls on~~ the ~~State NSW~~ Government to ~~impose change legislation to allow the rating of a Rate Category on National Parks and Forestry Corporation~~ and other currently unrateable government land.

**Decision:** Carried (with amendment)

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

**Bega Valley Shire Council** **Rating of unrateable land**

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That Local Government NSW calls on the NSW Government to change legislation to allow the rating of forestry and other currently unrateable government land.

**12 Lane Cove Council** **Build to rent developments - council rating implications**

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That Local Government NSW calls on the NSW State Government to urgently review the applicability of current rating legislation as it relates to 'Build to Rent' developments in NSW, with a view to ensuring Council rates can be levied on those developments in the same way Council rates are levied on residential apartment developments that have a registered strata plan.

**Decision:** Carried

**13 Blacktown City Council** **Including developer contributions in local government loan serviceability**

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That Local Government NSW calls on the NSW Government to amend the guidelines for NSW Treasury to include developer contributions in local government loan serviceability, and amend "fit for the future" KPIs accordingly.

**Decision:** Carried

**14 Albury City Council** **Statutory fees and charges amendments completed by April each year**

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That Local Government NSW seeks the State Government to provide amendments to all Statutory Fees and Charges in April each year, allowing those amendments to be included in the advertised draft Operational



Plans and Delivery Programs, including the Fees and Charges Schedule, of Councils.

**Decision: Carried**

## Elections

### **15 Albury City Council**                      **Requirement for candidate/councillor address on electoral material**

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#### **Motion**

That Local Government NSW calls on the NSW Electoral Commission (NSWEC) to review the requirements for candidates standing for election to include their personal address on electoral material as their only valid contact option, in an endeavour to assist with ensuring the safety of candidates and ultimately Councillors.

#### **Amendment (Lost)**

That Local Government NSW:

1. calls on the NSW Electoral Commission (NSWEC) to review the requirements for candidates standing for election to include their personal address on electoral material as their only valid contact option, in an endeavour to assist with ensuring the safety of candidates and ultimately Councillors.
2. **calls for candidates to instead be required to provide only the name of the suburb in which they live.**

**Decision: Motion Carried**

### **16 Camden Council**    **Extension to current term of councillors**

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That Local Government NSW advocates that the NSW Government legislate to extend the current term of NSW councillors to a four-year term by deferring the NSW local government elections to September 2025.

**Decision: Lost**

That Local Government NSW calls on the NSW Government to eliminate the 18-month time limit on replacing a councillor casual vacancy by election countback.

**Decision: Carried**

**Motion**

That Local Government NSW:

1. Acknowledges the many well documented financial and legislative impediments currently facing the local government sector across NSW.
2. Notes that the process of a constitutional referendum for determining the number of councillors to be elected during a term of office in a local government area is outdated and unfairly places a considerable financial impost on councils. Central Coast Council incurred a cost of \$1.775 million to hold its 2021 referendum.
3. Notes the urgent need for genuine reform of the administration and financial modelling of local government following decades of state government cost-shifting, under resourcing, rate-capping, asset and services transfers, forced amalgamations, transfer of decision-making powers from elected councillors to the administration, and removal of planning powers, to name a few significant issues.
4. Notes that the Act is now 30 years old, and in need of review. Calls on the State Government to provide genuine reform of local government through full collaborative review of the *Local Government Act 1993*, in consultation with LGNSW, the USU and the local government sector, including progressive reforms such as the QLD local government model.
5. Acknowledges the instrumental role played by metropolitan, regional, and rural councils in servicing our communities, whether it be strategic or land-use planning, managing community assets, open spaces, our state's local and regional road network, implementing environmental initiatives, looking after our libraries or processing our waste. The

needs of each community are different and not currently reflected in the Act, in terms of both governance and funding.

6. Supports changes to the Act that redress the imbalance created in 1993 by restoring functions to elected officials in metropolitan, regional, and rural contexts.

### **Amendment (Lost)**

That Local Government NSW:

1. Acknowledges the many well documented financial and legislative impediments currently facing the local government sector across NSW.
2. Notes the urgent need for genuine reform of the administration and financial modelling of local government following decades of state government cost-shifting, under resourcing, rate-capping, asset and services transfers, forced amalgamations, transfer of decision-making powers from elected councillors to the administration, and removal of planning powers, to name a few significant issues.
3. Notes that the Act is now 30 years old, and in need of review. Calls on the State Government to provide genuine reform of local government through full collaborative review of the *Local Government Act 1993*, in consultation with LGNSW, the USU and the local government sector, including progressive reforms such as the QLD local government model.
4. Acknowledges the instrumental role played by metropolitan, regional, and rural councils in servicing our communities, whether it be strategic or land-use planning, managing community assets, open spaces, our state's local and regional road network, implementing environmental initiatives, looking after our libraries or processing our waste. The needs of each community are different and not currently reflected in the Act, in terms of both governance and funding.

### **Decision: Motion Carried**

**19 Forbes Shire Council**

**Disqualification of real estate agents from holding civic office**

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That Local Government NSW does not support a position disqualifying real estate agents **and stock and station agents** from holding civic office **on rural councils**.

**Decision:** Carried (with amendment)

**20 Lachlan Shire Council**      **Removal of compulsory voting for NSW local government by-elections**

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That Local Government NSW lobbies the NSW Government to remove the requirement for compulsory voting in NSW local government by-elections due to poor voter turnout at recent by-elections, the relatively small penalty for not voting and the administrative burden and cost of issuing infringement notices.

**Decision:** Lost

**21 Lismore City Council**      **Group voting squares at local government elections**

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That Local Government NSW lobbies the NSW Government to remove group voting squares at local government elections.

**Decision:** Lost

**22 Northern Beaches Council**      **Disqualification from office if elected to state or federal parliament**

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That Local Government NSW advocates that section 275 of the *Local Government Act 1993* be amended so that a councillor from the 2024 Local Government Election, immediately upon election to State or Federal Parliament, is immediately disqualified from holding the office of Councillor and/or Mayor.

**Decision:** Lost

## Governance

**23 Bega Valley Shire Council**      **Councillor misconduct review**

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### Motion

That Local Government NSW formally requests the NSW Government to undertake comprehensive reform of the existing Code of Conduct complaint system with specific regard to:

1. Code of Conduct complaints about councillors to be lodged directly with an independent tribunal to centralise the code of conduct complaint system, increasing efficiency, transparency and fairness.

2. An independent tribunal be created to assume full responsibility for the entire process of triaging complaints and managing or undertaking preliminary assessment and full investigation, to resolve complaints.

### **Amendment (Lost)**

That Local Government NSW formally requests the NSW Government to undertake comprehensive reform of the existing Code of Conduct complaint system with specific regard to:

1. Code of Conduct complaints about councillors to be lodged directly with an independent tribunal to centralise the code of conduct complaint system, increasing efficiency, transparency and fairness.
2. An independent tribunal be created to assume full responsibility for the entire process of triaging complaints and managing or undertaking preliminary assessment and full investigation, to resolve complaints.
3. In the event that any individual complainant lodges three or more unsuccessful complaints in relation to any councillors within a single term, such complainant shall be deemed a vexatious complainant. As a consequence, the said complainant will be barred from lodging any further complaints against that specific council for the remaining term.

### **Further Amendment**

1. Code of Conduct complaints about councillors to be lodged directly with an independent tribunal to centralise the code of conduct complaint system, increasing efficiency, transparency and fairness.
2. An independent tribunal be created to assume full responsibility for the entire process of triaging complaints and managing or undertaking preliminary assessment and full investigation, to resolve complaints.
3. That the Commissioner be required to maintain a central register of councillor conduct complaints and their management, and that a copy of all investigation reports are published for transparency, on the Commissioner's website.

**Decision: Further Amendment Carried**

## **24 Dubbo Regional Council      Comprehensive reform of the existing code of conduct complaint system**

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That Local Government NSW formally requests the NSW Government to undertake comprehensive reform of the existing Code of Conduct complaint system with specific regard to:

1. Code of Conduct complaints about councillors to be lodged directly with the Office of Local Government to centralise the code of conduct complaint system, increasing efficiency, transparency and fairness.
2. The Office of Local Government to assume full responsibility for the entire process of triaging complaints and managing or undertaking preliminary assessment and full investigation, to resolve complaints.
3. In the event that any individual complainant lodges three or more unsuccessful complaints in relation to any councillors within a single term, such complainant shall be deemed a vexatious complainant. As a consequence, the said complainant will be barred from lodging any further complaints against that specific council for the remaining term.

**Decision: Lost**

## **25 Camden Council      Councillor participation on audit, risk and improvement committees**

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That Local Government NSW lobbies the NSW Government to:

1. Reinstate councillors as voting members on council Audit, Risk and Improvement Committees, provided independent members remain the majority; and
2. Allow councillors who are not members of the Audit, Risk and Improvement Committee to attend Committee meetings as observers.

**Decision: Carried**

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

### **Lithgow City Council      Councillor members of ARIC**

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That Local Government NSW calls upon the NSW Government to permit Councillor voting members on Audit Risk & Improvement Committees (ARICs) in the final Guidelines for Risk Management and Internal Audit for Local Government. The proposal to disallow Councillors from being voting members of ARICs shows a lack of understanding of governance processes in the Local Government sector.

That Local Government NSW calls on the NSW Government to initiate a review of the *Local Government Act 1993* with a view to ensuring that the Act remains appropriate in its provision of a governance framework for NSW local government.

**Decision:** Carried

That Local Government NSW lobbies the Minister for Local Government to bolster resources for the Office of Local Government (OLG) to progress work on the development of a Performance Measurement Framework, and associated performance indicators, that can be used by councils and the NSW Government in sector-wide performance reporting, as per the NSW Audit Office’s recommendation.

**Decision:** Carried

That Local Government NSW:

- a. Affirms the importance of **embracing** artificial intelligence (AI) technologies in the local government sector to enhance service delivery, resource allocation and decision-making processes;
- b. Recognises the need to prioritise ethical considerations and responsible use of AI systems to protect the privacy and other rights of the community and ensure fairness, transparency, and accountability; and
- c. Calls on the NSW Government to establish guidelines and/or policies that promote the ethical and responsible use of AI in the local government sector.

**Decision:** Carried (**with amendment**)

That Local Government NSW works with the Office of Local Government and NSW Parliamentary Counsel to review current and proposed NSW Government legislation to ensure it does not imply liability on Councillors for operational matters over which they have no control.

**Decision: Carried**

**30 Shoalhaven City Council      Encouraging local government super funds to support ethical investments**

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That Local Government NSW actively encourages local government super fund Active Super (and Vision Super should the proposed merger with Active Super proceed) to:

1. Divest from companies engaging in the extraction of fossil fuels, native forest logging, in addition to gambling, weapons manufacturers, and tobacco; and
2. Ensure that there are appropriate processes in place to verify environmental, social and corporate governance (ESG) related statements before they are published or announced to ensure they are factually correct and that there is a reasonable basis for the statements.

**Decision: Lost**

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

**City of Sydney      Encouraging local government super funds to support ethical investments**

---

That Local Government NSW actively encourages local government super fund Active Super (and Vision Super should the proposed merger with Active Super proceed) to:

1. Divest from companies engaging in the extraction of fossil fuels, native forest logging, in addition to gambling, weapons manufacturers, and tobacco; and
2. Ensure that there are appropriate processes in place to verify environmental, social and corporate governance (ESG) related statements before they are published or announced to ensure they are factually correct and that there is a reasonable basis for the statements.



## Workforce and skills

### **31 Bega Valley Shire Council**                      **Skills for visas in regional communities**

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That Local Government NSW advocates to the Department of Home Affairs (Federal) and Investment NSW to utilise the Regional Development Australia Skills Audits to better inform the skilled occupation list, with each region able to have a regionally specific skills list tailored to identified regional needs. This will ensure a more efficient matching of migrants and skills and will help to retain migrant skills within the regions.

**Decision: Carried**

### **32 Randwick City Council**                      **Support for early childhood education in the local government sector**

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That Local Government NSW commits to supporting councils to recruit and retain early childhood educators by:

1. Calling on the NSW State Government to:
  - a. increase support for public early childhood education services, including extending the paid placement funding offered to ECT students to Diploma and Certificate III students, and;
  - b. support councils to expand high quality early childhood education and care through long daycare, out of hours care, pre-school, and occasional care.
2. Bargaining with the United Services Union and its members in good faith to achieve an increase to wages for early childhood educators above inflation, as well as leave provisions and hazard pay that reflect the risk of infection associated with work in early childhood education.

**Decision: Carried**

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

### **City of Sydney**                      **Support for early childhood education in the local government sector**

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That Local Government NSW commits to supporting councils to recruit and retain early childhood educators by:

1. Calling on the NSW Government to:
  - a. increase support for public early childhood education services, including extending the paid placement funding offered to ECT students to Diploma and Certificate III students; and

- b. support councils to expand high-quality early childhood education and care through long daycare, out-of-hours care, pre-school, and occasional care; and
2. Bargaining with the United Services Union and its members in good faith to achieve an increase to wages for early childhood educators above inflation, as well as leave provisions and hazard pay that reflect the risk of infection associated with work in early childhood education.

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**Inner West Council      Support for early childhood education in the local government sector**

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That Local Government NSW commits to supporting councils to recruit and retain early childhood educators by:

1. Calling on the NSW State Government to:
  - a. increase support for public early childhood education services, including extending the paid placement funding offered to Early Childhood Teacher students to Diploma and Certificate III students; and
  - b. support councils to expand high quality early childhood education and care through long daycare, out of hours care, pre-school, and occasional care.
2. Bargaining with the United Services Union and its members in good faith to achieve an increase to wages for early childhood educators above inflation, as well as leave provisions and hazard pay that reflect the risk of infection associated with work in early childhood education.

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**33 Inner West Council      Gender affirmation leave**

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That Local Government NSW consults with the union and trans health providers to develop a policy for paid annualised gender affirmation leave for employees of local government.

**Decision: Lost**

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

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**City of Sydney      Support for gender affirmation leave for council workers**

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That Local Government NSW consults with the union and trans health providers to develop a policy for paid annualised gender affirmation leave for employees of local government.

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**34 Upper Hunter Shire Council      Welfare reform around JobSeeker recipient requirements**

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That Local Government NSW lobbies the Federal Government to create welfare reform around JobSeeker recipient requirements to include 20 hours of work per week for the council of the recipient's local government

area. The areas of work that the people would serve can include groundskeeping, road maintenance and any other areas where the local government area requires assistance that requires no qualifications.

**Decision: Lost**

## Waste

### **35 Blacktown City Council      Bans or tariffs to manage non-recyclable and composite plastics**

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That Local Government NSW calls on the NSW Government to work with the Australian Government to expedite a ban or provide a tariff on non-recyclable and composite plastics that cannot be recycled in Australia.

**Decision: Carried**

### **36 Blacktown City Council      Risks and costs of local government FOGO mandate**

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That Local Government NSW calls on the NSW Government to ensure the food organics garden organics (FOGO) mandate is achievable, and doesn't expose local councils to unnecessary risk and cost by:

1. Extending the roll-out of mandated FOGO services to multi-unit households until 2035
2. Ensuring minimum and maximum collection frequencies are not mandated for domestic waste collection
3. Ceasing to promote that current FOGO services are achieving a 2.6% contamination rate
4. Offsetting the full costs of implementation of the mandated FOGO services using additional funds from the section 88 Waste Levy revenue.

**Decision: Carried**

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

### **Western Sydney Regional Organisation of Councils      Household organic waste services in apartments**

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That Local Government NSW advocates to the NSW Government for an extension of the deadline to 2035 for the provision of organic waste services to multi-unit households by councils.

That Local Government NSW lobbies the NSW Government to address PFAS and other chemicals being used in compostable packaging and ensure that there are adequate standards enforced on compostable packaging so it can be processed in municipal FOGO collection schemes.

**Decision: Carried**

That Local Government NSW:

1. Lobbies the Australian Government to act on the Productivity Commission Right to Repair report recommendations, and
2. Writes to the NSW Minister for Environment and Minister for Fair Trading requesting that the Right to Repair be included in forthcoming circular economy policy reform.

**Decision: Carried**

## Housing

1. That Local Government NSW calls for urgent action to address the housing crisis by advocating to the NSW Government to:
  - a. Undertake and publish an audit of all public, social and affordable housing assets in NSW, as well as government land that could be used for this purpose,
  - b. Make significant investments in public, social and affordable housing right across NSW, as well as the enabling infrastructure required to support it,
  - c. Instil high levels of liveability and climate sensitive design standards into all new government delivered housing,
  - d. Ensure that any public and affordable housing reforms:
    - i. **results only in developments that maintain this housing in perpetuity, not for only 15 years. This can also be delivered by alternatives to SEPPs such as a state-wide inclusionary zoning measures or the expansion of the recently introduced Housing and Productivity Contribution to include affordable housing as a better way to increase affordable housing in NSW, result in**

~~housing that is genuinely affordable, remains affordable in perpetuity (rather than for just 15 years), and is managed by the NSW Government or a not-for-profit community housing provider,~~

- ii. are developed in consultation with local government to ensure the reforms consider local amenity and character and align with, rather than override, local planning rules and housing strategies,
  - iii. occur within a strategic, precinct-based framework which is supported by effective infrastructure planning rather than site-by-site (ad hoc) approaches,
  - iv. reconsider whether growth areas and precincts that have been through detailed planning investigations, rezoning and infrastructure assessment in the last 10 years have the capacity to accommodate the proposed further 30% development uplift beyond the controls already in place,
  - v. maintain or increase council involvement and delegation in approval processes.
  - vi. ~~recognise the role of council owned, not-for-profit community housing provider managed, affordable housing stock in catering to local needs.~~
- e. Establish an agency to oversee a collaborative approach between the NSW Government, councils, Community Housing Industry Association (CHIA), and community housing providers, ~~and ensure that social and affordable housing is managed by the NSW Government or a not-for-profit community housing provider,~~
  - f. Review standards for manufactured homes, caravans and crisis housing to ensure they are fit for purpose,
  - g. Introduce measures to address land banking associated with residential land,
  - h. Make grant funding available to councils to support strategic planning to identify land that could be rezoned to enable more housing, as well as the infrastructure needed to support it,
  - i. Prioritise the foreshadowed review of the regulation of short-term rental accommodation ~~to ensure local government has the ability to respond flexibly to balance housing and the local visitor economy.~~
2. ~~LGNSW reiterates that expanded State Significant Development pathways for developments utilising Housing SEPP provisions bypass normal planning controls and will have impacts for local communities.~~



- c. do not compromise local development controls, good design outcomes and adequate infrastructure provision;
- d. provide clear and sufficient pathways for funding any additional infrastructure impacts;
- e. support Community Housing Providers as best-placed to manage affordable housing;
- f. ensure that any proposed bonuses are well-modelled and well-considered in terms of both urban design and infrastructure impacts.

### **City of Sydney**

### **Affordable housing in perpetuity**

That Local Government NSW:

1. Calls on the NSW Government to develop affordable housing policies that prioritise delivering affordable housing in perpetuity, rather than only for a temporary period of 15 years;
2. Calls on the NSW Government to develop affordable housing policies that deliver housing that is genuinely affordable. That is, policies which are based on delivering housing that a person can afford (no more than 30% of their income), not based on a discount from market rent only; and
3. Calls on the NSW Government to work with local councils to develop strategies to protect and expand affordable and public housing cooperatively, which build on, rather than override, local planning rules and housing strategies.

### **Kempsey Shire Council**

### **Perpetual retention of affordable housing**

That Local Government NSW:

1. Notes that the State Government is planning to introduce planning changes that will allow developers to build taller and denser buildings, and have them fast-tracked, if they increase the supply of affordable housing, and
2. Urges the State Government as part of those changes to ensure that affordable housing is retained into perpetuity, rather than the current 15 years.

### **Greater Hume Shire Council**

### **Strategic planning to address the shortage of suitable land for development**

That Local Government NSW requests the Minister for Planning and Public Spaces increase the grant funds available to local government to support the development of strategic plans to support projects that will identify land that could be rezoned, to facilitate development to address the current housing shortage.

### **Leeton Shire Council**

### **Addressing the housing shortage**

That Local Government NSW calls on the NSW Government to undertake and publish the results of an audit of all available public housing assets within NSW LGAs including:

1. Current occupied housing stock
2. Vacant public housing stock and state of asset
3. Vacant blocks of land-owned by the “public housing authority”.

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**Murray River Council****Land banking**

That Local Government NSW calls on the NSW Government to resolve the land banking issues associated with residential land by seeking a legal pathway by any means possible to unlock housing in NSW regional areas.

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**Narrabri Shire Council****Social and affordable housing**

That Local Government NSW advocates to the NSW Government, specifically the Minister for Housing to:

1. Increase funding and investment in public, social and affordable housing.
2. Work with all levels of government to undertake a review of all government-owned property to identify suitable sites for redevelopment as affordable housing.
3. Continue to work with local Councils, developers and community housing organisations to facilitate the construction of affordable social housing.
4. Ensure that any commensurate housing programs do not result in cost shifting to local government.

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**Bega Valley Shire Council****Affordable housing**

That Local Government NSW:

1. Calls on the state government for ongoing investment in the development of affordable and social housing in regional NSW to address critical shortages in housing affordability and availability for people on low to moderate incomes and key workers.
2. Calls on the state government to prioritise a review of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021 to define 'portable device for human habitation' and the standards required to approve such devices that don't meet the definition of 'manufactured housing' or 'caravan'.
3. Advocates for new regulations/guidance regarding acceptable standards for crisis housing.
4. Advocates to the state government to provide financial investment in housing developments through Land and Housing Corporation to enable a greater proportion of lots to be developed for social and affordable housing.
5. Advocates to the state government to prioritise their response to the Byron Shire Short Term Rental Accommodation Planning Proposal Independent Planning Commission report and provide guidance to all councils in NSW.
6. Advocates to the state government for investment in regional infrastructure such as water, sewer and roads to support affordable housing development in regional and rural areas.



That Local Government NSW calls on the NSW Government to reconsider proposed changes to the planning framework that would allow private developers significant residential development uplift and a State Government approval pathway, where at least 15% affordable housing is provided.

This review should include detailed investigations to determine whether growth areas and precincts that have been through detailed planning investigations, rezoning and infrastructure assessment in the last 10 years have the ability to accommodate the intended 30% development uplift beyond the controls already in place, with a particular focus on:

- a. built form, character and amenity impacts;
- b. regional and local infrastructure capacity; and
- c. the role Landcom could play in boosting social and affordable housing supply.

That Local Government NSW advocates to the NSW Government to continue to develop and deliver grant funding programs that support strategic planning and strategy development.

That Local Government NSW lobbies the State Government to implement mandatory inclusionary zoning to provide for a minimum percentage of social and affordable housing for any new housing projects, for the life of the building/project.

**Decision:** Carried

That Local Government NSW calls upon the NSW Government to:

1. Adopt the Livable Housing Design Standards (silver level) introduced into the National Construction Code in 2022, joining all states and territories (except WA) who have already adopted the new minimum standards.
2. Amend the 2023 NSW Land and Housing Corporation Design Requirements so that the Platinum Level Livable Housing Design Guidelines are mandatory for all new social housing. This includes all public housing, community housing and housing owned or managed by the Aboriginal Housing Office.

3. Amend planning instruments and laws to mandate that all new build community housing and affordable housing, where the property owner benefits from any form of financial assistance or other benefit (such as height/FSR exemptions) provided directly or indirectly by the Federal government, NSW government or a local council, must incorporate the Platinum Level Livable Housing Guidelines.
4. Include in the 2023-24 Action Plan for the NSW Housing Strategy Housing 2041:
  - a. Targets to ensure that the implementation of the Platinum Level Livable Housing Guidelines in new public, social and community housing, as well as affordable housing, occurs at the same time as the rollout of state and Commonwealth funding;
  - b. Support for local government in undertaking reviews of their DCP and introducing Platinum Level Livable Housing Design Guidelines;
  - c. Promotion of government leadership in mandating the Platinum Level Livable Housing Guidelines in public, social, community and affordable housing;
  - d. Development of a communication strategy which will explain the benefits of improved housing accessibility to the community and industry.

And that Local Government NSW writes to the Minister for Housing Rose Jackson MLC and the Minister for Planning Paul Scully MP, within 28 days.

**Decision: Carried**

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

**Cowra Council**

**Livable housing standards**

That Local Government NSW calls upon the NSW Government to adopt in full the Livable Housing Design standards as an integral component of the National Construction Code 2022.

**Randwick City Council**

**Mandating new construction codes for accessibility**

That Local Government NSW calls on the NSW State Government to mandate new National Minimum Construction Codes to improve accessibility in new homes.

## 42 City of Sydney

## Short term rental accommodation

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That Local Government NSW:

1. Commissions a study to report on the impact that short-term rental accommodation is having on rental affordability and availability and tourist accommodation in NSW.
2. Advocates for local Councils to be given stronger powers to cap the number of days per year that a property can be used for non-hosted short term rental accommodation.
3. **Ensure local government has the ability to respond flexibly to balance housing and the local visitor economy.**

**Decision: Carried (with amendment)**

## 43 Waverley Council

## Unaffordable rents and rent increases

---

That Local Government NSW steps up concerted advocacy efforts with decision-makers, government agencies, the newly established office of Rental Commissioner and the broader community to support urgently needed rental reforms, intervention and innovation across the housing system, to effectively address escalating rents and the lack of renters' rights through measures that ensure rents do not increase faster than inflation **and wages**, and that promote longer and more secure tenure.

**Decision: Carried (with amendment)**

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

### Bega Valley Shire Council

### Changes to residential lease termination provisions

That Local Government NSW calls on the NSW government to introduce measures to better protect the interests of tenants with respect to notification of termination of lease by landlords in the case of no fault on the tenant's behalf.

## Community

### 44 Bega Valley Shire Council Funding model for arts and cultural facilities

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That Local Government NSW advocates to the NSW Government to investigate a model of funding for council-run art galleries, performing arts facilities and museums that is similar to the NSW Library Annual Funding and Subsidy Adjustment Calculation.

**Decision: Carried**

#### **45 Blue Mountains City Council**

#### **Support for the NSW Public Libraries Association's "Birth to Five - Read and Thrive" campaign**

---

That Councils at the LGNSW Annual Conference support the NSW Public Libraries Association's "Birth to Five - Read and Thrive" campaign, which calls on the State Government to work with NSWPLA and councils to develop a state-wide early childhood literacy framework to be delivered in council-run public libraries across NSW.

**Decision: Carried**

#### **46 City of Newcastle**

#### **NSW carer's strategy action plan**

---

That Local Government NSW recognises the valuable social and economic contribution that carers make to the community, acknowledges the diverse needs of carers and calls upon the NSW Government to:

1. Review the NSW Carers (Recognition) Act upon the conclusion of the parliamentary inquiry into the Commonwealth Carers (Recognition) Act.
2. Work with LGNSW to improve local government commitment to carers by:
  - a. Educating councils about their obligations under the NSW Carers (Recognition) Act.
  - b. Funding inclusion, equity and diversity initiatives in councils to better support working carers in the provision of flexible work arrangements, executive champions, employee carer networks and information about leave provisions and external resources.
  - c. Assisting councils to develop data about employees who identify as carers.
  - d. Developing evidence-based actions and measurable outcomes in the next Carer Strategy Action Plan.
3. Work with their federal, state and territory counterparts on a new National Carers Strategy which identifies priorities and actions and mandates measurable outcomes and support the creation of a National Carer Advisory Council.

**Decision: Carried**

That Local Government NSW:

1. **Consults with scheme users around changing the language.**
2. Writes to the NSW Government requesting consideration of changing the language within the published material associated with the NSW **Accessibility Mobility** Parking Scheme to remove the word "disability".

**Decision: Carried (with amendment)**

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**48 City of Sydney      Local council outreach services for seasonal workers**

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That Local Government NSW writes to the Hon Tony Burke Minister for Employment and Workplace Relations asking the Commonwealth Government to:

1. Work with approved employers to provide relevant Councils with information about the number of Seasonal Workers expected and their countries of origin so Councils can understand their cultural needs, prepare the community for their arrival and consider and plan for their needs as part of their Local Emergency Management Plans;
2. Increase the frequency of check-ins by the Australian Government particularly to ensure living conditions meet the requirements outlined in the PALM Scheme Approved Employer Guidelines; and
3. Provide direct funding to Councils to establish dedicated local service hubs to provide Seasonal Workers with targeted programs, including by:
  - a. developing pathways and support outreach programs that connect Seasonal Workers to organisations that centre on the needs of migrants to assist Seasonal Workers to access culturally sensitive assistance to access relevant information, health and mental health;
  - b. culturally appropriate and non-biased Pastoral care through Australian South Sea Islander (ASSI), Aboriginal, Torres Strait Islander, Pacific and Culturally and Linguistically Diverse and Culturally and Racially Marginalised (CARM) community organisations that can demonstrate a deep knowledge of culture and the Seasonal Worker Program and its people;
  - c. working with local Australian South Sea Islanders (ASSI) and First Nations leaders, communities and/or organisations to provide the specific cultural awareness training and culturally appropriate

- introduction and networking to the traditional owners and other cultural authorities of the area; and
- d. working closely with the law enforcement authorities in respective Councils to educate Seasonal Workers about law and order and Councils' regulations and by law on public order.

**Decision: Carried**

**49 Gunnedah Shire Council**

**Funding for hoarding and squalor**

---

That Local Government NSW calls on the NSW Government to:

1. Increase funding to the health and community services sectors to decrease cases of hoarding and squalor, and
2. Provide annual funding to the Office of Local Government, for councils to apply for, to fund the extraordinary and unpredictable costs of compliance and enforcement related to hoarding and squalor.

**Decision: Carried**

**50 Snowy Valleys Council**

**State government's handling of COVID-19**

---

That Local Government NSW requests a review of the State Government's handling of COVID-19 in particular the impact on ambulance services.

**Decision: Lost**

**51 Broken Hill City Council**

**Clubgrants scheme**

---

That Local Government NSW:

1. Supports that the administration and delivery of the ClubGRANTS scheme (Category 1) remains local and not be amended so that the funds are paid into consolidated State revenue, with no local control on how the funds are donated.
2. Writes to the Premier of NSW, Minister for Liquor and Gaming, NSW Opposition Leader, and Shadow Minister for Liquor and Racing stating that Local Government NSW supports ClubGRANTS (Category 1) remaining under local LGA control.
3. **Urges the State Government to implement cashless poker machines with harm reduction features, and to scrap its unnecessary trial of the cashless gambling card, and**

**Decision: Carried (with amendment)**

## 52 Waverley Council

## Early education and care

---

That Local Government NSW:

1. Establishes a taskforce to work collaboratively with the State and Federal governments on urgently needed sector reforms following this year's early childhood education and care services inquiries by the Australian Competition and Consumer Commission, the Independent Pricing and Regulatory Tribunal and Deloitte.
2. Advocates to the NSW Government to set up a dedicated local government funding stream in recognition of councils' significant role and status in the early education and care sector.

**Decision:** Carried

## 53 Kempsey Shire Council

## Gambling reform

---

That Local Government NSW:

- ~~1. Urges the State Government to implement cashless poker machines with harm reduction features, and to scrap its unnecessary trial of the cashless gambling card, and~~
2. calls on the State Government to ensure that councils have the right to make submissions about increases to poker machine numbers in their LGA.

**Decision:** Carried (with amendment)

## 54 City of Sydney

## Ban on Local Government NSW using race clubs for conference venues

---

That Local Government NSW commits that Local Government NSW events not be held at venues that promote gambling, including race tracks or casinos.

**Decision:** Lost

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

### Lane Cove Council

### Venue policy for LGNSW conferences and events

---

That Local Government NSW introduces a policy that prohibits the hosting of LGNSW conferences, events, or functions at racing venues, including race clubs and similar establishments, due to the associated problems and negative impacts such venues may pose.

## 55 Gunnedah Shire Council

## Amendment to more doctors for rural Australia program

---

That Local Government NSW calls on the Federal Government requesting:

1. Amendment to MDRAP (More Doctors for Rural Australia Program) by removing Monash Modified Model 2 zone from the program, thereby incentivising more doctors to locate to rural and remote regions within Australia, and
2. That college training programs be modified to reflect any changes to the MDRAP.
3. That state and federal governments create university medical positions for rural NSW students who would return to rural areas for two years in lieu of HECS debts.

**Decision:** Carried (with amendment)

## 56 Liverpool City Council

## Medicare psychology services

---

That Local Government NSW writes to the ~~Federal NSW Health Minister for Health~~, the Hon Mark Butler MP, ~~expressing its objection in the strongest terms to the slashing of Medicare funded psychology services, and immediately call for the reinstatement of 20 Medicare funded sessions~~ seeking an increase in the number of psychologists employed by NSW Health, with priority given to:

- a. Community based positions.
- b. Improving the capacity of community based psychologists to assist patients with complex needs.
- c. Growing the Aboriginal psychology workforce.

**Decision:** Carried (with amendment)

## 57 City of Sydney

## Creating a network of LGBTIQ+ councillors and their allies

---

That as a first step towards increasing visibility and extending its benefits, Local Government NSW establish a network of LGBTIQ+ identifying and allied councillors.

**Decision:** Lost



## 58 City of Sydney

### Support for drag story time events in local government

---

That Local Government NSW:

1. Encourages and facilitates member councils to organise local events that are inclusive for LGBTQIA+ residents year-round;
2. Supports councils to facilitate community-driven safety solutions to ensure that drag story time and similar events can take place at council facilities safely for performers and attendees; and
3. Encourages member councils to ensure that drag performers receive payment in full for events that are cancelled.

**Decision: Carried**

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

#### Inner West Council

#### Inclusive events

---

That Local Government NSW:

1. Encourages and facilitates member councils to organise local events that are inclusive for LGBTQIA+ residents year-round.
2. Supports councils to facilitate community driven safety solutions to ensure that drag story time and similar events can take place at council facilities safely for performers and attendees.
3. Encourages member councils to ensure that drag performers receive payment in full for events that are cancelled.

## 59 Georges River Council

### Multicultural Principles and best practice

---

That Local Government NSW and all councils observe the Multicultural Principles in conducting its affairs based on *Multicultural NSW Act 2000* and work with Multicultural NSW to establish the best practice in their administration.

**Decision: Carried**

## 60 Broken Hill City Council

### Use of NSW benefit schemes for cross-border communities

---

That Local Government NSW calls on the State Government to investigate arrangements for the use of any NSW benefits in neighbouring states for cross-border communities e.g. First Lap Grant, Travel Benefits at United Service Stations and write to all Local Members with cross-border councils regarding this matter.

## **Decision: Carried**

### **61 Waverley Council**

### **Tourism impacts**

---

That Local Government NSW increases its advocacy to ensure local councils receive fair funding from both the Federal and State governments in order to:

1. manage security related risks and anti-social behaviour (and remove user pays arrangements for government services such as police), and
2. meet the additional costs from waste and cleansing from the impacts of tourism and the influx of visitors to the local area.

## **Decision: Carried**

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

### **Waverley Council**

### **Hostile vehicle mitigation**

---

That Local Government NSW advocates to the State and Federal governments to support councils' risk and safety requirements as specified by the Federal Government by funding programs to protect the community at identified crowded places.

### **62 Gunnedah Shire Council**

### **First response policing agreement**

---

That Local Government NSW calls on the NSW Police Minister and the NSW Commissioner of Police to direct the commanders of each police region in NSW to ensure:

1. Each police station have an endorsed "First Response Policing Agreement" in active use, and
2. That each "First Response Policing Agreement" commitment is made available to the community in which it represents.

## **Decision: Carried**

### **63 Kempsey Shire Council**

### **Youth crime and drugs**

---

That Local Government NSW lobbies the NSW Police Minister and Premier to form alliances with police, local councils, NSW Government agencies, community representatives and NGOs to holistically tackle the serious increase in youth crime and drug use in NSW communities.

## **Decision: Carried**

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

**Narrabri Shire Council**

**Crime prevention and community safety**

That Local Government NSW calls on the NSW Government to urgently establish a Rural Youth Justice Taskforce to proactively address escalating youth crime in rural and regional areas by utilising a whole of community and cross-organisational approach.

**64 City of Parramatta Council      Gender neutral toilets and change rooms**

That Local Government NSW supports the design and construction of gender neutral toilet blocks and change rooms at all parks and playing fields in NSW.

**Decision: Carried**

**65 Northern Beaches Council      Greater community access to sporting and cultural facilities in schools**

That Local Government NSW:

1. Advocates to the NSW Department of Education and Schools Infrastructure NSW to provide greater access to sporting and cultural facilities in schools to provide much needed rehearsing, performance, training and playing fields out of school hours.
2. Lobbies Schools Infrastructure NSW to engage with councils in the design development process for new schools to ensure that community access to sporting and cultural facilities is prioritised in the development of new spaces.
3. **In addition lobby for greater access to private school facilities.**

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

**Decision: Carried (with amendment)**

**Bega Valley Shire Council**

**Policy framework and funding for joint-use facilities**

That Local Government NSW advocates to the NSW Government to develop a policy framework and funding model to support joint-use arrangements between the State Government and Local Government to deliver community infrastructure e.g. Department of Education and Council to develop shared sporting, library and cultural facilities.

## Climate change and energy

### **66 Byron Shire Council Changing policy to remove fossil fuel sponsorship**

---

The the Local Government NSW Conference:

1. Recognises that fossil fuels are the main driver of climate change and that we are in a climate emergency.
2. Recognises that the marketing of high emissions products, such as petroleum and gas through sponsorships or advertising increases demand and delays behaviour changes in the community that are required to reduce emissions.
3. Notes that the Federal Government has a responsibility to implement restrictions on fossil fuel advertising through national laws, as was done with tobacco advertising, which saw a proven reduction in tobacco consumption per capita, therefore reducing the health burden of tobacco use.

That Local Government NSW:

1. Writes to the Federal Minister for Communications, The Hon Michelle Rowland MP, to ask the Federal Government to pass national laws that restrict fossil fuel advertising; and
2. Updates relevant policies to prohibit accepting sponsorships from companies whose business is the extraction, production or sale of coal, petroleum and gas.
3. Reviews other policies as appropriate to remove support for companies whose business is the extraction, production or sale of coal, petroleum and gas.
4. Lobbies the NSW Government to support NSW councils to also adopt the banning of fossil fuel sponsorships and advertising.

### **Motion withdrawn by Council**

### **67 City of Sydney Ending fossil fuel sponsorship in local communities**

---

#### **Motion (Lost)**

That Local Government NSW **recognises that fossil fuels are the main drivers of climate change, and we are in a climate emergency, and** requests the federal **and state** governments aid the energy transition by:

1. Encouraging low emissions consumption nationally through public information campaigns, Australian Consumer Law, the Greenhouse

and Energy Minimum Standards Act 2012 (Cth)(GEMS Act) or other relevant Commonwealth powers;

2. Enacting policies or legislation to end or restrict the promotion of coal, petroleum or gas industries in local communities, including banning fossil fuel industries from sponsoring local education, sporting and cultural activities; and
3. Establishing a fund to enable local councils to provide financial support, or otherwise sponsor, community, education, sporting, and cultural groups, that currently take funding from the coal, petroleum or gas industry.

### **Amendment (Lost)**

That Local Government NSW recognises that fossil fuels are the main drivers of climate change, and we are in a climate emergency, and requests the federal and state governments aid the energy transition by:

1. Encouraging low emissions consumption nationally through public information campaigns, Australian Consumer Law, the Greenhouse and Energy Minimum Standards Act 2012 (Cth)(GEMS Act) or other relevant Commonwealth powers;
2. Enacting policies or legislation to end or restrict the promotion of coal, petroleum or gas industries in local communities, including banning fossil fuel industries from sponsoring local education, sporting and cultural activities; and
3. Establishing a fund to enable local councils to provide financial support, or otherwise sponsor, community, education, sporting, and cultural groups, that currently take funding from the coal, petroleum or gas industry;
4. That LGNSW lobbies the State and Federal Governments to reduce grants to councils by an amount equivalent to the pro rata contribution fossil fuels make to the State and Federal budgets.
5. That councils no longer accept parking fees or collect fines from fossil fuels vehicles.

**Decision:** Motion and Amendment Lost

**68 Clarence Valley Council**      **Manufacturers to declare carbon emissions for building products**

---

The Local Government NSW lobbies the NSW Government to prepare a policy and associated legislation or other regulatory mechanism/s to require manufacturers of new building products sold in NSW to declare the level of carbon emissions generated to make the product, to enable consumers to make informed decisions about the carbon footprint of new building works, including renovations.

**Decision: Carried**

**69 Inverell Shire Council**      **Reduction in greenhouse emissions for agricultural sector**

---

That Local Government NSW seek a commitment from the Federal Government that when it is determining measures to reduce greenhouse emissions for the agricultural sector, that it specifically exclude an order to cull the national livestock herd to avoid adverse impacts on local economies.

**Decision: Carried**

**70 Shellharbour City Council**      **Actions to address a warming climate**

---

That Local Government NSW advocates for NSW and Federal Government funding to support and encourage councils to facilitate roundtable discussions within each LGA to prepare for and take action to address the consequences of a warming climate.

Roundtables would involve relevant stakeholders such as businesses, industry, community and State and Federal government agencies.

**Decision: Carried**

**71 Murray River Council**      **Nuclear energy**

---

That Local Government NSW calls on the Federal Government to remove any impediments that prevent investigating nuclear energy as a viable option, with particular focus on Small Modular Reactors.

**Decision: Lost**

## 72 Muswellbrook Shire Council

## Economic roadmap for transition from hydrocarbons

---

That Local Government NSW calls on the NSW Government to formulate an economic roadmap for NSW, and in particular directly impacted councils, in relation to the transition from hydrocarbon based industries.

**Decision: Carried**

## 73 North Sydney Council

## Power Sharing

---

That Local Government NSW lobbies the State and Federal Government to:

1. Adopt a policy to encourage neighbourhood power sharing and community battery scheme for Local Government Areas with ~~multi-unit dwellings~~.
2. Secure financial and logistical support for the introduction of pilot neighbourhood schemes for power sharing schemes and community batteries ~~in such LGAs~~.
3. Secure funding for a community awareness and education campaign in co-operation with LGNSW and member councils to promote community batteries and self-sufficiency in power generation.

**Decision: Carried (with amendment)**

## 74 Shellharbour City Council

## Smart energy schools pilot program expansion

---

That Local Government NSW advocates for the NSW Government to expand the 'Smart Energy Schools Pilot Program' beyond the pilot period to:

1. Allow additional schools to install significant solar power generating capacity, battery storage and Virtual Power Plant participation.
2. Upgrade and expand schools with existing solar to provide additional solar power generating capacity and battery storage.
3. Expand the program into community scale battery storage facilities to all eligible NSW schools with significant solar power generating capacity and to collect significant solar generation.

**Decision: Carried**

## 75 Wagga Wagga City Council

### Creation of a body to supervise the decisions of Transgrid

---

That Local Government NSW advocates to the NSW Government for the immediate establishment of a supervisory body to oversee the decisions of Transgrid, ~~and that the supervisory body be an advisory body to the Minister Transgrid be prohibited from implementing a decision which the supervisory body is satisfied will cause unreasonable harm to regional communities.~~

**Decision:** Carried (with amendment)

## 76 Snowy Valleys Council

### Undergrounding Transgrid transmission infrastructure

---

That, in the interests of the conservation of biological diversity and visual amenity, Local Government NSW advocates for the undergrounding of Transgrid transmission lines currently proposed as above ground infrastructure that would stretch across many areas of state and national ecological significance.

**Decision:** Carried

## 77 Muswellbrook Shire Council

### Transportation of renewable energy project infrastructure

---

That Local Government NSW:

1. Calls upon the NSW Government to resolve road infrastructure constraints associated with the transportation of renewable energy project infrastructure to Renewable Energy Zones.
2. Advocates for all impacted local roads to be reclassified as State Roads for the duration of renewable energy construction works.
3. Advocates for a live app. to be funded by renewable energy project proponents that will enable impacted community members to track the passage of oversize vehicles through their Shire and to thereby enhance the safety of communities who must negotiate the passage of these oversize vehicle movements.

**Decision:** Carried



## **78 Inner West Council**

## **Ban gas in new housing**

---

That Local Government NSW calls on the NSW government to introduce a ban on gas in new housing to reduce emissions, improve indoor air quality in homes and reduce cost of living pressures by removing an unnecessary utility bill.

**Decision:** Lost

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

### **Shoalhaven City Council**

### **Gas connections to new residential properties**

---

That Local Government NSW advocates to the NSW Government to mandate strict restrictions for gas connections in all new housing and new urban land release areas, noting the relative health and environmental impacts arising from the use of both piped and bottled gas in residential settings.

## **79 Queanbeyan-Palerang Regional Council**

## **Amendments to BASIX**

---

That Local Government NSW calls on the NSW Government to update the Building Sustainability Index (BASIX) to remove installation of gas in new dwellings and renovations, to support a rapid transition away from fossil fuels and towards electrification powered by renewable energy.

**Decision:** Carried

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

### **Wollongong City Council**

### **Incentivising the installation of electric appliances**

---

That Local Government NSW requests that the NSW Government consider amending the BASIX assessment tool to incentivise the installation of electric appliances (rather than natural gas) for cooking and heating for thermal comfort by removing gas from the sustainability index. The amendments to the assessment tool would relate to new homes and renovations valued at \$50,000 or over to support a faster transition to electrification of power use.

## **80 Warrumbungle Shire Council**

## **Offshore wind farms strategy**

---

That Local Government NSW calls on the NSW Government to develop a comprehensive offshore wind farms strategy close to major demand centres in order to speed up the transition to renewables.

**Decision:** Carried

That Local Government NSW:

1. Urgently advocates to the NSW Government against the mandatory requirement for councils to undergo an assessment and produce a review of environmental factors (REF) for on-street electric vehicle (EV) chargers under the new State Environmental Planning Policy (Transport and Infrastructure) Amendment (Electric Vehicles) 2023.
2. Notes that while Local Government NSW fully supports the NSW Government's efforts to promote electric mobility and reduce greenhouse gas emissions, it believes that this particular regulatory requirement is unnecessary and will significantly delay the roll-out of EV chargers across NSW.

**Decision: Carried**

**Planning**

That Local Government NSW urges the NSW Government to take steps to improve Private Certification processes, including, but not limited to:

- a. Empowering councils to enable them to act against infringements or other malpractice committed by Private Certifiers, e.g., to issue penalty notices for non-compliance with approvals;
- b. Undertaking discussions with the Department of Customer Service (NSW Fair Trading) regarding developing and piloting a system to deal with complaints by neighbours or other third parties (rather than having to contact the certifier);
- c. Creating an authority to arbitrate on objections to Complying Developments and provides free advice to members of the public to assist them in submission writing.
- d. Mandating the provision of notifying Complying Development Certificate applications to neighbours by letter, and also to the general public through the NSW Planning Portal and council website;
- e. Allowing members of the public 14 days' notice to lodge objections;
- f. Examining whether the allocation of Private Certifiers from an approved list would assist in stamping out malpractice;

- g. Funding councils so that they are adequately equipped to police the actions of private certifiers by way of a development compliance levy as part of the application lodgment process;
- h. Increasing penalties for non-compliance; and
- i. Ensuring that the Departments of Customer Service and Planning and Environment are resourced and empowered to respond promptly and effectively when dealing with breaches by certifiers.

**Decision: Carried**

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

**Ku-ring-gai Council**

**Reforming the private certification system**

That Local Government NSW advocates for the NSW Government to make the following reforms to the NSW private certification system:

1. As a timely, efficient and cheaper means of invalidating improperly issued certificates, councils are given the administrative power to declare a certificate issued by a private certifier as invalid. A right of review of such decisions to be exercised by the NSW Civil and Administrative Tribunal (NCAT), with court proceedings limited to judicial review of legal error.
2. Change the way in which private certifiers are appointed. Instead of allowing the developer to handpick their private certifier, the developer is offered a small range of local options to choose from a randomised pool.

**Lane Cove Council Using technology to improve probity for private certifiers in NSW**

That Local Government NSW:

1. Calls on the State Government to create one central system that randomly selects Private Certifiers for the customers to obtain quotes from, to offer communities an unbiased, efficient, flexible and transparent service; and
2. Requests that the system be made available through the Department of Fair Trading website and allows customers to obtain a list of certifiers generated at random for the customer to obtain quotes from.

**83 Federation Council**

**Planning resources**

That Local Government NSW lobbies the State Government for financial support for planners and building surveyors at a local government level throughout NSW.

**Decision: Carried**

## **84 Muswellbrook Shire Council Rationalise house block sizes in rural NSW**

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That Local Government NSW advocates ~~for a minimum 600 square metre area for housing blocks in rural NSW~~ for local councils in rural and regional areas to determine the minimum lot sizes for new developments in their LGA.

**Decision:** Carried (with amendment)

## **85 Penrith City Council Controls to manage clustering of boarding houses and co-living housing**

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That Local Government NSW writes to the Minister for Planning and Public Spaces requesting that the provisions of the State Environmental Planning Policy – Housing 2021 (the Housing SEPP) be amended to include controls that:

1. Prevent the clustering of boarding houses and co-living housing across all residential zones; and
2. Strengthen locational requirements of boarding houses and co-living housing to ensure occupants have good access to public transport and essential services.

**Decision:** Carried

## **86 Wollongong City Council Regulating derelict buildings - employment zones**

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That Local Government NSW works with DPE to establish best practice policy parameters that support councils to enhance employment zoned areas, particularly where buildings have been left to deteriorate and are negatively impacting economic activity.

**Decision:** Carried

## **87 Woollahra Municipal Council Pubs**

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That Local Government NSW:

1. Notes that:
  - a. pubs are significant and cherished meeting spots, recognised as a valuable 'third space' providing venues for social connection and companionship;

- b. pubs add to the personality and social fabric of their neighbourhoods and are recognised for their cultural, heritage and architectural significance; and
  - c. communities articulate the sense of belonging and reciprocity lost when change of use applications are approved.
2. Resolves to:
- a. raise with the State Government and in particular, the Heritage Minister, community concerns over the growing trend of conversion of heritage listed pubs;
  - b. request the State Government explore legislative reforms to better protect pubs from a change in use; and
  - c. request the State Government increase funding and availability of grants to study the heritage, cultural and social significance of pubs throughout NSW.

**Decision: Carried**

**88 City of Newcastle                      Accelerated development application system**

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That Local Government NSW:

- 1. Acknowledges the successful development, trial and roll-out of the new City of Newcastle Accelerated Development Application System, the implementation of which has the ability to reduce processing times for eligible development applications to within five to 15 days.
- 2. Notes that the Accelerated DA pathway presents an innovative approach to facilitating timely development outcomes, with some of the onus on the applicant to provide a quality submission that reduces the double-handling of information and speeds up the process, while still ensuring applicants are able to expect the same standard of professional review for each application seen by the assessment team.
- 3. Calls on the NSW Government to fund the state-wide adoption of the system to streamline and accelerate determinations of development applications across the local government sector.

**Decision: Carried**

**89 Penrith City Council                      Review of section 10.7 certificates**

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That Local Government NSW advocates to the NSW Government to undertake a review into Section 10.7 Certificates, to explore opportunities

to simplify and ensure only relevant information to each property is provided in a clear, concise and easy to understand format.

**Decision: Carried**

**90 Narromine Shire Council Rural and regional environmental autonomy**

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That Local Government NSW requests the Minister for Planning and Public Spaces to vary the *Environmental Planning and Assessment Act 1979* to allow more autonomy for Rural and Regional Councils to operate in a manner that suits their local environment rather than that of a metro area.

**Decision: Carried**

**91 Lake Macquarie City Council Local leadership of community consultative committees**

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That Local Government NSW calls on the NSW Government to prioritise the appointment of Community Consultative Committee (CCC) chairpersons from within the geographical region that the CCC operates.

**Decision: Carried**

**92 Goldenfields Water County Council SEPP approval agency - County Councils**

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That Local Government NSW advocates that County Councils be recognised as a concurrent 'Approval Agency' within the State Environmental Planning Policy (Infrastructure)/(ISEPP) in relation to the services detailed under their individual proclamations.

**Decision: Lost**

**93 Murray River Council Local planning decision making for land rezoning**

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To reduce considerable time delays to residential land rezonings, **for rural areas**, the NSW Government should review and amend the Concurrence and Referral SEPP to remove DPE as a concurrence authority for any residential land rezoning (planning proposal) that is identified within the council's approved/adopted local housing strategy.

Separate but additional approval/concurrence procedures are already in place when DPE is reviewing and approving/endorsing councils' local

housing strategies; the current requirement for DPE concurrence for planning proposals is effectively doubling up on assessment of local land rezoning processes and adding considerable time delays with no perceived value-add to the process.

**Decision: Carried (with amendment)**

In accordance with Standing Order 39, the following Motions were referred to the Association's Board for consideration.

**94 City of Canterbury-Bankstown Council**      Land and environment court  
leave to rely on revised plans

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That Local Government NSW lobbies the Minister for Local Government to call upon the Land and Environment Court to adhere to its own Practice Note when considering applications for revised plans prior to hearing.

**Decision: Carried**

**95 Eurobodalla Shire Council**      NSW planning portal

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That Local Government NSW calls on the NSW Government to:

1. Repeal the requirement to prepare notice of determinations in the NSW Planning Portal immediately and instead require a standard format for development consents and conditions of consents.
2. Prepare a road map for the Planning Portal in consultation with NSW local government and vendors, ie, Tech 1, Civica, etc. The roadmap must include the proposed functionality of the Portal that are to be investigated and implemented over time.
3. Establish a Planning Portal Governance Committee with senior representatives from local government to:
  - a. oversee and agree to an enhanced Planning Portal road map
  - b. review and endorse strategies for training and communication with key stakeholders, and
  - c. monitor ongoing costs and integration.
4. Retain the ePlanning Council Reference Group to focus on improvements to Planning Portal functionality with enhanced capacity for members to add agenda items.
5. Cover all costs incurred by councils to implement and operate the NSW Planning Portal, including staff costs, systems and process amendments, Application programming interface (API) development, maintenance, and licensing in order to avoid the cost shift and adverse impact on council budgets.

**Decision: Carried**

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



**City of Parramatta Council****NSW planning portal**

That Local Government NSW advocates to the NSW Government for impactful and significant changes to the NSW Planning Portal to ensure councils can meet the statutory obligations under the Environmental Planning and Assessment Regulation 2021, with minimal impact on resources and for the purpose of enabling delivery of quality customer service.

**Lake Macquarie City Council****Integration platform for NSW government planning portal**

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

**Shoalhaven City Council****NSW planning portal implications for councils**

That Local Government NSW strongly and urgently lobbies the NSW Department of Planning and Environment to undertake meaningful engagement with Councils on the current and future stage roll-out of the NSW Planning Portal, noting that changes and amendments have led (and continue to lead) to ratepayer cost imposts for Councils to meet shifting requirements. Further, advocacy to the Department be undertaken to fund any and all future implementation across Councils at no additional expense to ratepayers.

**96 The Hills Shire Council****Review of LG Reg (home estates, caravan parks, camping and moveable dwellings)**

That Local Government NSW calls on the NSW Government to review the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021, taking into account feedback from regulators and businesses.

**Decision: Carried**

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

**Tweed Shire Council****Caravan parks**

That Local Government NSW writes to the Honourable Minister Scully and requests:

- a. Support to prohibit caravan parks in rural zones with other forms of tourist accommodation still permissible on merit;
- b. Implementing a state government body to help overhaul the caravan park industry similar to NSW Food Authority or NSW Health. A government body is also

needed for Moveable Dwellings Outside of Caravan Parks, and Manufactured Home Estates;

- c. An overhaul of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021, with different requirements for 'permanent living' caravan parks versus 'tourist accommodation' caravan parks.

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**Tweed Shire Council****Moveable dwellings outside caravan parks**

That Local Government NSW writes to the Honourable Minister Scully and request circulars to assist with interpretation of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021.

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**Tweed Shire Council****Manufactured home estates**

That Local Government NSW writes to the Honourable Minister Scully and requests:

- a. A review of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021 to remove the loopholes that allow permanent manufactured homes in areas where they are otherwise prohibited;
- b. A review of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021 and work with industry and councils to develop small village controls where land tenure exists and national construction standards can be enforced while meeting contemporary manufactured home estate living;
- c. A review of the SEPP Housing 2021 provisions for caravan parks with a view to properly distinguish a caravan park from a manufactured housing estate.

## Emergency management

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**97 Bega Valley Shire Council****Local Emergency Management Officers**

That Local Government NSW calls on the NSW Government to use funds allocated to the NSW Reconstruction Authority to fund executive level Local Emergency Management Officers (LEMOs) to ensure that our communities are better prepared for and protected during emergencies.

### Decision: Carried

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**98 Bland Shire Council****Council co-contribution to disaster grant funding to improve assets**

That Local Government NSW:

1. Applauds the actions of the Government in permitting the use of additional funds sourced from Councils to improve assets as part of the most recent flood emergency.

2. Seeks a commitment from State and Federal Government agencies to review Disaster and Emergency funding criteria for expenditure to allow Council co-contributions to improve assets damaged during critical events.

**Decision: Carried**

**99 Cabonne Council**

**National disaster insurance**

---

That Local Government NSW lobbies the Commonwealth Government to fast-track initiatives from the Hazards Insurance Partnership and Strategic Insurance Project, and urgently investigate a federally funded national disaster insurance scheme to offer residents and businesses impacted by trending environmental conditions, protection and access to affordable insurance premiums.

**Decision: Carried**

**100 Cabonne Council**

**Funding for disaster impacted communities**

---

That Local Government NSW calls on the NSW Government to extend the Community Assets Program and Resilient Homes Package funding to LGAs affected by the flood events in September and November 2022.

**Decision: Carried**

**101 Cabonne Council**

**Natural disaster funding claims**

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That Local Government NSW advocates that the NSW Government take steps to ensure the fast-tracking of natural disaster payments to councils so the councils cash flow is not negatively impacted and it can maintain its legislative financial statement requirements.

**Decision: Carried**

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

**Forbes Shire Council**

**Upfront payments of flood damage repair expenditure**

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That Local Government NSW lobbies the NSW Government to pay upfront at least 50% of flood damage claims when they are submitted to ensure that rural councils are not forced to use their limited operating capital to fund repair works.

## 102 Kyogle Council

## NSW Reconstruction Authority - quarries

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That Local Government NSW requests the NSW Reconstruction Authority to use its powers to, **on the request of the relevant council**, temporarily remove restrictions on truck movements and extraction rates for all quarries within their currently approved extent of extraction, for a limited time of say up to 24 months after a natural disaster when the materials are being used for restoration of essential public assets.

**Decision: Carried (with amendment)**

## 103 Penrith City Council

## Clarity on processes about establishment of new flood planning levels

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That Local Government NSW calls on the NSW Government to provide clarity regarding the risk management framework, timeframes, priority catchments and consultation process, for the establishment of new Flood Planning Levels in accordance with Recommendation 18 from the 2022 Fuller/O'Kane Inquiry.

**Decision: Carried**

## 104 Penrith City Council

## Role of the NSW Reconstruction Authority in emergency planning and recovery

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That Local Government NSW calls on the NSW Government to provide clarity in the role and responsibility of the NSW Reconstruction Authority in the governance of emergency planning, preparedness and recovery including:

1. Clarity on the Reconstructions Authority's role in placing constraints on development, including in the setting of flood planning levels
2. The role of the Reconstruction Authority to engage with Councils to actively manage mitigation of constraints as appropriate.

**Decision: Carried**

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

That Local Government NSW:

1. Seeks clarity from the NSW Government on the purpose and future direction of NSW Reconstruction Authority (formerly Resilience NSW).
2. Seeks clarity on how the various plans it has identified Councils will need to develop and reviewed on an ongoing basis will be funded.

## Environment, biodiversity, biosecurity

That Local Government NSW:

1. Urgently undertakes a review of the legislative regime for tree protection and seek increased penalties and deterrents, including **significantly** increased fines and **custodial sentences community service** for the destruction **and vandalism** of trees in NSW. **The review is to include the destruction and vandalism of vegetation in environmentally sensitive areas such as riparian zones, areas of high biodiversity value and foreshore protection areas.** The review should identify opportunities to better coordinate tree protection across NSW, along with improved education and awareness around the importance of tree protection to build stronger community support.
2. Advocates for effective reform to improve collaboration and coordination in education and enforcement to combat tree vandalism in NSW.

**Decision: Carried (with amendment)**

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

That Local Government NSW requests the NSW Government to conduct a review of the penalties applicable to illegal tree and shrub works, including pruning, removal, poisoning, vandalism and insufficient protection measures on building sites, and introduce higher penalties for the unauthorised destruction of vegetation in environmentally sensitive areas such as riparian zones, areas of high biodiversity value and foreshore protection areas.

## Ku-ring-gai Council

## Penalty increases for illegal tree removal

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That Local Government NSW:

1. Advocates to the NSW Government to greatly increase penalty infringement notice fines for illegal tree removal, vandalism or other harm.
2. Advocates to the NSW Government, specifically the Minister for Planning and Public Spaces, for a change to Schedule 5 of the Environmental Planning & Assessment Regulation 2021 to increase the penalties for individuals and corporations for penalty notice offences relating to development without consent.
3. Advocates for a review of the requirements for prosecution of illegal tree removal.

## Mosman Council

## Penalties for tree vandalism

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That Local Government NSW lobbies the State Government to urgently review Penalty Infringements Notices relating to tree vandalism on both public and private land as provided for under the *Environmental Planning and Assessment Act 1979* so that penalties are set at a level which act as a more meaningful and effective deterrent to illegal works / tree vandalism.

## 106 Tweed Shire Council

## Street trees as essential community infrastructure in New South Wales

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That Local Government NSW advocates that the NSW Government :

1. Reintroduces street trees as eligible community assets through the Section 7.11 Contributions Plan.
2. Investigate and implement a suitable mechanism and governance structure that would enable councils to introduce a fee for **succession planting and** compensatory tree planning.

**Decision:** Carried (with amendment)

## 107 Strathfield Council

## Role of the EPA in exercising their compliance powers

---

That Local Government NSW calls on the NSW Environment Protection Authority (EPA) to exercise its compliance powers. NSW EPA is a public agency and it should protect the public's interest. The agency regulates all activities which fall under the jurisdiction of the Protection of the Environment Operations Act (POEO) including contamination, noise, air, waste and water pollution. NSW EPA are slowly divesting their compliance responsibilities and have **by stealth** moved away from compliance to strategy.

**Decision:** Carried (with amendment)

**108 Kyogle Council      Funding for private native forestry compliance and enforcement**

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That Local Government NSW advocates for the State Government to properly fund the EPA and Local Land Services to carry out compliance and enforcement of legislation and Codes of practice for the proper management of Private Native Forests.

**Decision:** Carried

**109 Georges River Council      Pollution of the state's waterways through sewage overflow**

---

That Local Government NSW requests that the NSW Government takes steps to prevent future pollution of the state's waterways through sewage overflows, including but not limited to the upgrade of the Georges River-Malabar main carrier and the treatment plants within that system

**Decision:** Carried

**110 Lane Cove Council      Idling of motor vehicles causing excessive air pollution**

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That Local Government NSW advocates to the NSW Government and NSW Department of Planning and Environment, to extend the current offence of noise from an idling vehicle (Protection of the Environment Operations (Noise Control) Regulation 2008) to make it a traffic offence for excessive idling of a motor vehicle that causes air pollution in public areas.

**Decision:** Carried

**111 Woollahra Municipal Council      Reducing water pollution from construction sites**

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That Local Government NSW advocates that the NSW Government takes the following steps to reduce water pollution from construction sites:

1. Undertake a review of the current guidelines relating to erosion and sediment control, referenced in the Department of Planning and Environment's standard development application conditions, to ensure they are up to date and represent best practice. The referenced

guidelines are “Managing Urban Stormwater - Soils and Construction” 2004 published by the NSW Government (also commonly known as The Blue Book) and the “Do it Right on Site” guidelines published by the Southern Sydney Regional Organisation of Councils and the Natural Heritage Trust, 2001.

2. Explore further opportunities to educate builders and renovators on the importance of essential erosion and sediment controls to prevent run off from building sites entering our waterways.
3. Review the level of penalties that apply to water pollution incidents.

**Decision: Carried**

**112 Albury City Council** **Banning the release of gas filled balloons**

---

That Local Government NSW seeks the State Government to amend the Protection of the Environment Operations (POEO) Act 1997 to ban the release of all balloons if the balloons are inflated with a gas that causes them to rise in the air, excluding balloons that are hot air balloons that are recovered after landing or balloons released for scientific (including meteorological) purposes.

**Decision: Carried**

**113 Georges River Council** **Abandoned trolleys**

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That Local Government NSW requests that the NSW Government amends the Public Spaces (Unattended Property) Act so that retailers are obliged to collect all abandoned trolleys within three hours of notice being given.

**Decision: Carried**

**114 Camden Council** **Conserving koala habitat in the planning for new urban development**

---

That Local Government NSW lobbies the NSW and Australian Governments for increased protection of koala habitat in the planning for new urban development, including in the Wilton and Greater Macarthur Growth areas.

**Decision: Carried**



## 115 City of Newcastle Coastal erosion mitigation and sand replenishment

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That Local Government NSW calls on the NSW Government to plan strategically ~~and develop a state-wide approach for a sustainable sand nourishment program to~~ and support local councils ~~as they develop Coastal Management Programs~~ under ~~the NSW Government's~~ its coastal management framework by:

1. Developing a state-wide approach for a sustainable sand nourishment program to support local councils as they develop Coastal Management Programs
2. Establishing a whole of government approach to climate change impacts, including coastal erosion, recession and sea level rise.
3. Providing greater support to the delivery of Coastal Management Programs which are critical to ensure the long-term sustainability of our coasts and estuaries.
4. Formalising a catchment approach for our estuaries, involving all significant stakeholders and adequate funding, to ensure threats to these highly valued areas are more effectively and efficiently managed now and into the future.
5. Appointing a Coastal Commissioner to oversee coastal management on a statewide basis and advisors to assist councils.

**Decision:** Carried (with amendment)

## 116 Tweed Shire Council

## Safe cat, safe wildlife

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That Local Government NSW writes to the Minister and Shadow Ministers for Local Government, Environment and Animal Welfare requesting the following reforms to better manage the highly negative impact of roaming domestic cats on wildlife and improve the health and welfare of companion animals:

1. Amend the *Companion Animals Act 1998* and associated Companion Animals Regulation 2018 to enable local governments to enforce the containment of pet cats in NSW. The introduction of these containment laws to include phase-in periods and community support and monitoring frameworks.
2. Develop, and allocate funding towards a state-wide program to support local governments to enforce compliance with the *Companion Animals Act 1998*. This funding to include increasing the number of rangers available to undertake such compliance.

3. Streamline pet identification and registration processes into one process managed by Service NSW and accessible through self service functions within the Service NSW app.
4. Transition to mandatory desexing laws that align with existing state approaches in Western Australia, Tasmania, Australian Capital Territory, South Australia and Victoria.
5. Establish a \$10 million, three-year state-wide grant program to support councils to implement domestic cat containment policies and associated responsible cat ownership programs. The program to include: identification and registration measures, large scale desexing and microchipping programs and effective education programs to support people to keep their cats contained.
6. Implement a state-wide 'Safe cat, safe wildlife' campaign that includes the development of a central, state-wide online platform, in consultation with councils, relevant agencies and animal welfare bodies to make responsible pet ownership information easily accessible.

## **Decision: Carried**

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

<b>Blue Mountains City Council</b>	<b>Urgency requirement for Companion Animals Act amendments</b>
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That Local Government NSW calls on the NSW Government to act urgently in response to the LGNSW policy platform 13.6 by introducing to Parliament necessary amendments to the *Companion Animals Act (1998)* to enable councils to make local assessments and rules about roaming domestic cats to better respond to the local risk levels and impacts on native fauna.

<b>Eurobodalla Shire Council</b>	<b>Review of the Companion Animals Act - cat containment</b>
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That Local Government NSW lobbies the NSW Government to:

1. Change the *Companion Animals Act 1998* to bring NSW into line with other states and territories by allowing local government to introduce cat containment policies in consultation with the local community that meet the specific needs of their area and community, including phase-in periods, selection of areas within the LGA to which the policy applies, monitoring frameworks and resource allocation.
2. Establish a \$9 million three-year state-wide grant program to support councils to implement domestic cat containment policies and associated responsible cat

ownership programs to increase containment, desexing, identification and registration.

3. Implement a state-wide 'Safe cat, safe wildlife' campaign that includes the development of a central, state-wide online platform, in consultation with councils, relevant agencies and animal welfare bodies to make responsible pet ownership information easily accessible.

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### **Queanbeyan-Palerang Regional Council      Amendments to Companion Animals Act**

That Local Government NSW calls on the NSW State Government to introduce to Parliament amendments to the *Companion Animals Act (1998)* to enact Cat Containment regulations across New South Wales to better respond to the local risk levels, nuisance and noise issues, cat welfare and impacts on native fauna.

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### **Tamworth Regional Council      Responsible pet ownership and addressing the impact of cats on wildlife**

That Local Government NSW calls on the NSW State Government to address the impact of cats on wildlife by amending the Companion Animals Act to:

1. Mandate the desexing of all cats by 6 months of age with the exception of those owned by registered breeders and holding a valid permit for each litter;
2. Tighten the laws allowing the issue of permits for breeders and the ability to use the same permit for subsequent litters;
3. Provide funding to Councils and not-for-profit rescue organisations for specific reduced cost desexing programs;
4. Mandate the containment of all domestic/pet cats either within a dwelling and/or within an external enclosure; and
5. Provide significantly increased funding for on-ground resources to enforce enclosures and investigate and enforce laws relating to illegal breeders.

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### **117 Byron Shire Council      Non-lethal dingo management**

That Local Government NSW:

1. Recognises that dingoes are native animals with an important ecological role and are worthy of protection and care.
2. Acknowledges the long connection between dingoes and Aboriginal Australians and endeavour to respect this connection in relevant actions of the LGNSW.

**2A. Recognises that Australia's traditional people consider dingoes as Creator and Dreamtime Beings, they formed the lands, the waterways, and constellations. They mapped ancestral Songlines across this continent. The Dingo is essential to keep storylines, custom and culture alive. Dingoes remain deeply embedded in the daily lives of First Nations peoples as companions, hunting partners, protectors,**

and family members. Dingoes are considered Kin to many First Nations groups throughout all of Australia.

3. Notes there have been recent genetic studies indicating that a high proportion of wild dogs in Australia are pure dingoes and dingo-hybrids.
4. Commits to:
  - a. working towards new and updated investigations, community education, research, implementation of non-lethal dingo management; ~~and~~
  - b. ~~advocating for a statewide ban on the use of 1080 as an inhumane and indiscriminate poison.~~
5. Explores the recognition and protection of dingoes as a native species in the *Biodiversity Conservation Act 2016 (NSW)*.

**Decision:** Carried (with amendment)

Roads, transport, infrastructure, land

**118** Clarence Valley Council                      Protecting regional water utilities from privatisation

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That Local Government NSW lobbies the NSW Government to prepare a policy and associated legislation or other regulatory mechanism/s to ensure regional water facilities are retained under public ownership.

**Decision:** Carried

**119** Muswellbrook Shire Council              Upgrade water infrastructure to unlock housing and industry

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That Local Government NSW calls for:

1. Any housing strategy established and implemented by the State and/or Federal Government, to give consideration to the capacity of Local Water Utilities to provide sustainable water and wastewater services to new housing and industrial developments.
2. Grant funding opportunities to be increased and made available to Local Water Utilities for the provision of upgraded and/or renewed water and wastewater infrastructure, and that these grants not be tied to onerous co-contribution arrangements.

**Decision:** Carried

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

**Cabonne Council**

**Regional growth**

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That Local Government NSW calls on the NSW Government to fast-track investment into critical water supply and sewerage infrastructure, to assist regional councils meet the immediate and long-term demand for housing.

**120 Federation Council**

**River and dam management**

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That Local Government NSW ~~lobbies~~ **calls on** the State Government ~~for to~~ **consult with councils on potential** improvements to air space management rules and procedures in NSW Dams such as Lake Hume to lessen impacts of downstream flooding.

**Decision: Carried (with amendment)**

**121 North Sydney Council**

**Return of Public Open Space**

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That Local Government NSW lobbies the State Government to return land that is compulsorily acquired for major projects to the care and control of the local council, **where requested and agreed by the council**, when the land is no longer required for the purpose of major project construction and that the land be returned in a condition that meets the standards required for the use of the land as recreation and public open space.

**Decision: Carried (with amendment)**

**122 Blacktown City Council**

**Separate plans of management for community land categorised as natural area**

---

That Local Government NSW calls on the NSW Government to amend the requirements for Plans of Management under the Local Government Act 1993, so that separate plans are not required for land categorised as Natural Area with critical habitat or affected by a recovery or threat abatement plan (s36A and 36B of the LG Act).

**Decision: Carried**

**123 Blacktown City Council**      **Plans of management for community land**

---

That Local Government NSW calls on the NSW Government to amend the requirements for Plans of Management under the *Local Government Act 1993*, so that when an additional parcel of community land is added to an existing Plan of Management, the addition be exhibited and submissions on that additional parcel of land only be received for a minimum of 14 days, and that no public hearing be required.

**Decision: Carried**

**124 Clarence Valley Council**      **Native title compensation within and across LGAs**

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That Local Government NSW lobbies the NSW Government to

1. Prepare a policy and associated legislation or other regulatory mechanism/s that provide a consistent process for assessing, valuing and resolving native title compensation within and across LGAs, and
2. Establish a native title network for NSW council staff to connect, share information and discuss local government issues regarding native title.

**Decision: Carried**

**125 Bega Valley Shire Council**      **Forestry Corp and National Parks contribution to road maintenance**

---

That Local Government NSW:

1. Calls on the shareholder Ministers for Forestry Corporation (the Treasurer and Minister for Agriculture) to review its operations and contribute financially to haulage routes.
2. Calls on the NSW Minister for Environment and the National Parks and Wildlife Advisory Council to review the impact on local road networks of National Parks users and consider a mechanism for financial contribution to road maintenance.

**Decision: Carried**

**126 Bega Valley Shire Council**      **Freight connectivity to international airports**

---

That Local Government NSW advocates to the NSW Government and Australian Government to review in partnership with councils the freight connectivity routes into Canberra, Newcastle and Western Sydney

international airports to improve access to growing international export markets for regional communities.

**Decision: Carried**

**127 Broken Hill City Council** **Next fuel outlet signage in regional and remote NSW**

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That Local Government NSW calls on the State Government to install signage on the outskirts of NSW regional towns/cities and cross-border towns/cities that lead to remote NSW advising of the distance to the next fuel outlet.

This will assist to ensure the safety of motorists driving vast distances through mobile black spot areas of Western NSW.

**Decision: Carried**

**128 LGNSW Board** **Equitable access to transport options**

---

That Local Government NSW calls on the NSW and Australian Governments to:

1. Improve transport and bus services (including school bus services) for all residents in metropolitan, regional, rural and remote NSW,
2. Provide residents with environmentally sustainable and equitable public transport options that make living without a car a more viable option,
3. Prioritise action on the recommendations of the Bus Industry Taskforce, including delivering bus services to underserved communities, and
4. Re-instate the Regional Seniors Travel Card or a similar program to ensure fair and equitable access to travel.

**Decision: Carried**

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

**Bayside Council** **Bus Industry Taskforce report**

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That Local Government NSW calls on the Minister for Transport to prioritise action on the recommendations of the First Report from the Bus Industry Taskforce, especially the refocus on the essential task of delivering bus services to underserved communities most impacted by privatisation of bus services in NSW.

### **Narrabri Shire Council**

### **Rural/remote public transport services**

That Local Government NSW advocates to the NSW Government, specifically the Minister for Transport and Transport for NSW (TfNSW), to give greater consideration to equity and accessibility of school bus transport within remote rural and regional areas, and release information on corresponding funding allocation and assessment methodology for the provision of public passenger services within such areas.

### **Strathfield Council**

### **Transport and bus services**

That Local Government NSW calls on the State and Federal Government to:

1. improve transport and bus services for all residents. Residents should have the option to live without a car, be connected to employment, services and activities including journeys to local shops, schools and services.
2. provide all residents with environmentally sustainable, socially equitable transport, and bus services to support a healthy community, where living without a car is a viable, attractive option for all residents.

### **Broken Hill City Council**

### **Regional Seniors Travel Card**

That Local Government NSW calls on the State Government to continue the Regional Seniors Travel Card, or a similar program to be implemented, to ensure seniors still have fair and equitable access to the necessity of travel in regional NSW.

### **129 The Hills Shire Council**

### **Parking enforcement in private carparks**

That Local Government NSW calls on the NSW Government to review s650 of the Local Government Act 1993 to allow the enforcement of parking restrictions within privately owned 'free parking' carparks.

**Decision: Carried**

### **130 Wollongong City Council**

### **Bikes on buses**

That Local Government NSW lobbies the NSW Government to enable bikes to be carried on buses where possible if the need arises.

**Decision: Carried**

### **131 Wollongong City Council**

### **Review of cycling on footpaths**

That Local Government NSW writes to the NSW Government requesting a review of national and international best practice to improve cyclist safety and participation, including permitting cycling on footpaths, **where practicable**, for all age groups unless signposted otherwise.

**Decision: Carried (with amendment)**



## Late Motions

### L1 Woollahra Municipal Council

### Proposed changes to the HOUSING SEPP and planning system

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That Local Government NSW:

1. Welcomes the NSW Government's renewed focus on the provision of affordable housing.
2. Is concerned that proposed social and affordable housing reforms to the Housing SEPP and associated planning system instruments:
  - a. will not facilitate the long-term supply of affordable housing,
  - b. do not provide for affordable housing in perpetuity,
  - c. do not provide certainty on the impact on existing infrastructure contributions and affordable housing contributions schemes,
  - d. do not address how the additional infrastructure required by the additional density and growth in population would be funded,
  - e. will undermine local planning controls, including sites that have been subject to a recently approved, refused or pending planning proposals, by allowing an additional increase of FSR and height to be sought (without a new planning proposal), and
  - f. do not account for the impact of increased density on Heritage items, Heritage Conservation Areas (HCAs) and environmentally sensitive areas, areas of high Aboriginal cultural significance or high biodiversity significance.
3. Advocates for the NSW Government to defer the implementation of the proposed reforms to allow adequate time for:
  - a. all councils to be consulted and provided with reasonable opportunity to prepare submissions,
  - b. the proper consideration of all councils' submissions,
  - c. the Department of Planning and Environment to address councils' concerns (including but not limited to the concerns outlined at paragraph 2), and
  - d. the proper consideration of providing exemptions to the proposed reforms.

**Decision: Carried**