

TOCUMWAL CAR PARK EXTENSION

In the latter half of 2020 the General Manager became aware that the Tocumwal Motel and the old hardware shop were going to come on the market and it was put to the Council that we might buy it and add it into the car park behind IGA supermarket. This was an excellent idea and was embraced by the Councillors and the purchase was authorised and completed.

Since that time many thoughts and discussion have been had between the Tocumwal Councillors and some Tocumwal townspeople and new thoughts have emerged.

Tocumwal is the largest town in the Berrigan Shire and is continuing to expand. There is a residential subdivision (stage 2 of Crawford's) of 30 or so lots and a 20 lot residential subdivision at 160 Deniliquin Street soon to begin works. This is needed as there are almost no available blocks to build on at present in Tocumwal. Crawford's first stage of 42 blocks was sold out in 18 months with about 15 blocks already built on.

With this level of growth at sometime in the near future Tocumwal will require some more commercial space and at present it has no availability of land to accommodate this need.

There is a retail area in Deniliquin Road opposite the "Fish" and a new "Hub" building that will tie this area to the "Main" Deniliquin Street where the IGA Supermarket fronts the shopping area at present.

There is also Murray Street that presently has the "Op Shops" and the Tocumwal Veterinary Clinic. Shortly there will open a Retro and Restoration Furniture shop and across the road a Micro Brewery is planning to open late in 2021. The Rotary Op Shop is presently in the Hardware shop.

It was noted that in the recent "Heritage report" for this area that there was at present a "disconnect" between the Deniliquin Road and Deniliquin Street retail areas and the potential Murray Street retail area. The following plan will assist with the connection of these retail areas.

The opportunity for Berrigan Shire to drive the future economic development and direction of the retail area of Tocumwal is now!

1. The Motel in its entirety should be demolished and a DA has been submitted for this.
2. The rear shed of the Hardware shop should be demolished at the same time but this is not in the DA.
3. The "Hardware" shop should have a "laneway" for access of 6m at the rear of the shop as it is now with over gutter access.
A 3m laneway from the car park to Murray Street can be created along the side of the "Hardware" shop and this would give access to the "Hardware" shop for maintenance to the wall area when necessary. This Shop can then be subdivided off to its own title without any excess land.

4. This property of 1, 2 or 3 shops could then be sold to an investor with a value of around \$400,000- to \$450,000.

5. The area with frontage to Murray Street from the laneway beside the bottle shop to the created laneway to the south side of the Hardware shop and 12m deep could be the future site of 4 boutique shops of about 90m² with only roller door access to the rear of the shop. Being 90m² shops constant resupply of stock is not applicable so rear title access would not be necessary. This format can be seen in other cities and towns.

6. The proposal is that this 12m deep by 32m (approx) area be titled with DA approved plans for the 4 shops. The facade of the shops could be designed to fit into the heritage area of this location. The plans and DA submission would cost in the vicinity of \$5-6000- This subdivided title with plans can then sold to a developer, with a construction time frame in the contract, for a price of around \$350,000.

7. Parking spaces for these shops can be allocated within the car park as necessary to fulfil any regulations.

The above plan would solve the future commercial retail needs and access to all areas with 5 properties added. The Hardware shop could be 1, 2 or 3 shops.

With the sale of the above two properties for around \$800,000 the Berrigan Shire can then compulsorily acquire the two properties 9 and 11 Barooga Street. Maybe also 13.

As March's IGA owns 9 Barooga Street we can negotiate with them to create an unloading and storage area parallel with their shop so they do not need to park a transport on the laneway for unloading as they do at present. This unloading scenario that happens at present is not an O H & S acceptable risk to the townspeople or March's employees.

The balance of the two properties can then be added to the car park.

To complete the plan Barooga Street should have new kerb and gutter, be sealed and angle parking be marked out for extra parking area.

In this plan we have addressed 4 necessary developments for the future of Tocumwal.

- Access from the car park to the retail areas and tie the retail area together
- More retail space
- More car parking
- Remove most of the safety unloading issues with March's IGA Supermarket.

A development such as this should provide parking and retail space for the next 20-30 years of Tocumwal's required development.



Monthly Investment Report

June 2021



IMPERIUM MARKETS

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Impact of COVID-19 to Council's Portfolio

COVID-19 has adversely impacted financial markets, which in turn, has also affected Council's investment portfolio. We provide a quick summary in this section.

With regards to financial markets, shares (equities) experienced a significant correction in March 2020 but have since, recovered substantially due to the unprecedented fiscal and monetary policy support from global central banks and governments. **The RBA cut rates to record lows on 3rd November 2020 to 0.10%.** Despite the Delta variant causing renewed restrictions across several countries (including Australia), equities markets have continued their rally over the course of 2021 driven by the multiple vaccines available and ongoing fiscal and monetary policy easing measures. Longer-term bond yields have risen since the start of the calendar year on the prospects of higher inflation over coming years.

With regards to the medium-longer term outlook for financial markets, of importance is the RBA's outlook and expectations for the Australian economy. They would like to see the following three economic indicators improve before they even consider increasing interest rates:

1. The unemployment rate to drop to around 4.5% (currently it sits at 5.1% and has not been below 4.5% since 2008);
2. *"Until actual inflation is sustainably within the 2-3% target range"* (it has not been within their target band for the past 5 years); and
3. Wage growth to surpass +3% (it has not been above this level for the past 8 years).

Their current forward guidance suggests conditions for a rate rise are ***"unlikely to be until 2024 at the earliest"***.

The largest impact to Council's investment portfolio is with regards to its largest exposure being assets held in bank term deposits, which accounts for around ~66% of Council's total investment. **The biggest risk that Council faces over the medium-longer term in this environment is not the potential loss of capital (given all the banks are well capitalised and regulated by APRA), but the rapid loss of interest income as interest rates have plummeted.**

Council's term deposit portfolio was yielding 0.64% p.a. at month-end, with a weighted average duration of around 186 days or 6 months. **This short average duration will only provide some income protection against the low interest rate environment over the immediate future.** As existing deposits mature however, they will inevitably be reinvested at much lower prevailing rates.

Given official rates have fallen to record lows, Council is likely to see a rapid decline in interest income over future financial years. Its budgeted income over the medium-longer term needs to be revised to reflect the low interest rate environment. Returns between 0.40%-0.80% p.a. may potentially be the "norm" over the next few financial years, especially if rolling the majority of surplus funds for terms less than 2-3 years. Yields may in fact be lower if electing to invest for terms under 12 months.

Council’s Portfolio & Compliance

Fund Allocation

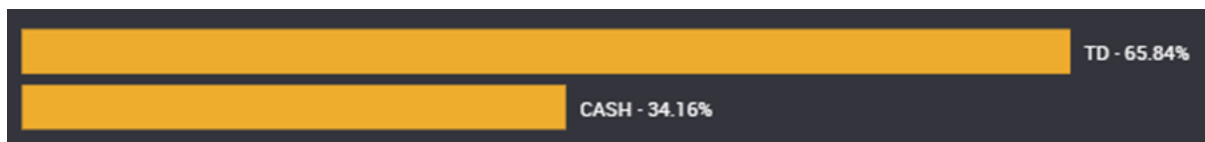
As at the end of June 2021, the portfolio was mainly directed to General Funds:

| Code | Invested | Invested (%) | Number of trades |
|---------|---------------|--------------|------------------|
| WATER | 14,000,000.00 | 32.89 | 7 |
| GENERAL | 26,565,121.30 | 62.41 | 7 |
| SEWER | 2,000,000.00 | 4.70 | 1 |

Asset Allocation

As at the end of June 2021, the portfolio is mainly directed to fixed term deposits (65.84%). The remainder of the portfolio is held in low yielding cash accounts with NAB (AA-) and Bendigo-Adelaide (BBB+), which remains at relatively high levels and will cause a drag to performance. We recommend opening the ‘accelerator’ cash account with Macquarie Bank (A+), which is currently paying an overnight rate of 0.40% p.a. for balances up to \$10m (and 0.20% p.a. for balances greater than \$10m).

With the RBA cutting interest rates in November 2020 to 0.10%, the priority should be to lock in any remaining attractive medium-longer dated fixed deposits or fixed bonds that may still be available to address reinvestment risk as margins continue to compress.



Council’s Investment Policy does not specify any limits for Maturity, Counterparty and Credit Quality compliance measures. In the following sections, we have tentatively placed what other NSW councils have adopted as part of their compliance limits. We provided Berrigan Shire Council an Investment Policy review during the month of April 2021.

Term to Maturity

The portfolio is highly liquid with a large proportion of the investment portfolio maturing within 3 months (65%). We recommend a more diversified maturity profile to address reinvestment risk, which has been and continues to be a major detriment towards Council's interest income going forward.

Where ongoing liquidity requirements permit Council to invest in attractive 1-5 year investments, we recommend this be allocated fixed term deposits or fixed bonds (refer to respective sections below).

| Compliant | Horizon | Invested (\$) | Invested (%) | Min. Limit (%) | Max. Limit (%) | Available (\$) |
|-----------|---------------|---------------------|----------------|----------------|----------------|----------------|
| ✓ | 0 - 90 days | \$27,539,166 | 64.70% | 10% | 100% | \$15,025,955 |
| ✓ | 91 - 365 days | \$13,025,955 | 30.60% | 20% | 100% | \$29,539,166 |
| ✓ | 1 - 2 years | \$2,000,000 | 4.70% | 0% | 70% | \$27,795,585 |
| ✓ | 2 - 5 years | \$0 | 0.00% | 0% | 50% | \$21,282,561 |
| | | \$42,565,121 | 100.00% | | | |

Counterparty

As at the end of June 2021, Council had an overweight position to Bendigo-Adelaide, largely driven by the large cash balance. Overall, the portfolio is lightly diversified, with some exposure to the unrated ADIs.

| Compliant | Issuer | Rating | Invested (\$) | Invested (%) | Max. Limit (%) | Available (\$) |
|-----------|-----------------|---------|---------------------|----------------|----------------|---------------------|
| ✓ | NAB | A-1+ | \$6,440,064 | 15.13% | 40.00% | \$10,585,985 |
| ✓ | AMP Bank | A-2 | \$7,000,000 | 16.45% | 25.00% | \$3,641,280 |
| ✗ | Bendigo-Adel. | A-2 | \$19,099,103 | 44.87% | 25.00% | -\$8,457,823 |
| ✓ | Defence Bank | A-2 | \$6,000,000 | 14.10% | 25.00% | \$4,641,280 |
| ✓ | Central Murray | Unrated | \$2,000,000 | 4.70% | 10.00% | \$2,256,512 |
| ✓ | Goulburn Murray | Unrated | \$2,025,955 | 4.76% | 10.00% | \$2,230,557 |
| | | | \$42,565,121 | 100.00% | | |

In September 2020, ratings agency **S&P downgraded AMP Bank by one notch to "BBB"** stating its view that *"the overall creditworthiness of the AMP group is weaker"* and that *"the group is exposed to challenges that may disrupt its overall strategic direction and its ability to effectively execute its strategy."*

We have no issues with Council's investments with AMP Bank, given they are super-senior ranked assets, extremely low risk and high up the bank capital structure.

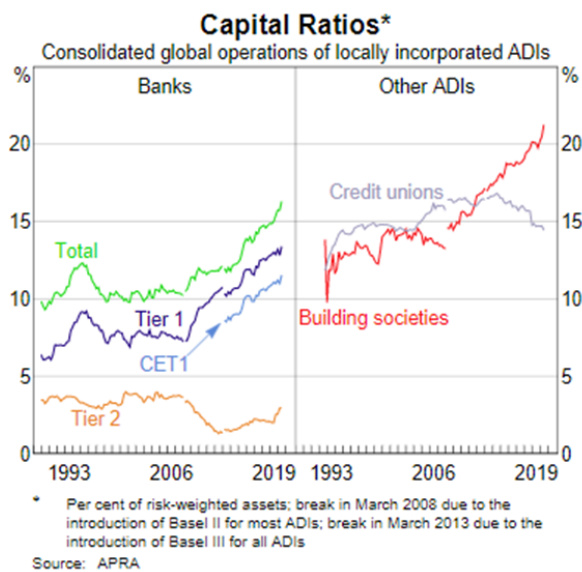
We remain supportive of the regional and unrated ADI sector (and have been even throughout the GFC period). They continue to remain solid, incorporate strong balance sheets, while exhibiting high levels of capital – typically, much higher compared to the higher rated ADIs. Some unrated ADIs have up to 25-40% more capital than the domestic major banks, and well above the Basel III requirements.

RBA Governor Lowe has commented that they have not seen any signs of stress in the financial system and that unlike during the GFC, the banks (all ADIs) now have cash, are well capitalised and are acting as “shock absorbers” in the current crisis.

Overall, the lower rated ADIs (BBB and unrated) are generally now in a better financial position than they have been historically (see the Capital Ratio figure below). We believe that deposit investments with the lower rated ADIs should be continued going forward, particularly when they offer ‘above market’ specials. Not only would it diversify the investment portfolio and reduce credit risk, it would also improve the portfolio’s overall returns.

In the current environment of high regulation and scrutiny, all domestic (and international) ADIs continue to carry high levels of capital. There is minimal (if any) probability of any ADI defaulting on their deposits going forward – this was stress tested during the GFC. **APRA’s mandate is to “protect depositors” and provide “financial stability”.**

The biggest single risk that depositors face in the current low interest rate environment is not capital or credit risk, but reinvestment risk. Interest rates are now at their effective lower bound of 0.10%.



Credit Quality

Council did not have an overweight position to any category as at the end of June. The portfolio remains well diversified from a ratings perspective, with some exposure down to the local credit unions.

From a ratings perspective, the “BBB” / “A-2” rated banks now generally dominate the number of ADIs issuing deposits within the investment grade space. However, given most banks are fully liquid during the current pandemic, most of the “BBB” / A-2” rated and Unrated ADIs are currently not seeking wholesale funding. As such, in the interim, we could see a shift towards a larger proportion of assets being directed towards the higher rated ADIs given the lack of appetite amongst the lower rated ADIs.

| Compliant | Credit Rating | Invested (\$) | Invested (%) | Max. Limit (%) | Available (\$) |
|-----------|----------------------|---------------------|----------------|----------------|----------------|
| ✓ | A-1+ Category | \$6,440,064 | 15% | 100% | \$36,125,058 |
| ✓ | A-1 Category | \$0 | 0% | 100% | \$42,565,121 |
| ✓ | A-2 Category | \$32,099,103 | 75% | 80% | \$1,952,994 |
| ✓ | A-3 Category | \$0 | 0% | 20% | \$8,513,024 |
| ✓ | Unrated ADI Category | \$4,025,955 | 9% | 15% | \$2,358,813 |
| | | \$42,565,121 | 100.00% | | |

Performance

Council's performance for the month ending 30 June 2021 is summarised as follows:

| Performance (Actual) | 1 month | 3 months | 6 months | FYTD | 1 year |
|--|--------------|--------------|--------------|--------------|--------------|
| Official Cash Rate | 0.01% | 0.02% | 0.05% | 0.15% | 0.15% |
| AusBond Bank Bill Index | 0.00% | 0.01% | 0.01% | 0.06% | 0.06% |
| Council's T/D Portfolio[^] | 0.06% | 0.19% | 0.44% | 1.12% | 1.12% |
| Outperformance | 0.06% | 0.18% | 0.42% | 1.06% | 1.06% |

[^]Total portfolio performance excludes Council's cash account holdings. Overall returns would be lower if cash was included.

| Performance (Annualised) | 1 month | 3 months | 6 months | FYTD | 1 year |
|--|--------------|--------------|--------------|--------------|--------------|
| Official Cash Rate | 0.10% | 0.10% | 0.10% | 0.15% | 0.15% |
| AusBond Bank Bill Index | 0.03% | 0.04% | 0.02% | 0.06% | 0.06% |
| Council's T/D Portfolio[^] | 0.71% | 0.76% | 0.88% | 1.12% | 1.12% |
| Outperformance | 0.68% | 0.72% | 0.86% | 1.06% | 1.06% |

[^]Total portfolio performance excludes Council's cash account holdings. Overall returns would be lower if cash was included.

For the month of June 2021, the deposit portfolio provided a solid return of +0.06% (actual) or +0.71% p.a. (annualised), outperforming the benchmark AusBond Bank Bill Index return of +0.00% (actual) or +0.03% p.a. (annualised). The outperformance continues to be driven by a combination of those deposits originally invested beyond 6 months.

Going forward, with the low interest rate environment (depleted cash rate), maturing deposits will inevitably be reinvested at lower prevailing rates. The reduction in interest income over coming years can be mitigated by undertaking a longer duration position.

Investors using the Imperium Markets platform have reduced the invisible costs associated with brokerage, and thereby lift client portfolio returns as investors are able to deal in deposits directly with the ADIs and execute at the best price possible.

Council's Term Deposit Portfolio & Recommendation

As at the end of June 2021, Council's deposit portfolio was yielding 0.64% p.a. (down 5bp from the previous month), with an average duration of around 186 days (~6 months).

We strongly recommend Council extends this average duration. In the low interest rate environment, the biggest collective risk that the local government sector has faced over the post-GFC era has been the dramatic fall in interest rates - from 7¼% to the historical low levels of 0.10%.

As the past decade has highlighted (post-GFC era), we have seen too many portfolios' roll a high proportion of their deposits between 3-6 months, resulting in their deposits being reinvested at lower prevailing rates. That is, depositors have overpaid for liquidity and generally not insured themselves against the low interest rate environment by diversify their funding across various tenors (out to 5 years) but rather placed all their 'eggs in one basket' and kept all their deposits short. **Reinvestment risk has collectively been and continues to be the biggest detriment to depositors' interest income over the post-GFC period.**

At the time of writing, we see value in:

| ADI | LT Credit Rating | Term | T/D Rate |
|--------------|------------------|---------|-------------|
| ICBC, Sydney | A | 5 years | 1.50% p.a. |
| WBC | AA- | 5 years | ~1.30% p.a. |
| NAB | AA- | 5 years | 1.25% p.a. |
| ICBC, Sydney | A | 4 years | 1.25% p.a. |
| WBC | AA- | 4 years | ~1.05% p.a. |
| NAB | AA- | 4 years | 1.00% p.a. |
| ICBC, Sydney | A | 3 years | 0.96% p.a. |
| WBC | AA- | 3 years | ~0.82% p.a. |
| NAB | AA- | 3 years | 0.75% p.a. |
| ICBC, Sydney | A | 2 years | 0.70% p.a. |
| NAB | AA- | 2 years | 0.60% p.a. |

The above deposits are suitable for investors looking to provide some income protection and mitigate reinvestment/rollover risk in the low interest rate environment.

For terms under 12 months, we believe the strongest value is currently being offered by the following ADIs (dependent on daily funding requirements):

| ADI | LT Credit Rating | Term | T/D Rate |
|----------|------------------|-------------|-------------------------|
| ME Bank | BBB | 12 months | 0.50% p.a. |
| BoQ | BBB+ | 7-8 months | 0.45% p.a. |
| CBA | AA- | 12 months | ~0.44% p.a. |
| BoQ | BBB+ | 9-12 months | 0.40% p.a. |
| Westpac | AA- | 12 months | ~0.36% p.a. |
| NAB | AA- | 12 months | 0.35% p.a. |
| AMP Bank | BBB | 9-12 months | 0.35% p.a. [^] |
| Bendigo | BBB+ | 9-12 months | 0.35% p.a. |

[^] AMP T/Ds – contact us to receive an additional 0.20% p.a. rebated commission on top of the rate shown

Amongst the investment grade sector, short-dated term deposits (maturing less than 12 months) are yielding under 0.50% p.a. (most are under 0.40% p.a.). We believe there is not much value being offered in short-dated deposits.

In contrast, there is an upward pick-up in yield for investors that can take advantage of 2-5 year fixed T/Ds whilst official rates are stuck at depressed levels at least for the next two to three years. For those investors that do not require high levels of liquidity and can stagger their investments longer-term, they will be rewarded over coming years if they roll for a minimum term of 2 years (we note some investors tend to roll for 3-5 years), potentially yielding, on average, more than double the return compared to those investors that purely invest in short-dated deposits.

Senior FRNs Review

Over June, amongst the senior major bank FRNs, physical credit securities marginally widened at the long-end of the curve. Secondary market securities remain relatively expensive on the back of the RBA announcing its \$200bn quantitative easing (QE) package (doubled in Feb 2021).

A new 5 year senior major bank FRN would now be issued around the +52bp, which remains tight on a historical basis. We may finally see some primary issuances in Q3-Q4 this year from the major banks as the RBA's term funding facility (TFF) draws to an end as of June 2021. The lack of supply from new (primary) issuances has played a major role with the rally in credit markets over the past year.

Amongst the "A" and "BBB" rated sector, the securities were marked around 3bp tighter at the long-end of the curve, driven by some new issuances over the month, including:

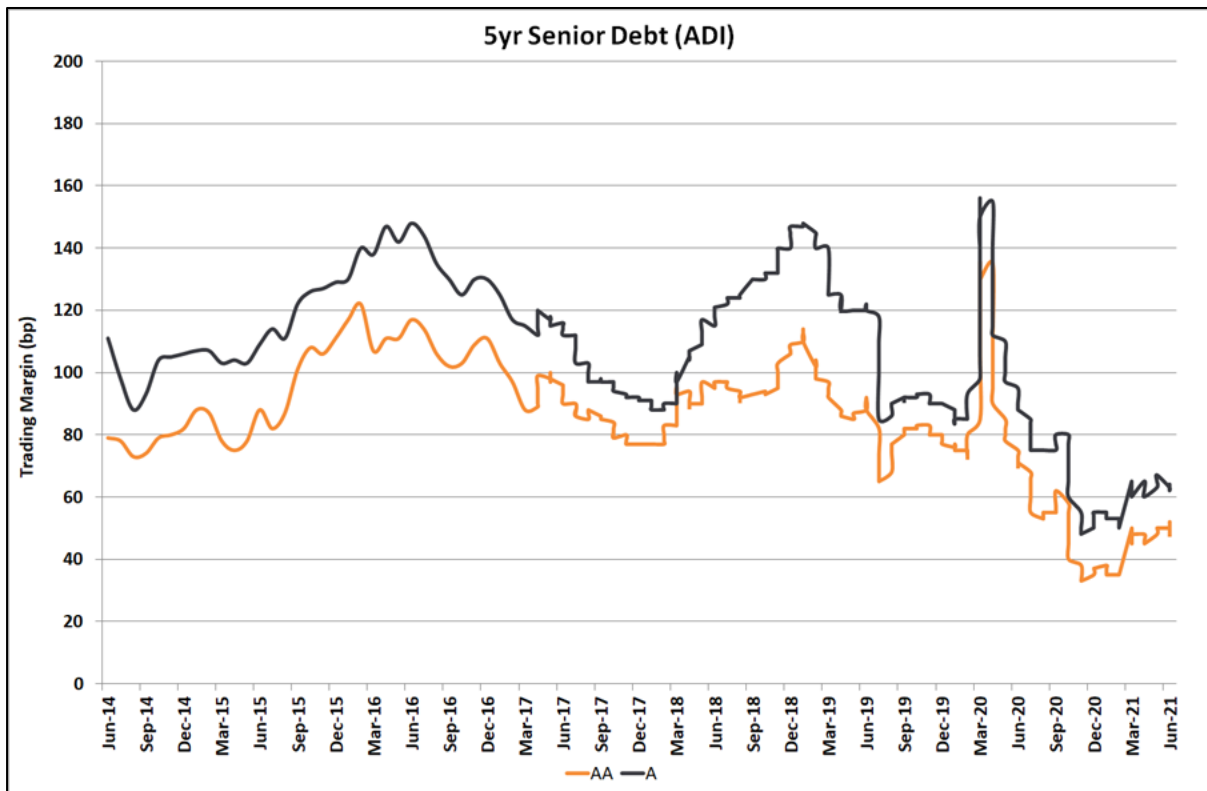
| ADI | Rating | Volume | Term | Maturity Date | Priced | Initial Guidance |
|-----------------|--------|--------|------|---------------|--------|------------------|
| Teachers Mutual | BBB | \$100m | 5yrs | 16/06/2026 | +68bp | +[70-73]bp |
| Bendigo | BBB+ | \$225m | 5yrs | 18/06/2026 | +65bp | +[65-67]bp |
| ICBC | A | \$500m | 5yrs | 18/06/2026 | +66bp | +[72]bp |

While turnover in the secondary market is still predominately dominated by commonwealth, semi-government and major bank senior paper, given the lack of supply, we have started to observe that even a handful of regional bank senior paper has sometimes been trading inside "mid" levels over recent months.

Credit securities remain tight on a historical level but are looking slightly more attractive following the widening experienced since the start of the calendar year. FRNs will continue to play a role in investor's portfolios mainly on the basis of their liquidity and the ability to roll down the curve and gross up returns over ensuing years (in a relatively stable credit environment).

| Senior FRNs (ADIs) | 30/06/2021 | 31/05/2021 |
|--------------------|------------|------------|
| "AA" rated – 5yrs | +52bp | +50bp |
| "AA" rated – 3yrs | +25bp | +27bp |
| "A" rated – 5yrs | +64bp | +67bp |
| "A" rated – 3yrs | +42bp | +45bp |
| "BBB" rated – 3yrs | +52bp | +55bp |

Source: IBS Capital



Source: IBS Capital

We now generally **recommend switches** ('benchmark' issues only) into new attractive primary issues (or longer-dated alternatives), out of the following senior FRNs that are maturing:

- **On or before mid-2024 for the "AA" rated ADIs (domestic major banks);**
- On or before mid-2022 for the "A" rated ADIs; and
- Within 12 months for the "BBB" rated ADIs (consider case by case).

Investors holding onto the above senior FRNs ('benchmark' issues only) in their last 1-2 years are now generally holding sub-optimal investments and are not maximising returns by foregoing realised capital gains. In the current low interest rate environment, any boost in overall returns should be locked in when it is advantageous to do so.

Senior Bonds - Northern Territory Treasury Corporation (NTTC)

We are aware of the following senior retail bond offering from Northern Territory Treasury Corporation (NTTC) effective 1st July 2021:

| Maturity Date | Rate % p.a. [^] | Interest Paid |
|---------------|--------------------------|---------------|
| 15/12/2022 | 0.40% | Annually |
| 15/12/2023 | 0.60% | Annually |
| 15/12/2024 | 1.00% | Annually |
| 15/12/2025 | 1.20% | Annually |
| 15/12/2026 | 1.50% | Annually |

^{^^}The rates offered in the above table can be reviewed and changed at any time from Treasury. The rate for broker sponsored applications will be dropped by 0.20% p.a. effective 1 October 2020.

Any investor interested in this product should avoid placing through the broker channel and contact Imperium Markets to receive the full commission of 0.25% (plus GST) on the face value of the investment, in the form of an additional rebate. If placed through the brokers, they are likely to keep the 0.25% commission (on the face value of the investment).

| Overview | Description |
|-----------------------|--|
| Issuer | Northern Territory Government |
| Credit Rating | Aa3 (Moody's), which is AA- equivalent (S&P) |
| Type | Fixed senior (retail) bonds |
| Program | Territory Bonds Issue 111 |
| Date for applications | 01/07/2021 – 30/11/2021 |
| Liquidity | Weekly redemptions available, subject to the prevailing market rate and administration costs ^{^^} |

^{^^} Note given this is a retail bond offering (min. parcel size of \$5,000), for wholesale investors, we would not consider this to be a liquid investment (the largest redemptions to date have only been \$200-\$300k).

The product should be viewed as a hold-to-maturity product, noting there are significant penalty costs including admin fees, the prevailing market interest rate, and factors in any associate commissions that were previously paid. Given the longer-term outlook for official interest rates, **any investor with capacity should consider placing a small parcel (up to \$5m) in the 15/12/2024, 15/12/2025 and 15/12/2026 maturities through Imperium Markets** to receive an effectively higher rate, once factoring in the rebated commission.

Economic Commentary

International Market

Equity markets continued their positive momentum in June, despite ongoing concerns of rising inflationary pressures leading to upward revisions of central bank rate hikes. Concerns have grown globally around the Delta variant with many countries instituting travel restrictions or restricting travel to those who are now fully vaccinated.

In the US, the S&P 500 Index gained +2.22%, while the tech-heavy NASDAQ Index surged +5.49%. Equities finished positively across Europe's main indices, led by France's CAC (+0.94%), Germany's DAX (+0.71%) and UK's FTSE (+0.21%).

The US Fed's meeting in June revealed their latest 'dot plot' which showed that the median FOMC member now forecasts two Fed rate hikes in 2023, versus none in the March iteration (13 of the 18 person FOMC see rates rising in 2023 versus only six previously). The Fed repeated its April line in that *"inflation has risen, largely reflecting transitory factors"*, while making no changes to their key policy rate or its US\$120bn/month bond buying pace.

US inflation continued its sharp rise in May with the headline reading up +0.6% m/m taking the annual reading to +5.0%. The core reading rose +0.7% m/m, lifting the annual reading to +3.8%. The past 3 month rise in core US inflation was the highest recorded since August 1982.

The US unemployment rate fell by 0.3% to 5.8% in May but remained well above the pre-pandemic level of 3.5%.

The UK's GDP rose by a strong +2.3% m/m in April, putting the economy on track to rebound in Q2 as restrictions eased. **UK CPI came in higher than expected at +2.1% y/y, with core inflation at +2.0%** so hitting the BoE's 2% target for the first time since 2018. Euro area annual CPI inflation hit +2% for the first time since 2018 but the core increase was much lower at +0.9%.

Canada's GDP in Q1 was weaker than expected but was still up a strong annualised +5.6%, fuelled by a record contribution from residential investment. The Bank of Canada kept all its policy settings unchanged and said it would maintain its bond buying at \$3b/week, although the market expects a further tapering to be announced at next month's meeting.

On the back of vaccine optimism and US fiscal stimulus, **the OECD upgraded its forecasts for global growth to 5.8% this year and 4.4% next year** from 5.6% and 4.0% respectively back in March.

The MSCI World ex-Aus Index rose +1.46% for the month of June:

| Index | 1m | 3m | 1yr | 3yr | 5yr | 10yr |
|--------------------------|--------|--------|---------|---------|---------|---------|
| S&P 500 Index | +2.22% | +8.17% | +38.62% | +16.49% | +15.41% | +12.52% |
| MSCI World ex-AUS | +1.46% | +7.33% | +37.07% | +13.21% | +12.93% | +8.77% |
| S&P ASX 200 Accum. Index | +2.26% | +8.29% | +27.80% | +9.59% | +11.16% | +9.29% |

Source: S&P, MSCI

Domestic Market

The RBA's meeting in June did not provide any new forward guidance given they had previously flagged that it will review its unconventional policy settings in July. **At the July meeting, the RBA will decide on whether to extend their 3yr yield target from the April 2024 bond to the November 2024 bond, and whether to undertake a 3rd round of QE.**

The subsequent Minutes remained overwhelmingly dovish, which suggests the RBA is in no hurry to follow the RBNZ or BOC in flagging higher rates in 2022. The RBA still notes inflation is unlikely to be sustainably within the 2-3% band *"until 2024 at the earliest"*.

Q1 GDP rose by +1.8% (and +1.1% y/y) and is now 0.8% above pre-COVID levels. Overall, the data showed that the rebound was uninterrupted by the tapering in some fiscal support in Q1 and that brief periods of virus-related shutdowns have not stalled the recovery.

The unemployment rate fell 0.4% to 5.1% in May and is now back to pre-pandemic February 2020 levels. Headline employment rose 115.2k to a record high 13.1m. Employment gains were led by full-time (+97.5k), with part-time also strong (+17.7k).

Credit growth slowed in April to 0.2% m/m from 0.4% m/m in March (consensus +0.4%). Growth was again driven by housing credit (+0.5% m/m) with business credit declining (-0.3% m/m) after the previous month's increase.

Australian dwelling price rose +2.2% m/m in May, taking the annual change in dwelling prices to +10.6% y/y. New housing loan approvals rose strongly in April, up +3.7% m/m with growth driven by both owner-occupiers (+4.3% m/m) and investors (+2.1% m/m).

Australia's AAA rating was retained by S&P, with the outlook moving from negative to stable, citing the "strong" economic rebound, giving greater confidence in the deficit narrowing towards 3% of GDP over the next 2-3 years.

June saw the re-emergence of low levels of local transmission of COVID-19 in Australia, first in Melbourne, and most recently concentrated in Sydney, with both resulting in circuit-breaker lockdowns (two weeks announced for Greater Sydney).

The Australian dollar fell -2.68%, finishing the month at US75.18 cents (from US77.25 cents the previous month).

Credit Market

The main credit indices marginally tightened over June. The indices now trade back to their levels experienced in late 2020:

| Index | June 2021 | May 2021 |
|----------------------------|-----------|----------|
| CDX North American 5yr CDS | 48bp | 51bp |
| iTraxx Europe 5yr CDS | 47bp | 50bp |
| iTraxx Australia 5yr CDS | 58bp | 59bp |

Source: Markit

Fixed Interest Review

Benchmark Index Returns

| Index | June 2021 | May 2021 |
|--|-----------|----------|
| Bloomberg AusBond Bank Bill Index (0+YR) | +0.00% | +0.00% |
| Bloomberg AusBond Composite Bond Index (0+YR) | +0.69% | +0.26% |
| Bloomberg AusBond Credit FRN Index (0+YR) | +0.08% | +0.07% |
| Bloomberg AusBond Credit Index (0+YR) | +0.33% | +0.22% |
| Bloomberg AusBond Treasury Index (0+YR) | +0.99% | +0.30% |
| Bloomberg AusBond Inflation Gov't Index (0+YR) | +0.79% | +0.90% |

Source: Bloomberg

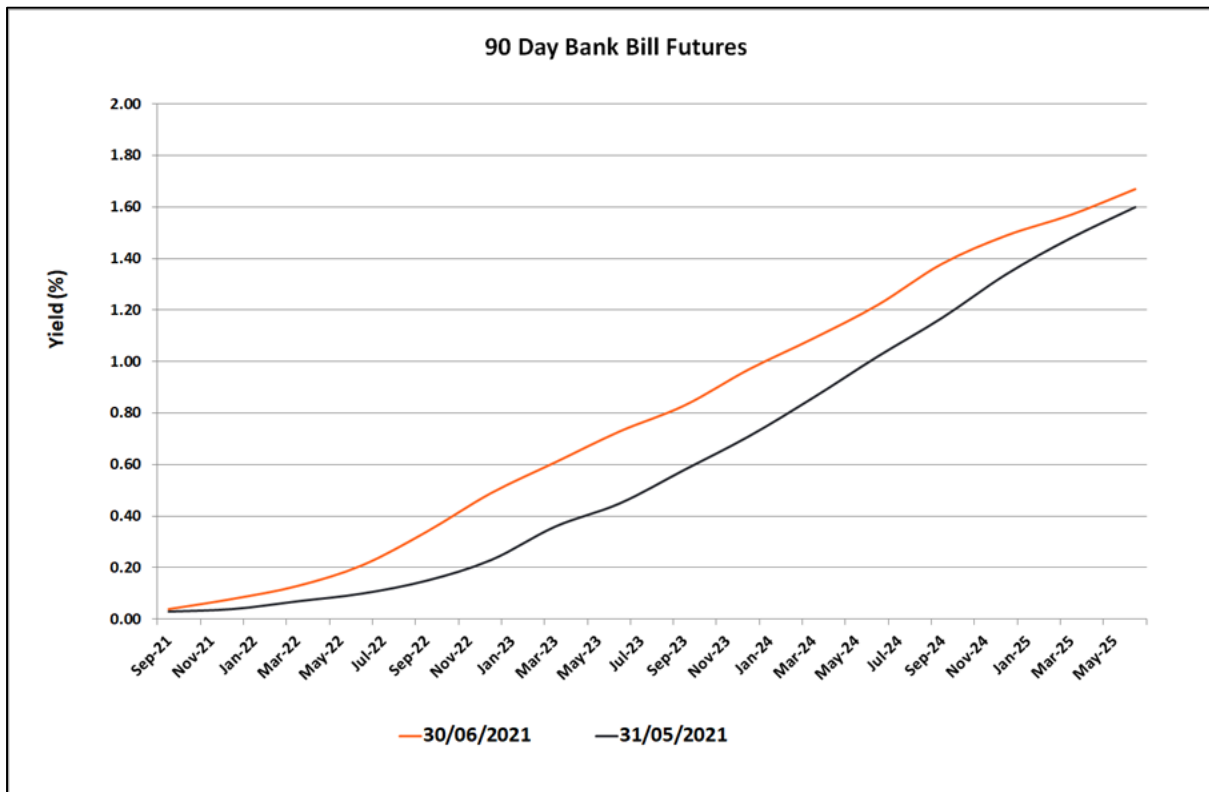
Other Key Rates

| Index | June 2021 | May 2021 |
|----------------------------------|-------------|-------------|
| RBA Official Cash Rate | 0.10% | 0.10% |
| 90 Day (3 month) BBSW Rate | 0.03% | 0.04% |
| 3yr Australian Government Bonds | 0.20% | 0.10% |
| 10yr Australian Government Bonds | 1.49% | 1.61% |
| US Fed Funds Rate | 0.00%-0.25% | 0.00%-0.25% |
| 10yr US Treasury Bonds | 1.45% | 1.58% |

Source: RBA, AFMA, US Department of Treasury

90 Day Bill Futures

Over June, bill futures rose across the board as rising inflationary pressures, as well as the end of the RBA’s TFF and potential withdrawal or tapering of its QE programme later this. Overall, bill futures continue to depict a low rate environment over the long-run, despite the steeping curve in recent months:



Source: ASX

Fixed Interest Outlook

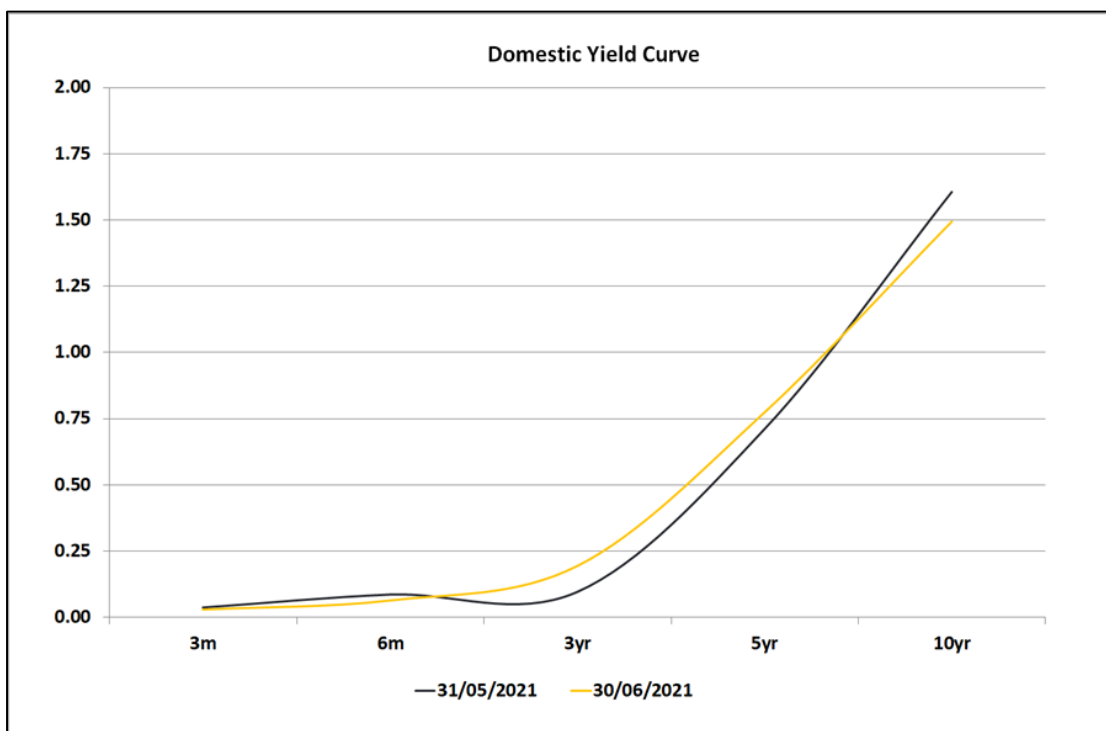
While bond yields have marched higher since the start of the calendar year, price actions have suggested that inflation may not be as big a risk as many market participants are suggesting. Central banks have continued to dismiss the current and expected rise of inflation as ‘transitory’, citing deep scars from the pandemic that are at work to add to the pre-existing structural downward pressures on inflation.

In Australia, sporadic outbreaks are likely to be controlled via short-lived restrictions until vaccination lifts to around the 80% level. The RBA has factored in these snap lockdowns as part of their economic projections. They have continued to reaffirm their view that official rates are unlikely to rise ***“until 2024 at the earliest”***. They would like to see the following three economic indicators improve before they even consider increasing interest rates:

1. The unemployment rate to drop to around 4.5% (currently it sits at 5.1% and has not been below 4.5% since 2008);
2. *“Until actual inflation is sustainably within the 2-3% target range”* (it has not been within their target band for the past 5 years); and
3. Wage growth to surpass +3% (it has not been above this level for the past 8 years).

Governor Lowe recently commented that *“inflationary pressures remain subdued and are likely to remain so”*, whilst also not mentioning any scenarios that would see a hike earlier than 2024.

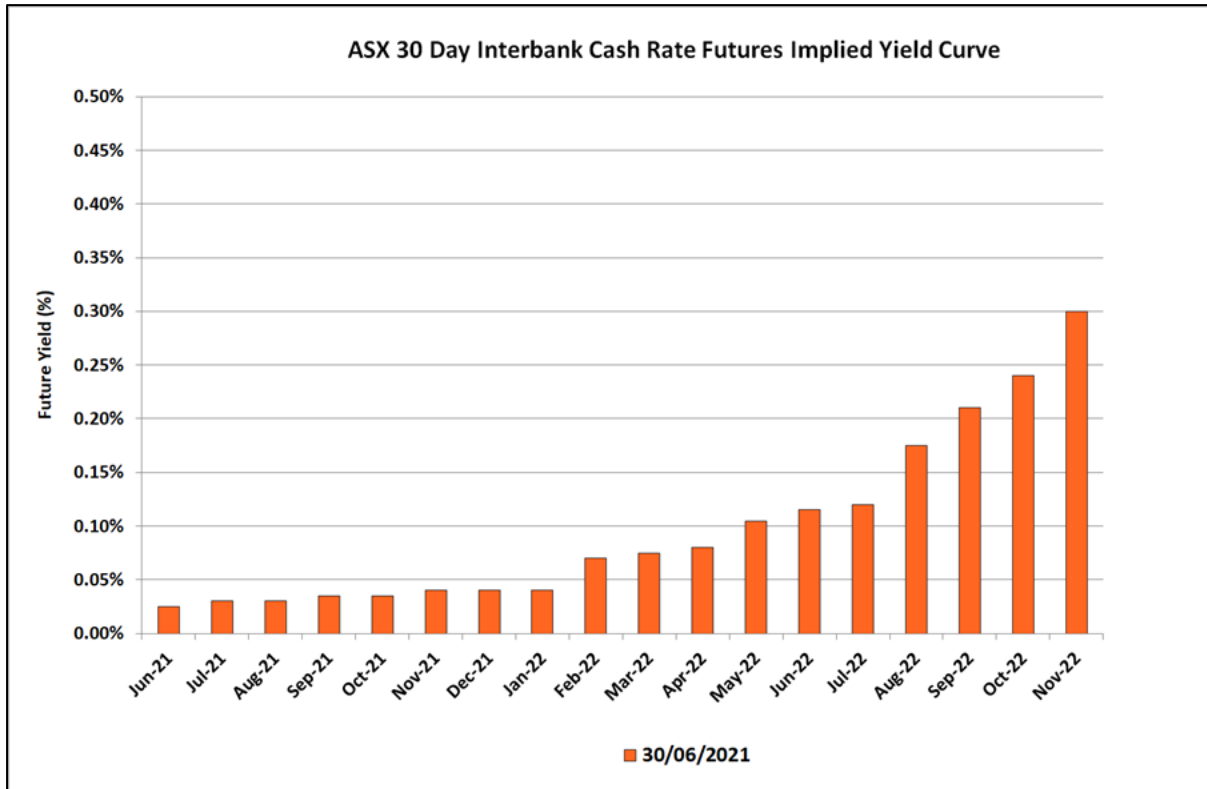
The domestic bond market continues to suggest a prolonged low period of interest rates. Over the month, yields fell around 12bp at the long-end of the curve, while the 3-year part of the curve rose around 10bp on expectations the RBA will taper QE over coming months:



Source: AFMA, ASX, RBA

RBA Deputy Governor Debelle reiterated that the RBA would be looking for actual, rather than forecast wages growth and inflation when deliberating on monetary policy. Their current forward guidance remains poised for a rate hike in 2024 at the earliest.

The market is currently fully pricing in a 15bp rate hike by the end of 2022:



Source: ASX

Disclaimer

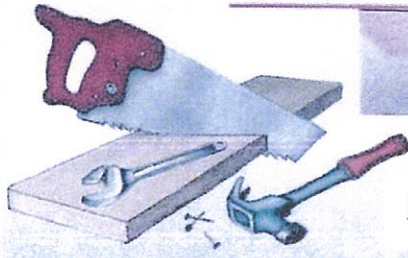
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Men's Shed



Deniliquin street
at skate park
Tocumwal

PO Box 168
Tocumwal NSW 2714

Berrigan Shire Council.
Chanter St
Berrigan2712

Tocumwal Men's Shed
PO Box 168
Tocumwal
28/06/2021

Dear CEO & Councillors,

The Tocumwal Men's Shed has plans and quotes to improve the shed it occupies in conjunction with The Tocumwal Lions Club at 108 Deniliquin Street.

The shed is adjacent to the Skate Park on council land.

The shed membership is growing and has reached a point where we don't have room for new members.

The improvement planned is a six meter extension to the southern end towards Deniliquin street.

The quoted cost the extension is \$19,052.

We would be most thankful if council could be of financial assistance.

Yours faithfully,

Richard Varley Chairman.

A handwritten signature in blue ink that reads "R. Varley".

BERRIGAN SHIRE COUNCIL

30 JUN 2021

FILE _____

REFER TO CEO

COPY TO _____

ACTION / CODE _____

ACKNOWLEDGE Y / N



Appendix 7.4-A

Cover painted by Berrigan artist, Barbara Dunn 'A man and his hobbies'



Library Services Strategy
2021- 2025

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1. Introduction

Berrigan Shire Library Service is an independent rural library service supporting community engagement through life-long learning, culture and recreation. Our Library Services are delivered in accordance with the *Library Act 1939* and as such no fee can be charged for core library services.

Council's Library Service operates four multi-purpose branches:

- Berrigan
- Barooga
- Finley; and
- Tocumwal

The staffing complement includes: Manager Library Services (1 EFT) and 4 part-time Library Officers (2 EFT) and 2 Casual Officers. The branches reflect their community and with improved communication networks, updated technology and financial support are providing all age activities that promote life-long learning, support community engagement, and participation.

1.1. Strategy Objectives

This strategy aims to optimise our community's investment in library facilities:

- 1 By co-ordinating and delivering library services information and recreation provision in a contemporary format to meet the needs of the current and future community.
- 2 Conducting a range of activities designed to meet community needs and interests.
- 3 Through the delivery of high quality library service underpinned by professionally trained and supported staff.

1.2. Our Mission

A contemporary place making rural library service committed to excellence and digital inclusion in life-long learning, culture and recreation.

1.3. Strategic Alignment

Our mission supports and contributes to the following plans and strategic frameworks

NSW State Library Strategic Plan 2019-2023; Inside Out:

- Collect, Preserve and support Access to materials that enrich people's lives
- Partner with Public Libraries to support and improve their services for the people of NSW
- Organisational support to strengthen the broader role of libraries within society
- Strategic Priorities are focussed on the needs of the public, where you don't need to fit in to belong

(NSW State Library, 2019)



South West Zone (Riverina) 2021 – 2027 (Draft Strategic Plan)

The Vision: is to be a strong and united voice for South-West Zone Public Libraries

The Primary Focus: Identity - Advocacy - Connection

The Value: is mutual respect and trust, professionalism and integrity, transparency and inclusiveness, creativity and imagination, participation and considered actions.

Berrigan Shire 2027

Strategic Outcome 3: Supported and Engaged Communities

Berrigan Shire Council Delivery Program

Objective: 3.2.1 Provide opportunities for life-long learning, cultural expression

1.4. Review Methodology

The Strategy is informed by a review of the *Berrigan Shire Library Services Strategy 2014 – 2018*, and updated literature review canvassing the social and economic impact of emerging trends and issues, a workshop held with library staff, Library Service activity data and a survey of library users.

2. Contemporary Libraries: Policy and Practice

Council's investment, and that of its communities, in its library service is in many respects unique and challenges prevailing policy and practice which has seen contraction in rural areas of library services to regional service centres. The challenges that face our Library Service are significant and relate to funding, sector change in the delivery of library services, cost shifting by State Government – in addition to ensuring that our Library staff have the technical support, skills, and knowledge to access Library NSW technologies.

These are challenges that confront the delivery of public library services irrespective of size and the population serviced. When thinking about the future of public libraries the issue of sustainability is one that is at the forefront of international, national, state and local debate and is informed by the experience of urban and regional libraries – with sustainability enhanced by policies that promote the convergence of libraries, art galleries and museums (ARUP university, 2015; VanderBerg, 2012).

There is however, limited research and information about rural libraries. Moreover, the sustainability of rural libraries or local libraries delivered by a rural Council, in the context of New South Wales, is not enhanced by policies or planning aimed at contracting services, centralising collections and promoting libraries as a virtual space.

Contemporary rural libraries, similar to regional and urban libraries are more than the repositories of the technological and cultural artefacts – sustainable rural libraries strengthen their communities, add to its liveability, and in our globalising world connect isolated residents in real time to cultural events, recreation and social activities.

Digital inclusion is a concept that describes the importance of individuals having access to digital technologies and developing competency with technologies that is digital literacy (Real, Bertot, & Jaeger, 2014, p. 8). Australian research suggests that there is increasing evidence to suggest that a lack of access to or competency with digital technologies 'severely limits education, employment and economic prospects' (Broadbent & Papadopoulos, 2013, p. 4). In rural NSW and for the foreseeable future, either through computer terminals or WIFI, libraries will continue to be the only source of publicly available internet access.

There are however real challenges experienced by rural libraries and these include having up-to-date technologies and specialist IT support, staff with the skills and time, (Real, Bertot, & Jaeger, 2014) in addition to sufficient space within which to conduct training in the use of a library's technologies.

Internationally, research has given consideration to how libraries are used and the space needed to house collections and respond to different users with five types of user activity identified:

1. Information seeking
2. Recreation
3. Teaching and learning
4. Connection
5. Contemplation

Experience, internationally and locally tells us that some library patrons ‘make use of all five types of space; others use only one or two. The environmental and social needs of each activity demand the development of separate spaces with specific characteristics—for example, spaces for silence and spaces for reading aloud; spaces for computers and spaces for books; spaces for meeting and for collaboration’ (Peterson, 2005).

In many respects and for many what may seem to be counter-intuitive digital technologies are not reducing the need for space in our libraries or indeed reducing the need for public libraries. The public value of libraries in its broadest sense and that prescribed in the *Library Act 1939* is in a ‘broad sense – equivalent to the public interest or *the common good*’ (Grant, Tan, Ryan, & Nesbitt, 2014).

In the context of local government service delivery and decisions about the allocation of an ever diminishing pool of resources public value is more than delivering a common good – it is about recognising that decisions about what is publicly valuable are not determined by market models the ‘exercise of buying and selling goods and services’ (Grant, Tan, Ryan, & Nesbitt, 2014).

A cost benefit assessment of the public value of Council’s library service is outside the scope of this strategy. On the other hand, what is not outside the scope is establishing the concept of public value and the application of this model to an independent rural library service. The economic benefit of libraries is composed of both direct and indirect benefits realised within a community. (The Evolving Role of Libraries in Communities) Direct benefits, particularly during COVID19 pandemic and border closures, were that marginalised and technologically disadvantaged community members used Council’s library services to access government websites, advice and technical help.

Examples of indirect benefits (public value of libraries) include improved literacy, digital skills as well as career development outcomes. Research shows that of local government service areas, libraries have some of the highest community satisfaction ratings. (Bailey, 2021, p. 6). Continued investment by local councils is, therefore, vital to ensure libraries can leverage technology to provide services in innovative ways, and to uphold their existing role in society both on the ever-growing online platforms, and continue to evolve to meet the changing landscape.

The State Library of New South Wales recognised with its (2009) *Bookends Scenarios* the multiple use of libraries by patrons and broadened conceptions of the public value of libraries. This publication noted that libraries are adept at meeting the challenge of change and that libraries' do this by reinventing themselves and by doing so remain relevant to their communities (NSW State Library, 2009, p. 3). These NSW State Library developed *Bookends Scenarios* discussed in detail in Section 4 describe four possible futures for library services and have been used in this review of the Council's Library Services Strategy to inform service planning.

A key outcome of the service planning (Bookends) scenarios conducted with staff (2021) is the validation given by Library staff to the growing importance of digital technologies; self-service portals and user defined service. While, this is not a new trend it is evident that a growing number of patrons now values our libraries as a virtual or digital hub. Furthermore, as the data needs of patrons, and the NSW State Library have grown so, too have the data needs our Library Services operations and data analytic systems. New data management systems which offer cost-effective cloud-based hosting and which in addition to providing traditional integrated library management and discovery, digital asset management and cultural collections solutions, now include additional integrated modules that provide digital content and event management solutions.

Trends NSW Libraries

Since 2018, the overriding trend with NSW public libraries is growth in usage. 2018-19 figures show¹:

- 26 million visits to NSW public libraries
- 34.8 million loans
- over 3.4 million internet hours used by the public % 6.6 million WiFi sessions
- almost 3.1 million library members (44% of the NSW population)
- more than 73,000 public programs and events
- more than 1.5 million people attended public programs

Notable among these trends is the growth in the number of people coming through the doors and the increase in the lending of printed books and programs. Events are also a high growth service. In summary, the impact of technology has seen more onsite patrons, not fewer... Evidence shows that the importance of libraries to communities as a place and a destination has grown.

Older people and young people are the heaviest users of public libraries. The ageing of the NSW population and the rapid growth in the number of young families is a key contributor to the increase in public library demand. (Public Library Statistics 2018-19, 2020, p. 3)

In summary, contemporary library services in New South Wales:

- Continue to meet their statutory obligation,
- Respond to challenges associated with being financially sustainable as the costs associated with acquiring books and technology increase
- Need to maintain expertise with digital technologies
- Meet the space requirements associated with contemporary libraries; and
- Demonstrate public value.

For rural libraries run by a single local government the evidence is clear that the public good is digital inclusion (Broadbent & Papadopoulos, 2013; Real, Bertot, & Jaeger, 2014) with the public value an increasing community benefit per capita return on investment (Bailey, 2021, p. 6).

3. Regional and Zone Co-operation

Berrigan Shire Library Service is a member of Public Libraries NSW (PLNSW).

Libraries in the Riverina are part of PLNSW's South West Zone. Library services in the region meet 4 times per-year to stay informed and work together to ensure our region's libraries are able to offer the best value for budgets and resources.

Currently South West Zone members are seeking to update the Library Management System of each Library Service within the Zone from Libero to Spydus¹ to ensure best long-term value.

Efficiencies and budget value underpin the need for change in this area and if achieved across the Riverina under agreement as a Zone, will improve the operational management capacities of smaller libraries such as the Council's Libraries services while ensuring that our Library Service remains vibrant and responsive to the changing needs of patrons.

¹ Spydus parent company Civica, provides accounting management system, Practical Plus, to Berrigan Shire Council



4. Profile of Current Activity / Services

Council operates its library service 5 days per week and provides patrons with online access to its catalogue and a range of library services, which include e-Books, e-Audio, eMagazines, Inter Library Loans, reservations and loan extensions as well as extensive databases.

Compared to Councils of a similar size most with single branches or regional library structure, that invest \$65 per capita the Council with its four branches invests, at \$69 per capita in its Library Services. It also receives a population based subsidy from the State Library.

Table 1: Library Expenditure

| 2019-20 | \$ |
|------------|---------|
| Subsidy | 62,659 |
| Council | 521,000 |
| Per Capita | 69 |

Before Covid-19 changed the trend in 2020, our Libraries were consistent with state trends of increased visits, more programs and activities being held and internet hours increasing. These trends are cautiously returning as patrons tentatively learn to resume normal life, assuming everyone follows COVID-19 protocols.

Opening hours vary between library branches and are constrained by the staffing complement and current budget although libraries across Australia were successful in their bid for increased funding in 2018, as noted above, this subsidy amount is currently double but will reduce annually until 2024. Each library offers a full range of services and access to collections. All libraries also offer free 24/7 Wi-Fi access for members. Overdue fees were abolished in July 2020

Council library facilities began transforming 22 years ago and for the most part, are fit for purpose and fully accessible. Moreover, all libraries are centrally located, adjacent to local playgrounds and within walking distance of shops.

Table 2: Hours Open Per Week x Library Branch

| | M | T | W | Th | F | Sa | Total Hrs Open |
|--------------------|---|-----|-----|-----|-----|-----|----------------|
| Barooga | | | 7.5 | | 7.5 | 2.5 | 17.5 |
| Berrigan | | 7.5 | | 7.5 | | 2.5 | 17.5 |
| Finley | | | 7.5 | | 7.5 | 2.5 | 17.5 |
| Tocumwal | | 7.5 | | 7.5 | 3.0 | 2.5 | 20.5 |
| Total Hours | | | | | | | 73 |

4.1. Branches

Council's library branches are embedded not only in the street scape of each town, the type of activities offered, additional collections held, and opening hours are also place based which enhance community satisfaction.

Barooga

Situated adjacent to the Bullanginya Lagoon, part of the Murray Valley National Park, the new Barooga Library opened in March 2005, servicing Barooga and Cobram (VIC) residents and community groups. It is also the most multicultural of our libraries connecting through Wi-Fi access seasonal workers and backpackers to family and friends inter-state and overseas. With the creation of the new Challenge Park adjacent to Barooga Library, local families are utilising the library services much more.

Berrigan

Opened in July 2008, this branch reflects the character of Berrigan and history of Berrigan, as the 'conception' of Federation. In addition to being the administrative heart of our Library Service, the accessibility of its meeting room, film screenings and holiday programs are reflected in the popularity and diversity of library programs, and the engagement of Berrigan community in the development of this strategy.

Finley

Finley Library operates from the former and extensively renovated Murray Irrigation Limited building on the main street and highway and is co-located with 'Offices Spaces'. It is a library, social and community meeting place in a town that also hosts the region's high school and TAFE.

Tocumwal

Tocumwal Library was the first library to be replaced in 1998 and is now our busiest – highlighting the strength of community support for and the development trajectory of our Library branches. As the first library to be re-developed, we have learnt from the experience and ensured that as each new library branch was developed its facilities included an all hour's access meeting room. The Tocumwal branch is a vibrant community hub, attractive to locals and visitors. Tocumwal Library building was extended in 2019 to include a meeting room, multi-purpose and storage rooms and has become the Community Hub for Yoga, Tai Chi, Art, Film afternoons and regular meeting groups.





4.2. Membership

Using a life course lens the use of library services reflects the age and life stage of patrons and consistent with state trends (Public Library Statistics 2018-19, 2020, p. 31) as our population ages and we continue to experience steady growth with young families and children demand for libraries will be maintained and may even increase.

The following tables provide an overview of library membership and library use. Notably 52% of young people who live in the Shire and who are aged under 15 – 19 years are library users as are 56% of our older residents.

Table 3: Library Membership

| Membership | No. | % of Total Library Membership | Shire Pop | Library Members x age x % Shire Pop |
|----------------------------------|--------------|-------------------------------|--------------|-------------------------------------|
| 0 - 14 years | 201 | 5.8 | 1443 | 14 |
| 15 - 19 years | 237 | 6.9 | 451 | 52 |
| 20 - 69 years | 1,562 | 45.6 | 5152 | 30 |
| over 70 years | 1,045 | 30.5 | 1856 | 56 |
| Total Resident Membership | 3,045 | | 8,902 | 34 % |
| Non Resident Members | 226 | 6.6 | | |
| Institution Members | 153 | 4.4 | | |
| Total Membership | 3,424 | | | |
| Opening Hours per week | 73 | | | |

Our libraries hold a variety of items in general and age specific collections fiction and non-fiction books including large print, audio, graphic novel format and magazines. This is in addition to reference materials. The Library's digital collection is growing, with growth determined by take up of e-readers by the broader community.

Table 4: Loans and Door Count Jul 2020 - Apr 2021

| | | |
|------------------------------------|------------------------------------|-----|
| Loans (Jul 2020-Apr 2021) | 25325 | |
| Door Count | 19163 (covid-19 restricted access) | |
| Total Stock | 47,142 | |
| Estimated Value | 10,772,211.52 | |
| Digital Loans(Jul 2019- Apr 2021) | % of Loans | |
| e-book | 1093 | 3.7 |
| e-Audio | 2495 | 8.4 |
| e-Magazines | 449 | 1.5 |
| Total Loans | 29362 | |

5. Informing the Strategy

5.1. Staff Workshop

A NSW Libraries *Bookends Scenarios* Workshop was conducted with Library Services staff. Rather than asking library staff to select a scenario based on their view of what our world could be like in future years. The characteristics of each scenario (appendix 1) prompted library services staff reflection on the likely future of Council's library services and preferred future. The insights gained corroborate the findings of a survey of library users. Apparent from the staff workshop was the demand placed on part time library staff to be sufficiently trained and knowledgeable in the use of technologies, digital information and in a manner that allowed them to be responsive to all ages. All felt strongly that Library staff should receive support to remain up to date in terms of their professional skills and knowledge.

Library Services staff are acutely aware that the likely future is significantly different from their preferred future. The spider's web (Figure 1) suggests that library staff believe that library users will want a library service that can be all things – a virtual space, catering for niche interests in a chaotic world, while all being a physical space that is general and chaotic. Leisure and education appear almost equally in each quadrant of this future. Not surprisingly, current staff identified that their preference would be a library service that was predominantly well-ordered viewed as a physical space but with ordered access and sufficient network capacity to cater for users who use the virtual services provided. This scenario essentially describes the current operations and model of the Library.

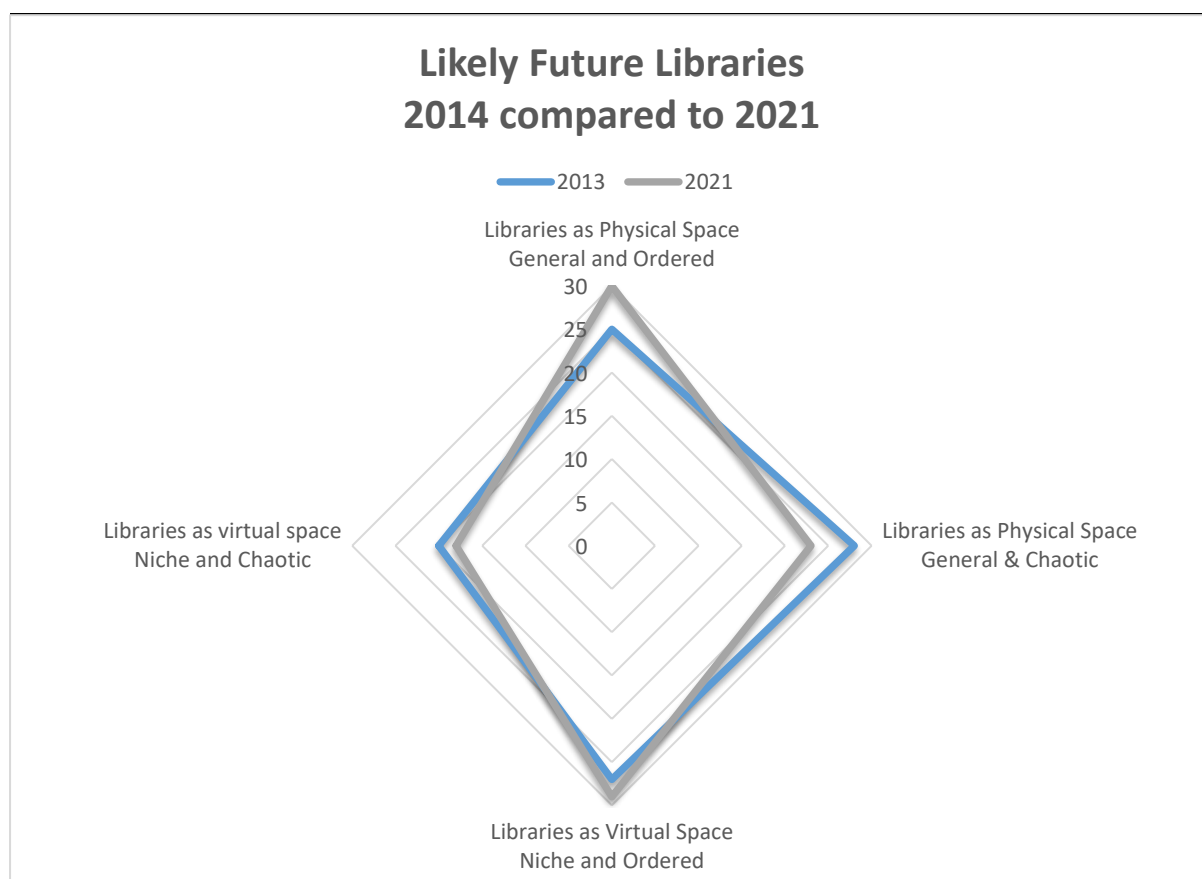
5.2. Scenario results

Table 5 presents the results of staff workshop investigating their view of the likely future of library services vis-a-vis their view of a preferred future for library services.

Table 5: Staff Workshop Scenario Results

| Scenario Libraries as ... | Preferred Future (2021) | Likely Future (2021) | Preferred Future (2014) | Likely Future (2014) |
|---|-------------------------|----------------------|-------------------------|----------------------|
| Scenario 1 ... Physical Space General and Ordered | 28% | 30% | 42% | 25% |
| Scenario 2 ... Physical Space General & Chaotic | 33% | 23% | 42% | 28% |
| Scenario 3 ... Virtual Space Niche and Ordered | 19% | 29% | 8% | 27% |
| Scenario 4 ... Virtual space Niche and Chaotic | 20% | 18% | 8% | 20% |

Figure 1 Likely Future 2013 & 2021



In 2014 Library staff suggested that it was likely that the library of the future would be chaotic, open to all and defined as a physical space with a shift toward libraries being virtual and ordered. Compared with the likely future in 2021 – analysis suggests that library staff believe that it is likely that these trends will continue with a strengthening of order / control requiring niche skills and knowledge in digital technologies.

This suggests that library staff in 2021 are aware of the pace of change or believe that it is likely that there is now more order and control possible in the digital or virtual library and that they are more confident that they can be agents of change and respond to change in the information, program and data needs of library patrons.

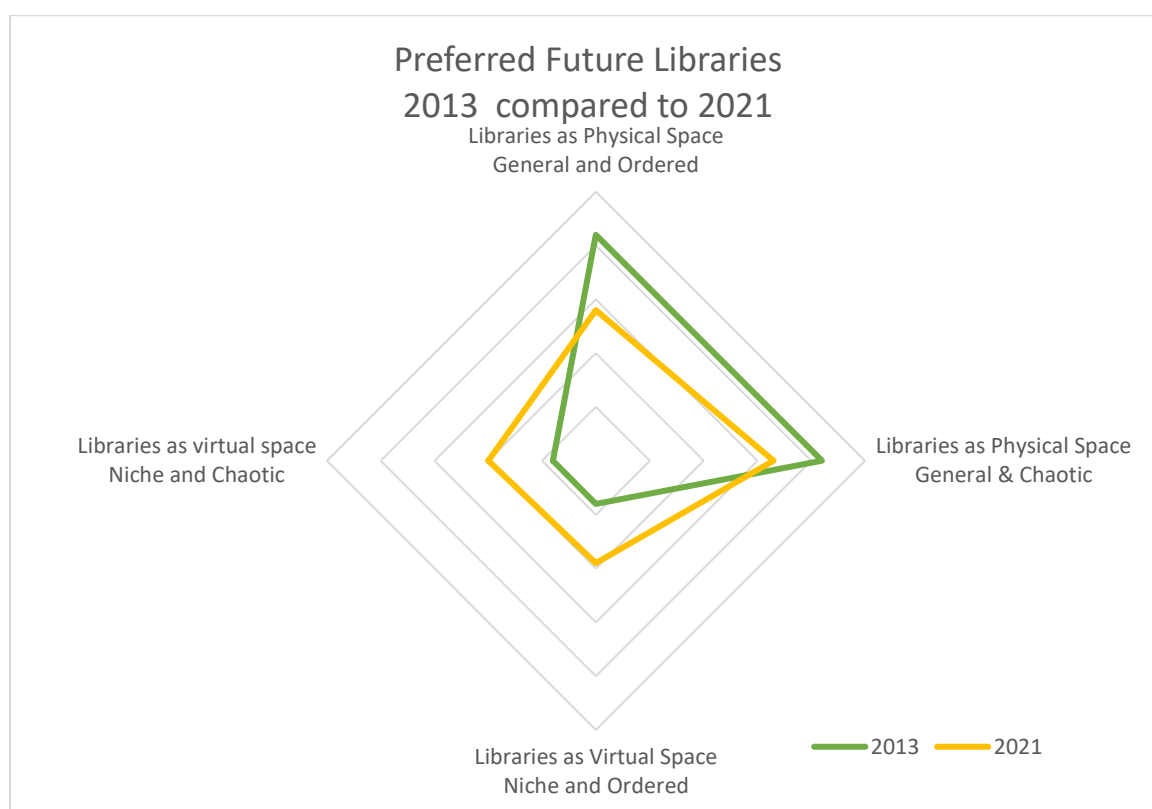
In response to the question **'What are we doing now that needs to change or stop doing?'**

It is evident that library staff are attempting to run **two types of library service** – the traditional library ordered and open to all while also running a library service that is digital, catering for a niche clientele and able to master technologies and change in digital environment. The key issue with this approach is that both models are difficult to maintain, as these are polar opposites. Further this approach is heavily dependent on the skills, knowledge and experience of library staff – some staff are comfortable and have the skills, knowledge and experience to learn through trial and error and in doing so are able to assist patrons to do likewise.

Thinking about what needs to change – staff reported that they need to look at the impact of digital technologies, requests from patrons for assistance with digital accounts, use of personal digital devices – smart phones, tablets, lap tops. All confirmed that consistent with the Libraries Vision and CSP Outcomes & Delivery Program Objectives that it was their role to ‘Support community engagement through life-long learning, culture, and recreation’ -

Furthermore, it is also evident that the base funding model and training provided to staff is on the basis that library staff run a traditional library service where it is assumed that staff assist with traditional library technologies and that they do not necessarily provide support for the use of personal digital devices.

Figure 2 Preferred Future 2013 to 2021



Analysis

Based on the above scenarios – the preferred future of library staff is similar to that described by staff in 2013. It is also a direct contrast to the likely future described by staff in 2013 and 2021. There is greater awareness of the transition of libraries away from the traditional notion of library as a physical space with staff expressing their openness to finding a sustainable balance for library patrons. A balance between those who use their library for group / chaotic type activities, and the traditional library patron and the new patron who uses their library for its technology: digital natives and who expect that the library can assist them access digital information and in doing so answer any questions they may have.

In response to the question **Thinking about our preferred future are there any surprises?** and **What are we doing now that contributes to this future?**

Staff commented that their responses to preferred futures presented no surprises. All confirmed that library programming and having the physical space for programs/groups continues to be very important. Further most staff felt that library patrons accept the chaos that can accompany programs. It is the assistance library staff provide to older residents with their devices and who need to access online services, an activity that is resource intensive (niche – service) that is driving the trend toward Libraries from a physical space to a virtual space.

5.3. What skills, knowledge and training is needed to be a successful library service

Table 6 provides an overview of the response of library staff to questions about what they thought were important skills, knowledge and the training they needed or would like in the four years.

Table 6 Skills, Knowledge and Training

| Skills | Knowledge/Experience | Training |
|---|--|--|
| Interpersonal skills <ul style="list-style-type: none"> • Empathy • Life-long learning • Optimistic – can do | Knowledge of local community Patron needs / interests Mental health MyGov Victorian and NSW Service Portals My Health Record New books/authors | <ul style="list-style-type: none"> • Dementia • Bullying • NapCan • Mental Health First Aid • First Nations Cultural Awareness • Use of Government and other agency platforms • Social media |
| Library skills <p>Books – processing</p> <ul style="list-style-type: none"> • Age appropriateness • Readers advisory • Curation <p>Circulation</p> <ul style="list-style-type: none"> • Library standards • Use of data bases/references <p>Cataloguing</p> <ul style="list-style-type: none"> • Retrieval and Storage • Principles <p>Multi-cultural</p> <ul style="list-style-type: none"> • English as 2nd language <p>Community Information</p> <ul style="list-style-type: none"> • Collect • Manage • Maintain Directory • Local Studies, Preservation | Experience in and knowledge of library skills as listed | <ul style="list-style-type: none"> • Use of Libero • Use of Libero - Crystal Reporting for service improvement • Use of State Library Data bases – currently under utilised • Readers Advisory Services • Cataloguing |

What resources human, physical and financial are needed and where should these come from?

Additional resources – training related with financial implications associated with training.

Other options to be explored include – library staff recording impact of requests for assistance with digital technologies – it may be an option to suggest that funded agencies (Intereach) Finley Hub – outreach to libraries and provide this support.

Library is still four separate branches – no budget allocated for transport of books, mail, program items or staff between library branches. This cost is not being captured accurately. Staff deliver books in their own time, or attend meetings with most also choosing to not claim km or full amount of km to which they are entitled.

How will and has COVID19 impact on people’s willingness to participate in group or library programs?

- Limited impact (Berrigan)
- Some people are wary of strangers
- Some patrons are still at home – not willing to come to the library
- Confidence is key – related to visible cleaning of books, tables, sign in register, hand sanitizer to continuing to offer programs

6. Survey Results

Library users and the broader community were invited to participate in a survey (Appendix 2) about Council's Library Services. Conducted over an eight week period March 2021 to May 2021 respondents completed an on-line survey or were able to request and complete at their library a paper-based copy of the survey. A total of 83 surveys were completed.

Briefly the results of this survey suggest that:

- 32% of respondents use the Library or its services including online at least two to three times every month
- 83 % of respondents use the library service or its services in the past 6 months
- 79% of respondents identified that their local branch is the main branch of the library service
- 4% of respondents report visiting another branch
- Less than 1% of respondents suggested that they did not need to visit the library and would use only its online services

Where respondents live

Barooga 22%

Berrigan 11%

Finley 29%

Tocumwal 26%

Other 10%

In many respects the survey results reflect the preferred future and the current configuration of our Library Services. That 58% of respondents identified their local branch as being the main branch of the Library suggests the place-based nature of the service and user's identification with their local branch.

Comments from survey respondents included requests for extension of operating hours, observations about the difficulties experienced if groups are running, or staff were assisting patrons with their devices. On the other hand, the comments from respondents were for the most part positive toward the service and the staff and are captured in Figure 3 a word cloud giving prominence to words that appeared frequently in respondents' comments. Thematically, the messages suggest that survey users positively and strongly value

- The Staff
- The library
- The space/sense of community its provides
- Library activities / resources; and
- Their town

7. Summary Analysis/ Recommendation

For the years to be covered by this Strategy it is apparent that no major changes are being envisaged or requested by service users in the delivery of the Shire's Library Services – other than additional print books and e-Audio/eBooks. Furthermore, the public value of the service, is its branch model, and its role in bridging for all age groups the digital divide. Analysis reinforced by survey results (Appendix 2).

Council's library branches play a significant place making role and despite Library staff efforts to promote the service as a service – library users identify with their branch. In the context of this community and given the distances between our towns, the absence of any form of public transport between our towns, this is not surprising.

Thinking about the future and the unlikelihood of rapid growth or change in our communities it is not surprising that survey results, and the preferred future of our Library Service is one that views libraries as being an ordered general physical and virtual space.

8. Strategy Framework

Over the next four years Council's Library Services will be guided by the following strategic outcomes

1: Inclusive Rural Library Service.

The Library Service will co-ordinate the delivery of library services information and recreation provision and aims to do so in a format that is relevant to and meets the needs and wants of rural library users and the broader community.

As a rural, stand-alone library service, it will continue to offer traditional collections while increasing access to digital content and improve the digital literacy of the broader community.

2: Responsive Community Hub.

The Library has a strong role to play in supporting the wellbeing community agenda, particularly in terms of, stimulation, bringing older people together, reducing isolation and improving socialisation. It is well placed to support creative activities, innovation and access to cultural opportunities for community members.

3: Library Operations and People Management.

To ensure that the size and mix of library staff support a range of services and programs which meet the needs of the community, all staff to be trained in Library Studies or be undertaking library training via TAFE or university. Suitably qualified staff will be able to support the needs of an inclusive contemporary rural library service by offering technical advice and be able to implement changes and improvements where necessary for their particular community. Staffing levels to be sufficient to deliver the services set out in the Library Act and other services appropriate for the library community needs.

4: The Digital Library

The Digital Age is carrying people forward at a rapid pace, to a degree that seniors cannot keep up. Public libraries are the quintessence of a centralised location where traditional resources and user-focused services combine with emerging technology, having the power to unite. Local government is well positioned to support operational cost that comes with introducing new programs, specialist activities and maintenance by offering digital training.

9. Library Services Strategic 4- year Action Plan

| |
|---|
| Berrigan Shire 2027: Supported and engaged communities Library Services Strategic Action Plan 4 yrs |
| Berrigan Shire 2025 Strategic Objective: Support Community engagement through life-long learning, culture and recreation |
| Delivery Program Objective: Provide Opportunities for life-long learning, cultural expression and recreation |
| Operational Plan Action: Coordinate and deliver local library services in accordance with Library Services Strategic Plan 2021-2025 |
| Strategy Decision Making Framework <p>Council investment (human, physical and financial) in volunteer management of Council assets or service delivery using Council assets will:</p> <ul style="list-style-type: none"> • Be strategic; • Be financially sustainable; • Be evidence based; • Support risk management; and facilitate • Lifecycle asset planning and management. |
| Library Services Strategic Outcome: 1.0 Inclusive rural library |
| Library Services Strategic Activity: 1.1 Collections |

| Op.Plan Ref. | | What will we do about it? (Actions) | What will be the result? | How will it be measured? | Time Frame | Who will coordinate it? |
|--------------|-----------|---|--|-------------------------------|------------|-------------------------|
| 1.1. | 1.1. 1 | Improve marketing and promotion of each library's collections | Increased use of library facilities and services | Community Satisfaction Survey | 1-2 years | Library Team |

| Op.Plan Ref. | | What will we do about it? (Actions) | What will be the result? | How will it be measured? | Time Frame | Who will coordinate it? |
|--------------|-----------|---|--|--------------------------|------------|-------------------------|
| | 1.1. 2 | Seek feedback from patrons on curation of collections | Collections meet patrons needs and interests | Quarterly Report | Ongoing | Library Team |
| | 1.1. 3 | Facilitate inter-library loans | Collections meet patrons needs and interests | | Ongoing | Library Team |

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| Berrigan Shire 20237: Supported and engaged communities Library Services Strategic Action Plan 4 yrs |
| Berrigan Shire 2025 Strategic Objective: Support Community engagement through life-long learning, culture and recreation |
| Delivery Program Objective: Provide Opportunities for life-long learning, cultural expression and recreation |
| Operational Plan Action: Coordinate and deliver local library services in accordance with Library Services Strategic Plan 2021-2025 |
| Strategy Decision Making Framework Council investment (human, physical and financial) in volunteer management of Council assets or service delivery using Council assets will: <ul style="list-style-type: none"> • Be strategic; • Be financially sustainable; • Be evidence based; • Support risk management; and facilitate • Lifecycle asset planning and management. |
| Library Services Strategic Outcome: 2.0 Place-Based delivery of Library Services |
| Library Services Strategic Activity: 2.1 Library Events and Programs |

| Op.Plan Ref. | | What will we do about it? (Actions) | What will be the result? | How will it be measured? | Time Frame | Who will coordinate it? |
|--------------|-------|---|----------------------------------|--------------------------|------------|---------------------------------|
| 2.2.1 | 2.1.1 | Develop an annual program of Library Events: Literary Workshops, Travelling Exhibitions and School Holiday Activities | Engaged and informed communities | Quarterly Report | Ongoing | Library Manager Library Team |
| | 2.1.2 | Negotiate and organise missing copies of Berrigan Advocate to be microfilmed and | Better history collection | Increased users | 1-2 year | Library Manager |

| Op.Plan Ref. | | What will we do about it? (Actions) | What will be the result? | How will it be measured? | Time Frame | Who will coordinate it? |
|--------------|-------|--|---|--|------------|-------------------------|
| | | digitised. Ultimately to be uploaded to Trove. | | | | |
| | 2.1.3 | Investigate and trial alternate opening hours | Opening hours matched to community interest | Alternate opening hours trialled | 1-2 years | Library Manager/ DCS |
| | 2.1.4 | Partner with community groups and local museums in the digitalisation of local history | Local history is preserved | Website activity No: of collections digitalised | Ongoing | Library Team |

Library Services Strategic Outcome: 2.0 Responsive community hub

Library Services Strategic Activity: 2.2 Opportunities for Seniors

| Op.Plan Ref. | | What will we do about it? (Actions) | What will be the result? | How will it be measured? | Time Frame | Who will coordinate it? |
|--------------|-------|--|---|---|------------|---|
| 2.2.2 | 2.2.1 | Increase opportunities for participation by Seniors in Library programs | Active and engaged older residents | Annual Survey of Library Users | Annual | Library Manager |
| | 2.2.2 | Develop, in consultation with library branch users, an annual branch program of cultural, creative and recreational programs for Seniors | | | Annual | Library Manager |
| | 2.2.3 | Foster community involvement and volunteerism through celebration and recognition of volunteer effort/stories | Improved rates of volunteerism in local community | Annual Survey of Participation in volunteer activities' | Annual | Library Manager / Director Corporate Services |

Berrigan Shire 2027: Supported and engaged communities
Library Services Strategic Action Plan 4 yrs

Berrigan Shire 2023 Strategic Objective: Support Community engagement through life-long learning, culture and recreation

Delivery Program Objective: Provide Opportunities for life-long learning, cultural expression and recreation

Operational Plan Action: Coordinate and deliver local library services in accordance with Library Services Strategic Plan 2021- 2025

Strategy Decision Making Framework

Council investment (human, physical and financial) in volunteer management of Council assets or service delivery using Council assets will:

- Be strategic;
- Be financially sustainable;
- Be evidence based;
- Support risk management; and facilitate
- Lifecycle asset planning and management.

Library Services Strategic Outcome: 3.0 Library Operations and People Management

Library Services Strategic Activity: 3.1 Professional Development and Training

| Op.Plan Ref. | | What will we do about it? (Actions) | What will be the result? | How will it be measured? | Time Frame | Who will coordinate it? |
|--------------|-------|---|---------------------------------|---|------------|-------------------------|
| 3.1.1 | 3.1.1 | All staff are trained in relevant library procedures and technologies | Professional and educated staff | BSC Staff Performance and Annual Review | Ongoing | Library Manager |
| | 3.1.2 | Staff to participate in professional development ie;- guest speakers, conferences, webinars, where possible include interested professionals from the broader community | | | | |

| Library Services Strategic Outcome: 3.0 Library Operations and People Management | | | | | | |
|--|-------|---|---------------------------------|---|-----------|-----------------|
| Library Services Strategic Activity: 3.1 Professional Development and Training | | | | | | |
| | 3.1.3 | Review in partnership with SW Zone the Libraries current management and operating system - Libero | Cost benefit analysis of change | Business Case is developed recommending retention or a new system | 18 months | Library Manager |

| Library Services Strategic Outcome: 3.0 People management | | | | | | |
|--|-------|---|---|--|------------|-------------------------|
| Library Services Strategic Activity: 3.2 Communication, supervision and support between branches | | | | | | |
| Op.Plan Ref. | | What will we do about it? (Actions) | What will be the result? | How will it be measured? | Time Frame | Who will coordinate it? |
| 3.2.1. | 3.2.1 | 4 days per week Courier service will operate between branches | Cost Effective use of Library Collections and patron satisfaction | Courier deliveries Kms travelled per quarter | Ongoing | Library Manager |
| | 3.2.2 | Active management and onsite supervision of branch personnel | Face to face supervision and support for Library personnel | Funds and transport resources allocated for this action Kms claimed per quarter | Ongoing | Library Manager |

| Library Services Strategic Activity: 3.3 Strategic regional partnerships | | | | | | |
|--|-------|---|---|--|------------|-------------------------|
| Op.Plan Ref. | | What will we do about it? (Actions) | What will be the result? | How will it be measured? | Time Frame | Who will coordinate it? |
| 3.3.1 | 3.3.1 | Identify funding, grant and sponsorship opportunities for collaboration between like associations | Collaboration and resource sharing | No. of projects developed | Ongoing | Library Manager |
| | 3.3.2 | Actively support established working groups set up to address professional issues | Enhanced knowledge, skills and expertise of staff | Staff survey No. and % staff attending working groups | Ongoing | Library Manager/Team |
| | 3.3.3 | Identify cost benefits across the Zone to work effectively together to implement changes ; ie Library Management Systems. | Collaboration and resource sharing | Cost savings | 2022/23 | Library Manager/Team |

| |
|---|
| Berrigan Shire 2027: Supported and engaged communities Library Services Strategic Action Plan 4-yrs |
| Berrigan Shire 2025 Strategic Objective: Support Community engagement through life-long learning, culture and recreation |
| Delivery Program Objective: Provide Opportunities for life-long learning, cultural expression and recreation |
| Operational Plan Action: Coordinate and deliver local library services in accordance with Library Services Strategic Plan 2021-2025 |
| <p>Strategy Decision Making Framework</p> <p>Council investment (human, physical and financial) in volunteer management of Council assets or service delivery using Council assets will:</p> <ul style="list-style-type: none"> • Be strategic; • Be financially sustainable; • Be evidence based; • Support risk management; and facilitate • Lifecycle asset planning and management. |
| Library Services Strategic Outcome: 4.0 The Digital Library |
| Library Services Strategic Activity: 4.1 Online Promotion |

| Op.Plan Ref. | | What will we do about it? (Actions) | What will be the result? | How will it be measured? | Time Frame | Who will coordinate it? |
|--------------|--------|---|--|-------------------------------|------------|-------------------------|
| 4.1.1. | 4.1.1. | Improve marketing and promotion of the services offered | Increased use of library facilities and services | Community Satisfaction Survey | 1-2 years | Library Team |

| Op.Plan Ref. | | What will we do about it? (Actions) | What will be the result? | How will it be measured? | Time Frame | Who will coordinate it? |
|--------------|-------|---|--------------------------|---|------------|-------------------------|
| | 4.1.2 | Actively use social media, email, SMS and quarterly newsletter to communicate library events and service improvements | Better informed patrons | Quarterly Report of social media activity | Ongoing | Library Team |

Berrigan Shire 2027: Supported and engaged communities
Library Services Strategic Action Plan 4 yrs

Library Services Strategic Outcome: 4.0 The Digital Library

Library Services Strategic Activity: 4.2 The Digital Services

| Op.Plan Ref. | | What will we do about it? (Actions) | What will be the result? | How will it be measured? | Time Frame | Who will coordinate it? |
|--------------|--------|--|--|---------------------------------------|------------|-------------------------|
| 4.2.1 | 4.2.1. | Provide at each branch access to digital data bases, online tutoring in communal study areas | Improved digital literacy learning, health and wellbeing outcomes | Survey of Library Users | 1-2 years | Library Team |
| | 4.2.2 | Use digital technology to improve health literacy of library users | Improved access to health data bases and health literacy library users | Better community health and education | 1-2 years | Library Team |
| | 4.2.3 | Market and promote health promotion data bases | Improved access to health data bases and health literacy library users | Better community health and education | 1-2 years | Library Team |

Berrigan Shire 2027: Supported and engaged communities
Library Services Strategic Action Plan 4 yrs

Library Services Strategic Outcome: 4.0 The Digital Library

Library Services Strategic Activity: 4.3 Provide digital training

| Op.Plan Ref. | | What will we do about it? (Actions) | What will be the result? | How will it be measured? | Time Frame | Who will coordinate it? |
|--------------|--------|--|--|--|------------|-------------------------|
| 4.3.1 | 4.3.1. | Investigate options for staff and other agencies to provide/ assist patrons re; use of devices and website access such as mygov ;myhealth; ServiceNSW; etc | Digital inclusion for all residents | Staff hours and financial resources are allocated to this action | 18 months | Library Manager |
| | 4.3.2 | Support patrons through programs and training to increase their digital literacy | Better educated seniors in technology and digital access | No. of people trained | Ongoing | Library Team |

10. References

- ARUP university. (2015). Future Libraries. *drivers of change*, 9-11.
- Broadbent, R., & Papadopoulos, T. (2013). Bridging the digital divide - an Australian story. *Behaviour & Information Technology*, 4 - 13.
- Grant, B., Tan, S. F., Ryan, R., & Nesbitt, R. (2014). *Public Value Summary Background Paper* . Sydney: Australian Centre of Excellence for Local Government .
- Library Council of NSW. (2013). *Annual Report 2012 - 2013*. Sydney : NSW Government.
- Local Government Independent Review Panel. (2013). *Revitalising Local Government: Final Report of NSW Local Government Independent Review Panel*. Sydney: NSW Government .
- NSW State Library. (2009). *Bookends Scenarios*. Sydney: Library Council of New South Wales.
- NSW State Library. (2019). *Strategic Plan*. Sydney http://www.sl.nsw.gov.au/about/strategic_plan/: NSW Government.
- Peterson, C. A. (2005). Space Designed for Lifelong Learning: The Dr. Martin Luther King Jr. Joint Use Library. In C. o. Resources, *Library as Place: Rethinking Roles, Rethinking Space* (pp. 56-65). Washington: Council on Library and Information Resources.
- Public Library Statistics 2018-19. (2020). Sydney: State Library of NSW.
- Real, B., Bertot, J. C., & Jaeger, P. T. (2014). Rural Public Libraries and Digital Inclusion: Issues and Challenges. *Information Technologies and Libraries (March)*, 6 - 24.
- SGS Economics and Planning . (2021). *The Evolving role of libraries in communities*. Australian Library and Information Association .
- VanderBerg, R. (2012). Converging libraries, archives and museums: overcoming distinctions, but for what gain? *Archives and Manuscripts*, DOI:10.1080/01576895.2012.735826.



Form: 07L
Release: 4.7

LEASE
New South Wales
Real Property Act 1900

Leave this space clear. Affix additional pages to the top left-hand corner.

PRIVACY NOTE: Section 31B of the Real Property Act 1900 (RP Act) authorises the Registrar General to collect the information required by this form for the establishment and maintenance of the Real Property Act Register. Section 96B RP Act requires that the Register is made available to any person for search upon payment of a fee, if any.

STAMP DUTY

Insert Duties Assessment No. as issued by Revenue NSW Office.
Duties Assessment No. _____

(A) **TORRENS TITLE**

Property leased
Folio Identifier 18/1077717

(B) **LODGED BY**

| | | |
|-------------------------|---|----------------------|
| Document Collection Box | Name, Address or DX, Telephone, and Customer Account Number if any. | CODE L |
| | Email: _____ Reference: _____ | |

(C) **LESSOR**

BERRIGAN SHIRE COUNCIL

The lessor leases to the lessee the property referred to above.

(D)

Encumbrances (if applicable): _____

(E) **LESSEE**

K. & S. FREIGHTERS PTY LTD ACN 007 544 390

TENANCY: _____

- (G) 1. **TERM** Five (5) years
2. **COMMENCING DATE** 31 January 2021
3. **TERMINATING DATE** 30 January 2026
4. With an **OPTION TO RENEW** for a period of Five (5) years
set out in clause 3 of Annexure A
5. With an **OPTION TO PURCHASE** set out in clause N.A. of N.A.
6. Together with and reserving the **RIGHTS** set out in clause 8 of Annexure A
7. Incorporates the provisions or additional material set out in **ANNEXURE(S)** A hereto.
8. Incorporates the provisions set out in N.A.
No. N.A.
9. The **RENT** is set out in clause No. 4 of Annexure A

DATE

(H)

Certified correct for the purposes of the Real Property Act 1900 by the company named below the common seal of which was affixed pursuant to the authority specified and in the presence of the authorised person(s) whose signature(s) appear(s) below.

Company: BERRIGAN SHIRE COUNCIL ABN 53 900 833 102

Authority: Regulation 400 of the Local Government (General) Regulation 2005

Signature of authorised person:

Signature of authorised person:

Name of authorised person:

Name of authorised person:

Office held: Mayor

Office held: General Manager

Certified correct for the purposes of the Real Property Act 1900 and executed on behalf of the company named below by the authorised person(s) whose signature(s) appear(s) below pursuant to the authority specified.

Company: K. & S. FREIGHTERS PTY LTD ACN 007 544 390

Authority: Section 127 of the Corporations Act 2001

Signature of authorised person:

Signature of authorised person:

Name of authorised person:

Name of authorised person:

Office held: Director

Office held: Director

(I) STATUTORY DECLARATION*

I

solemnly and sincerely declare that—

1. The time for the exercise of option to in expired lease No. has ended; and
2. The lessee under that lease has not exercised the option.

I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Oaths Act 1900.

Made and subscribed at in the State of New South Wales on

in the presence of of

Justice of the Peace (J.P. Number:) Practising Solicitor

Other qualified witness [specify]

who certifies the following matters concerning the making of this statutory declaration by the person who made it:

1. I saw the face of the person OR I did not see the face of the person because the person was wearing a face covering, but I am satisfied that the person had a special justification for not removing the covering; and
2. I have known the person for at least 12 months OR I have confirmed the person's identity using an identification document and the document I relied on was a [Omit ID No.]

Signature of witness:

Signature of applicant:

* As the services of a qualified witness cannot be provided at lodgment, the declaration should be signed and witnessed prior to lodgment. # If made outside NSW, cross out the witness certification. If made in NSW, cross out the text which does not apply.

** s117 RP Act requires that you must have known the signatory for more than 12 months or have sighted identifying documentation.

Annexure "A" to LEASE

Parties:

BERRIGAN SHIRE COUNCIL ABN 53 900 833 102 (Lessor) and
K. & S. FREIGHTERS PTY LTD ACN 007 544 390 / ABN 67 007 544 390 (Lessee)

Dated: _____

SCHEDULE

- Item 1** **Property**

Folio Identifier 18/1077717
- Item 2** **Lessor**

BERRIGAN SHIRE COUNCIL ABN 53 900 833 102
- Item 3** **Lessee**

K. & S. FREIGHTERS PTY LTD ACN 007 544 390 / ABN 67 007 544 390
- Item 4** **Guarantor**

Not applicable
- Item 5** **Term**

(a) Five (5) years
(b) Commencing Date: 31 January 2021
(c) Terminating Date: 30 January 2026
- Item 6** **Option Term**

(a) Option Term: Five (5) years
(b) Commencing Date: 31 January 2026
(c) Terminating Date: 30 January 2031
- Rent**
- Item 7** \$600.00 (plus of GST) per year payable annually in advance on each Rent Day

 Lessor

 Lessee

Item 8

Permitted Use

Aviation refuelling facility and otherwise for aviation and/or airport operations of the Lessee as consented to in writing from time to time by the Lessor.

Item 9

Public liability insurance

\$20,000,000.00

Lessor

Lessee

1. DEFINITIONS AND INTERPRETATION

1.1 Definitions

In this Lease unless the contrary intention appears:

Airport means the land and property known as the Tocumwal Airport, Burma Road, Tocumwal which operates on and from the Airport Land.

Airport Land means and includes:

- (a) the Main Airport Lot;
- (b) the Property; and
- (c) any additional land which the Lessor owns, controls or uses in connection with the land described in paragraphs (a) and (b).

Authority includes any government, semi or local government, statutory or other authority or body.

Business Day means a day on which banks are open for general banking business in Albury, New South Wales.

Commencing Date means the date specified in Item 5(b).

CPI means the Sydney Consumer Price Index (All Groups) or any similar index which replaces it.

Government Agency means:

- (a) a government or government department or other body;
- (b) a governmental, semi-governmental or judicial person; or
- (c) a person (whether autonomous or not) who is charged with the administration of a law.

GST means a tax, levy, duty, charge, or deduction, together with any related additional tax, interest, penalty, fine or other charge, imposed by or under a GST Law.

GST Law means the same as in the *A New Tax System (Goods & Services Tax) Act 1999* and any related or associated legislation.

GST Rate means the rate of GST under the GST Law.

Guarantor means the party, if any, named in Item 4 and any other party who gives any guarantee, indemnity or other security to the Lessor in relation to this Lease.

Invoice means a tax invoice under the GST Law.

Law includes the common law, any statute of any parliament, any ordinance, regulation, rule, by-law or order made under any statute and the Requirements in force from time to time.

Lessor

Lessee

Lease means this lease and any equitable lease or common law tenancy evidenced by this lease.

Lessee means the party named in Item 3.

Lessee's Agents means every agent, employee, licensee, contractor and invitee of the Lessee.

Lessee's Property means all of:

- (a) the Lessee's buildings erected on the Property (if any); and
- (b) the Lessee's fixtures, fittings, signs, equipment and goods in the Lessee's buildings and/or the Property.

Lessor means the party named in Item 2.

Lessor's Agents means every agent, employee, licensee and contractor of the Lessor.

LPI means the Land & Property Information (NSW).

Main Airport Lot means the land comprised in Certificate of Title Folio Identifier 36/1190777 (or any replacement title).

Option Exercise Period means the period beginning 6 months before and ending 3 months before the Commencing Date for the relevant Option Term.

Option Term means the period specified in Item 6, if any.

Permitted Use means the use specified in Item 8.

Principal Contractor has the same meaning as in the Work Health and Safety Legislation.

Property means the property described in Item 1.

Rent means the annual rent specified in Item 7.

Rent Day means the Commencing Date and each anniversary of the Commencing Date.

Requirement includes any requirement, notice, order, direction, recommendation, stipulation or similar notification received from or given by an Authority or under any Law, whether in writing or otherwise and regardless of to whom it is addressed or directed.

Schedule means the schedule in this Lease.

Supply and Supplied means the same as in the GST Law.

Tax means a tax, levy, duty, charge, deduction or withholding, however it is described, that is imposed by a Government Agency, together with any related interest, penalty, fine or other charge other than one that is imposed on net income.

Term means the term of this Lease specified in Item 5(a) beginning on the Commencing Date.

Terminating Date means the date specified in Item 5(c).

Work Health and Safety Legislation means the laws relating to work health and safety that apply to the Property and the use of it and includes the *Work Health & Safety Act 2011* (NSW) and the *Work Health & Safety Regulation 2011* (NSW).

1.2 Interpretation

In this Lease, headings and underlining are for convenience only and do not affect interpretation, and unless the context otherwise requires:

- (a) words importing the singular include the plural and vice versa;
- (b) a covenant or agreement on the part of 2 or more persons binds them jointly and severally;
- (c) a reference to an individual or person includes a corporation, partnership, joint venture, association, authority, trust, state or government and vice versa;
- (d) a reference to any gender includes all genders;
- (e) a reference to a recital, clause, schedule, annexure or exhibit is to a recital, clause, schedule, annexure or exhibit of or to this Lease;
- (f) a recital, schedule, annexure, exhibit or a description of the parties forms part of this Lease;
- (g) a reference to any agreement or document is to that agreement or document (and, where applicable, any of its provisions) as amended, novated, supplemented or replaced from time to time;
- (h) a reference to any party to this Lease or any other document or arrangement includes that party's executors, administrators, substitutes, successors and permitted assigns;
- (i) where an expression is defined, another part of speech or grammatical form of that expression has a corresponding meaning;
- (j) a reference to a month is to a calendar month;
- (k) a reference to an Item is to the relevant Item in the Schedule.

1.3 Business Day

If the day on or by which any thing is to be done under this Lease is not a Business Day, that thing must be done:

- (a) if it involves a payment other than a payment which is due on demand, on the preceding Business Day; and
- (b) in all other cases, no later than the next Business Day.

2. TERM

2.1 Term of Lease

The Lessor leases the Property to the Lessee for the Term.

2.2 Holding over

After the expiry of the Term, when the Lessee remains in occupation of the Property with the consent of the Lessor this Lease continues as a quarterly tenancy:

- (a) commencing on the day immediately following the last day of the Term;

- (b) the rent being payable quarterly in advance, comprising the rent payable immediately before the end of the Lease;
- (c) on the terms contained in this Lease, except those terms which are inapplicable to a quarterly tenancy;
- (d) the tenancy being terminable by either party on 3 month's written notice expiring at any time.

3. **OPTION TO RENEW**

3.1 **Grant of new Lease**

If an Option term is specified in Item 6(a) the Lessor must grant to the Lessee, at the Lessee's cost, a new lease of the Property for that Option Term if:

- (a) the Lessee gives the Lessor written notice during the Option Exercise Period that the Lessee wants a lease of the Property for the Option Term; and
- (b) the Lessee is not in default under this Lease on the date of the notice or on the Terminating Date.

3.2 **Terms of new lease**

The new lease contains the same terms and conditions as this Lease except that:

- (a) the Term, Commencing Date and Terminating Date specified in Items 6(a), (b) and (c) replace those in Item 5;
- (b) any necessary changes are made to the term details on the cover page;
- (c) the new lease includes any variations made to this Lease during the Term;
- (d) this clause 3.2 is deleted.

4. **RENT**

4.1 **Payment of Rent**

The Lessee must pay the Rent to the Lessor by annual instalments in advance on each Rent Day. The Lessee must pay the first instalment on the Commencing Date and must pay each instalment to the Lessor or as otherwise directed by the Lessor.

4.2 **Rates**

- (a) In this clause, **Rates** means all rates, charges and impositions payable in respect of the Property including:
 - (i) municipal, local and other rates and charges payable to an Authority; and
 - (ii) rates and charges for the supply, reticulation or discharge of water, sewerage and drainage.
- (b) The Lessor is responsible for the payment of all Rates.
- (c) The Lessor will provide twenty (20) millimetre water supply to the Property boundary and pay all costs associated. The Lessee will pay initial internal connections and the ongoing costs.

- (d) The Lessor will provide electricity to the Property boundary from the Lessors supply to the Airport Terminal building and will pay all costs of internal connection and provision of metering.
- (e) The Lessee must pay all other outgoings associated with the conduct of its business on the Property.

5. GST

5.1 Application of clause

This clause applies if, during the Term, the Lessor is or may become required to include GST in relation to any Supply under this Lease in a GST Return (a “**Taxable Supply**”).

5.2 GST payable in addition to any other money payable under this Lease

- (a) In addition to any money payable by the Lessee to the Lessor under this Lease (the “**GST Exclusive Consideration**”), the Lessee must pay GST on the Taxable Supply to the Lessor of an amount equal to the GST Exclusive Consideration multiplied by the GST Rate.
- (b) GST shall be payable by the Lessee, without deduction or set-off of any other amount at the same time as the GST Exclusive Consideration under this Lease is payable. In all other respects GST shall be payable by the Lessee to the Lessor on the same basis as the GST Exclusive Consideration is payable by the Lessee under this Lease.

5.3 Invoice

The Lessor shall issue an Invoice or Invoices to the Lessee for the amount of GST referable to the Taxable Supply.

5.4 Failure to pay GST

- (a) If the Lessee does not pay the GST to the Lessor as set out in clause 5.2 then, without prejudice to any other remedies of the Lessor, the Lessee will pay to the Lessor upon demand an amount equal to the amount of any damages or interest or additional GST that may become payable by the Lessor as a result of the Lessee’s failure to pay the GST.
- (b) As between the Lessor and the Lessee, the Lessor shall not be obliged to pay any GST on or to take any other steps to minimise the liability in respect of GST until the corresponding payment is received from the Lessee.

5.5 Adjustments

If the Lessor determines on reasonable grounds that the amount of GST included in its GST Return referable to any Taxable Supply under this Lease differs for any reason from the amount of GST payable by the Lessee under this clause, the amount of GST paid or payable by the Lessee shall be adjusted accordingly.

6. USE OF PROPERTY

6.1 Permitted Use

- (a) The Lessee must use the Property only for the Permitted Use.

- (b) Notwithstanding anything else contained in this Lease the parties agree that the business operations of the Lessee on the Property must be compatible with the aviation industry.
- (c) The Lessor may allow any other occupant in the Airport to conduct a similar business to that conducted by the Lessee under this Lease.
- (d) The Lessor does not warrant that the Property is suitable for the Permitted Use.

6.2 Lessee's obligations

The Lessee must at its cost:

- (a) conduct its business on the Property professionally, competently and in a businesslike way;
- (b) keep the Property free of vermin and pests and keep the Property clean;
- (c) maintain any licence, permit, consent or registration required to carry on its business in the Property;
- (d) repair any damage to the Airport caused by the Lessee or the Lessee's Agents;
- (e) store in the Property only goods that:
 - (i) it offers for resale in the Property; or
 - (ii) it requires to provide services to customers,
 and must store the goods only in areas intended for storage;
- (f) comply with all Laws and Requirements relating to:
 - (i) the Property;
 - (ii) the Lessee's occupation of the Property; and
 - (iii) the conduct of the Lessee's business in the Property;
- (g) keep the Property securely locked when they are unoccupied;
- (h) remove all refuse from the Property to ensure that it is not visible from outside the Property and comply with the Lessor's directions regarding refuse disposal;
- (i) promptly pay all accounts for services provided separately to the Property; and
- (j) comply with the Lessor's directions and the Law regarding security, safety, emergencies and fire drills.

6.3 Prohibitions on Lessee

The Lessee must not:

- (a) carry out any works to the Property without the Lessor's prior written consent but if the Lessee does carry out any such works the Lessee must comply with:
 - (i) any requirements of the Lessor regarding the works; and

- (ii) all legislation and the requirements of any Authority in relation to the works.
- (b) do anything which does or could annoy or offend anyone in or around the Airport, or which is or could be dangerous;
- (c) bring into, store or use in the Property any inflammable, dangerous or explosive substances such as acetylene, industrial alcohol, burning fluids, and chemicals, including in heating or lighting the Property; *unless* the sale or use of such substances constitutes proper conduct of the Lessee's business for the Permitted Use of the Property and the particular substances are stored and used only whilst taking all necessary safety precautions and in compliance with all security, fire and safety regulations relating to such substance;
- (d) without the Lessor's prior written consent, affix to any part of the Property any telecommunication, radio or television antenna, mast or satellite dish;
- (e) alter or install any services provided to the Property or the Airport, or overload any service;
- (f) display any sign on any external surface of the Property without the prior consent in writing of the Lessor; or
- (g) do anything which could affect the Lessor's interest in the Airport.

6.4 Lessee's obligation not to contaminate Land

The Lessee covenants that, during the continuance of this Lease, the Lessee will:

- (a) not use or permit to be used or stored at the Property any radioactive, toxic or hazardous chemicals, wastes or substances, except in concentrations and quantities permitted by the relevant statutory Authorities or Government Agencies and in accordance with any licences, permits or authorisations required by law and in accordance with the conditions imposed by such Authorities or Government Agencies or under their permission;
- (b) comply with the demands, notices and requirements of the regulatory Authorities or Government Agencies in respect of contamination of the Property caused by the Lessee or by occupiers of the Property, including notices to remediate the Property;
- (c) notify the Lessor within 5 Business Days after receiving any demand or notice from a regulatory Authority or Government Agency in respect of contamination of the Property; and
- (d) indemnify the Lessor against any liability, loss, damage, expense or claim which the Lessor may incur as a consequence of the breach by the Lessee of any obligation under this paragraph, including fines, legal costs, consultants' fees and remediation costs, but for the avoidance of doubt excluding always any fines, costs, fees or expenses relating to any contamination that pre-dates the Lessee's occupation of the Property..

6.5 Security Obligations

The Lessee and the Lessee's agents must:

- (a) comply with the Law including, but not limited to:
 - (i) *Civil Aviation Act 1988*;

- (ii) *Air Navigation Act 1920;*
 - (iii) *Air Navigation Regulations 1947;*
 - (iv) *Air Navigation (Checked Baggage) Regulations 2000;*
- (b) comply with any Requirements and other Airport security and safety requirements and all directives issued by the Lessor and the Lessor's security personnel; and
 - (c) ensure adequate security in accordance with the Lessor's requirements.

6.6 Reporting Obligations

The Lessee and the Lessee's agents must report to the Lessor:

- (a) any breach of Airport security or safety requirements;
- (b) any items left unattended at the Airport; and
- (c) any suspicious activity at the Airport.

6.7 Work Health and Safety

(a) Statutory Requirements

- (i) The Lessee will comply with all Work Health and Safety Legislation in relation to the Property.
- (ii) The Lessee must not:
 - A. breach any Work Health and Safety Legislation; or
 - B. do or allow to be done, or omit or allow to be omitted anything which may result in the Lessor being in breach of any Work Health and Safety Legislation,

in connection with the Property.
- (iii) The Lessee indemnifies (and will continue to indemnify) the Lessor in relation to any failure by the Lessee to comply with the Lessee's obligations under this clause 6.7(a), but excluding always to the extent caused by the negligence or wilful default of the Lessor.

(b) Principal Contractor and Work Health and Safety Legislation

- (i) If any work is to be carried out on the Property by the Lessee during the Term, including any holding over period, which requires the appointment of a Principal Contractor under the Work Health and Safety Legislation, the Lessor appoints the Lessee as the Principal Contractor in respect of those works and the Lessee accepts that appointment.
- (ii) The Lessee may propose that another Person is appointed as Principal Contractor for specific works in place of the Lessee, subject to the Lessee first obtaining the Lessor's written consent.
- (iii) The Lessee must ensure that when any work is carried out on the Property all the requirements of the Work Health and Safety Legislation and any other laws relating to work health and safety are met.

- (iv) The Lessee must consult, co-operate and co-ordinate its activities with the Lessor in connection with the Property to ensure that the parties at all times comply with the Work Health and Safety Legislation including, but not limited to, scheduling and participating in regular meetings, maintaining current information on an accident register and conducting regular risk assessment reports of the Property including taking the views of Lessee's workers into consideration and to take any other steps as agreed between the parties.
- (v) The Lessor will make itself available to the Lessee on a regular basis to discuss any matters related to health and safety at work arising from its obligations in relation to the Property.
- (vi) The Lessee must immediately notify the Lessor in writing of any accident, notifiable incident (being an incident which is notifiable under the Work Health and Safety Legislation) or injury which occurs on the Property in connection with the activities and use of the Property. The Lessee must take all reasonably practical steps to safely isolate any dangers from occurring or reoccurring before the Lessor is informed.
- (vii) The Lessee undertakes to inform itself of the serious injury or illness and dangerous incident notification obligations. The Lessee undertakes to advise the regulator by the fastest possible means, prior to advising the Lessor in the event that a notifiable incident occurs.

7. ASSIGNMENT, SUBLEASE, MORTGAGE OVER LEASE ETC

7.1 Prohibition of dealings

During the continuance of this Lease, in respect of whole or part of this Lease or the Property, the Lessee shall not:

- (a) assign, transfer, sublet, deal with, hold on trust, or grant any interest in, this Lease;
- (b) mortgage, charge or encumber this Lease;
- (c) part with possession of whole or any part of the Property;
- (d) grant any licence, or share the right of occupation or possession, in respect of whole or part of the Property; or
- (e) grant any franchise or concession over the Lessee's business conducted at the Property which would entitle any other person to use, occupy or trade from whole or part of the Property.

7.2 Consent to assignment

- (a) The Lessee may apply to Council for consent to the assignment of this Lease, which shall not be unreasonably withheld if the following conditions precedent are satisfied:
 - (i) the Lessee shall make a written application to Council for consent and furnish complete copies of all written documents entered into between the Lessee and the proposed assignee relating to the Lessee's business and the Property, written personal and business references and financial statements relating to the assignee and any proposed new guarantors;
 - (ii) the Lessee shall establish to the reasonable satisfaction of Council that:

- A. the proposed assignee is respectable, responsible and solvent;
 - B. the proposed assignee has adequately performed its obligations as the lessee or former lessee of other business premises;
 - C. in respect of the business or profession intended to be conducted by the assignee at the Property, the assignee has sufficient financial resources and business experience to be capable of adequately complying with the Lessee's obligations under this Lease and of efficiently conducting the assignee's business at the Property;
- (iii) the Lessee shall have paid to Council all moneys due under this Lease up to the date of assignment (and, in respect of any liability which can not be accurately determined will secure it to Council's reasonable satisfaction at the date of the assignment);
 - (iv) there are no unremedied breaches of the Lessee's obligations under this Lease at the date of the assignment;
 - (v) any other consents which are required to the assignment, by headlessors, mortgagees or others, are obtained before the assignment;
 - (vi) when the assignee is a company, other than a company whose shares are listed on an Australian Stock Exchange, personal guarantees for performance of lease covenants for the duration of the lease term by the assignee be provided, in a form reasonably acceptable to Council and prepared on behalf of Council at the Lessee's expense, by two of the assignee's directors or principal shareholders chosen by Council;
 - (vii) the execution by the Lessee and the assignee of a transfer of this Lease, which shall be duly stamped and which the assignee and the assignee's solicitor shall undertake to have registered promptly after completion of the assignment;
 - (viii) the execution of a deed in a form reasonably required by and prepared on behalf of Council, by Council, the Lessee, the assignee, the continuing guarantors and the new guarantors, in which:
 - A. the Lessee confirms its liability under this Lease for the balance of the current lease term;
 - B. Council is released from liability to the Lessee under this Lease;
 - C. the assignee covenants to observe the Lessee's obligations under this Lease during the duration of the Lease;
 - D. any continuing guarantors confirm their consent and continuing liability (unless this is adequately covered in their guarantee);
 - E. new guarantors execute guarantees under this lease for the assignee;
 - (ix) the payment by the Lessee to Council of Council's reasonable costs and disbursements in accordance with clause 15.8(c).

- (b) When the preconditions for consent to the assignment of this Lease in respect of the proposed assignee are satisfied, Council is entitled to refuse to consent to the assignment of this Lease, but only if:
- (i) Council and the assignee have negotiated and reached agreement on the grant of a new lease from Council to the assignee;
 - (ii) such lease to be for a lease term (including options for renewal) which shall have a longer total duration than the outstanding term of this Lease (including any subsisting options for renewal); and
 - (iii) such new lease to contain substantially similar lease covenants as those contained in this Lease, unless otherwise agreed with the proposed assignee.

7.3 Change in control of Lessee

When the Lessee is not a company whose shares are listed on an Australian Stock Exchange, any proposed:

- (a) transfer in the legal or beneficial interest in shares of the Lessee if a company;
- (b) allotment of shares in the Lessee company; or
- (c) changes in the company's articles of association,

which would have the consequence of altering the effective control of the Lessee company, is considered to be an assignment of this Lease and requires Council's consent in accordance with clause 7.2(a) as if the parties which would acquire control over the company were assignees of the Lease.

7.4 Consent to mortgage over Lease

The Lessee may apply to Council for consent to the grant of a mortgage over this Lease, which shall not be unreasonably withheld if each of the following conditions precedent is satisfied:

- (a) the Lessee shall make a written application to Council for consent, and furnish a copy of the proposed mortgage and any other documents between the Lessee and the mortgagee;
- (b) the mortgagee is a bank or financial institution;
- (c) the purpose of the loan is to enable the Lessee to acquire the business conducted at the Property or to continue to expand the Lessee's business;
- (d) the Lessee is not in default under this Lease;
- (e) the execution of a deed of consent, in a form reasonably required by Council, and to be prepared on behalf of Council, by Council, the Lessee and the mortgagee;
- (f) the payment by the Lessee to Council of Council's reasonable costs and disbursements in accordance with clause 15.8(c).

8. USE OF ROADWAYS, TAXIWAYS AND RUNWAYS

8.1 The Lessee as a non-exclusive licensee may:

- (a) use the roadways within the Main Airport Lot for the purpose of ingress to and egress from the Property; and
- (b) use the taxiways and runways within the Main Airport Lot for the purpose for which they are designed, subject to and complying with all relevant Laws and Requirements,

provided that the Lessee remains within the right of access 6 metres wide and 12 metres wide registered in DP1077717.

- 8.2 In the event that the Main Airport Lot is sold, the Lessor will require the purchaser to sign a Deed of Covenant agreeing that the purchaser will observe the Lessee's rights to access set out in clauses 8.1.

9. INSURANCE AND RISK

9.1 Lessee must insure

- (a) The Lessee must maintain insurance in relation to the Property in the names of the Lessor and Lessee with an insurer approved by the Lessor in respect of the following:
 - (i) public liability insurance for the amount specified in Item 9;
 - (ii) any other insurance for an amount and on terms which in the Lessor's reasonable opinion a prudent Lessee would take out.
- (b) The Lessor may, by written notice, require the Lessee to increase the amount of any insurance under clause 9.1(a).
- (c) If requested by the Lessor, the Lessee must give the Lessor a certificate of currency for any policy referred to in clause 9.1(a).
- (d) The Lessee may, if it is a listed public company, satisfy the requirements of clause 9.1(a)(i) by self-insuring itself against the risks set out in that clause.

9.2 Maintain insurance

The Lessee must not do anything which could:

- (a) increase the insurance premium payable for any policy in respect of the Airport; or
- (b) affect the Lessor's rights under any policy in respect of the Airport, or make the policy invalid or able to be cancelled.

9.3 Lessee's risk

The Lessee occupies the Property at its own risk.

9.4 Release of Lessor

To the extent permitted by law, the Lessee releases the Lessor from any claim, action, damage, loss, liability, cost or expense which the Lessor incurs or is liable for in connection with:

- (a) any damage, loss, injury or death;
- (b) the state of repair or condition of the Airport or anything in the Airport; or

- (c) any service provided to the Property or the Airport,
unless caused by the act or negligence of the Lessor.

9.5 Indemnity

The Lessee indemnifies the Lessor against any claim, action, damage, loss, liability, cost or expense which the Lessor incurs or is liable for in connection with:

- (a) any damage, loss, injury or death, caused or contributed to by the Lessee or Lessee's Agents;
- (b) any default by the Lessee under this Lease; or
- (c) the Lessee's occupation of the Property,
unless caused by the act or negligence of the Lessor.

9.6 Continuing indemnity

Each indemnity of the Lessee contained in this Lease is:

- (a) a continuing obligation of the Lessee and remains in full force and effect after the termination of this Lease; and
- (b) a separate and independent obligation of the Lessee.

10. LESSOR'S RIGHTS AND OBLIGATIONS

10.1 Quiet enjoyment

Subject to the Lessor's rights under this Lease, if the Lessee is not in default the Lessee may occupy the Property without interruption by the Lessor.

10.2 Services

- (a) The Lessor must use reasonable endeavours to ensure that any services it supplies to the Property are working properly at all times.
- (b) If the Lessor defaults under paragraph (a) the Lessee is not entitled to:
 - (i) claim any compensation or any reduction in any payment required to be made under this Lease; or
 - (ii) terminate this Lease.

10.3 Enter Property

The Lessor may enter the Property at all reasonable times:

- (a) to determine if the Lessee is complying with this Lease;
- (b) to do anything the Lessor is required to do under this Lease; or
- (c) together with any prospective purchaser or mortgagee of the Airport.

10.4 Reservation of certain rights

The Lessor may:

- (a) name the Airport or change the Airport's name and create or change a logo for the Airport;
- (b) grant an easement in respect of any part of the Airport, without substantially or permanently affecting the Lessee's rights under this Lease;
- (c) make and vary rules in relation to the use, security, safety, access to, occupation and management of the Airport which are consistent with this Lease;
- (d) remove or exclude any person from the Airport.

10.5 Lessor may perform Lessee's obligations

The Lessor may, at the Lessee's cost, do anything which the Lessee should have done under this Lease if the Lessee does not promptly do so or, if in the Lessor's opinion, the Lessee does not do so properly.

10.6 Lessor's consent

If the Lessor's consent is required for anything under this Lease, that consent:

- (a) must be in writing;
- (b) may be given, either conditionally or unconditionally, or withheld, in the Lessor's absolute discretion,

unless this Lease states otherwise.

10.7 Lessor's works

- (a) The Lessor may carry out any works in the Airport including, but not limited to, alterations, additions, refurbishment and redevelopment of the Airport.
- (b) The Lessor must take reasonable steps to minimise any disruption to the Property and the Lessee's business under paragraph (a).

11. DEFAULT

11.1 Default by Lessee

The Lessee is in default if:

- (a) it does not pay any Rent within 5 Business Days of the due date;
- (b) it does not pay any money which is payable under this Lease:
 - (i) on demand, within 10 Business Days of demand being made; or
 - (ii) which is not payable on demand, within 10 Business Days of the due date;
- (c) it does not perform any other express or implied obligation under this Lease;
- (d) it is or becomes unable to pay its debts when they are due or is or becomes unable to pay its debts within the meaning of the *Corporations Act 2001* or is presumed to be insolvent under the *Corporations Act 2001*;
- (e) it repudiates its obligations under this Lease;

- (f) it commits a fundamental breach of the Airport security program;
- (g) it is a company and:
 - (i) an application or order is made for the winding-up or dissolution of the Lessee or a resolution is passed or any steps are taken to pass a resolution for the winding-up or dissolution of the Lessee or to place it under administration;
 - (ii) it enters into or resolves to enter into any arrangement, composition or compromise with, or assignment for the benefit of, its creditors or any class of them;
 - (iii) a receiver, receiver and manager, provisional liquidator, trustee, administrator or similar official is appointed, or steps are taken for such an appointment, over any of the assets or undertaking of the Lessee; or
 - (iv) it enters into or resolves to enter into any arrangement, composition or compromise with, or assignment for the benefit of, its creditors or any class of them; or
- (h) the Lessee is a natural person and:
 - (i) dies or becomes mentally ill;
 - (ii) does not have full legal capacity;
 - (iii) is declared bankrupt; or
 - (iv) enters into any scheme with, or makes any assignment of its estate for the benefit of any of its creditors.

11.2 **Opportunity to rectify default**

- (a) The Lessor must not exercise its rights under clause 11.4 unless the Lessor has given the Lessee notice of the breach, default or non-observance on which the Lessor relies in seeking to act.
- (b) If the Lessee has not remedied the breach, default or non-observance within 5 Business Days of receiving the notice referred to in paragraph (a), the Lessor may exercise its rights under clause 11.4.

11.3 **Essential terms**

Every obligation of the Lessee to pay money and every other obligation of the Lessee under clauses 4, 6, 7 and 9 is an essential term of this Lease. Any other obligation under this Lease may also be an essential term.

11.4 **Lessor's rights on default**

If the Lessee is in default the Lessor may do any of the following, 5 Business Days after it has given any notice required by clause 11.2 or any applicable law:

- (a) re-enter and take possession of the Property;
- (b) terminate this Lease by written notice;

- (c) by written notice, terminate this Lease and convert the tenancy to a quarterly tenancy; or
- (d) exercise any other legal right.

11.5 **Mitigation of loss**

If the Lessor terminates this Lease under clause 11.4 it must take reasonable steps to mitigate its loss.

11.6 **Indemnity for breach**

The Lessee indemnifies the Lessor against any claim, action, loss, damage, cost, liability, expense or payment incurred by the Lessor in connection with:

- (a) any default by the Lessee under this Lease; or
- (b) the Lessor's termination of this Lease under clause 11.4,

including, but not limited to, the loss to the Lessor of the benefit of the Lessee performing its obligations under this Lease from the date of termination until the Terminating Date.

11.7 **Interest on overdue money**

If the Lessee does not pay any money payable by them under this Lease by the due date, they must pay interest on that amount on demand by the Lessor. Interest is:

- (a) payable from the due date until payment is made by the Lessee;
- (b) calculated on daily balances at the rate of 2% per annum above the rate for 90 day bills published in the Australian Financial Review on, or as near as possible to, the due date; and
- (c) capitalised monthly.

11.8 **Appointment of attorney**

The Lessee irrevocably appoints the Lessor and each officer (as that expression is defined in the *Corporations Act 2001*) of the Lessor severally its attorney. The attorney may, in its name or in the name of the Lessee, do any of the following after the Lessee defaults under this Lease:

- (a) anything which ought to be done by the Lessee under this Lease;
- (b) exercise any right, power, authority, discretion or remedy of the Lessee under this Lease; and
- (c) execute a transfer or surrender of this Lease.

12. **END OF TERM**

12.1 **Lessee must vacate Property**

The Lessee must vacate the Property on the Terminating Date or earlier termination of the Lease.

12.2 **Removal of Lessee's Property**

- (a) The Lessee must do the following by the Terminating Date, unless the Lessor agrees otherwise in writing (or unless the Lessee validly exercises an Option to Renew):
 - (i) remove all Lessee's Property from the Property; and
 - (ii) make good any damage caused to the Property or the Airport by the removal.
- (b) If the Lessee does not remove any Lessee's Property the Lessor may, at the Lessee's cost:
 - (i) remove and store the Lessee's Property at the Lessee's risk; or
 - (ii) treat the Lessee's Property as the property of the Lessor and deal with it as it sees fit.

13. **GUARANTEE AND INDEMNITY**

13.1 **Extended meaning of lease**

For the purpose of this clause, Lease includes a variation, assignment, replacement, extension, renewal or holding over of this Lease.

13.2 **Guarantee**

In consideration of the Lessor entering into this Lease at the Guarantor's request, the Guarantor unconditionally and irrevocably guarantees to the Lessor the performance of all the Lessee's obligations under this Lease.

13.3 **Indemnity**

- (a) The Guarantor indemnifies the Lessor against any claim, loss, liability or expense incurred by the Lessor:
 - (i) which is caused or contributed to by the Lessee's failure to comply with any obligation under this Lease;
 - (ii) because this Lease is void, voidable or otherwise unenforceable;
 - (iii) because this Lease terminates, other than by agreement between the Lessor and Lessee or the expiration of the Term;
 - (iv) because this Lease is disclaimed by a liquidator or trustee in bankruptcy; or
 - (v) because any money payable by the Lessee under this Lease is irrecoverable or refundable.
- (b) The Guarantor must pay on demand any money owing to the Lessor under this indemnity.
- (c) The Guarantor's obligations under clause 13.3 are separate and independent from its obligations under clause 13.2.

13.4 **Protection and rights of Lessor**

- (a) Until the Lessor has received all money payable to it under this Lease neither the Lessee nor the Guarantor may:

- (i) provide in an estate or in relation to an asset in a winding up or bankruptcy of:
 - A. the other of them; or
 - B. any other person liable to the Lessor for money owing to the Lessor by the Lessee or the Guarantor in competition with the Lessor,

unless the amount the Lessor is entitled to will not be reduced as a result;
or
 - (ii) be subrogated to the Lessor or otherwise have the benefit of any security or any right of the Lessor against the Lessee.
- (b) The Guarantor must pay the Lessor on written demand by the Lessor all expenses incurred by the Lessor in respect of the Lessor's exercise or attempted exercise of any right under this clause.
 - (c) If the Lessor disposes of the benefit of this Lease, the donee receives the benefit of the Guarantor's obligations under this clause.
 - (d) The Guarantor's obligations under this clause are continuing obligations.
 - (e) The Guarantor's obligations under this clause (as guarantor, indemnifier or otherwise) are not affected by anything which might, but for this clause, end or limit the Guarantor's obligations relating to this Lease including, but not limited to, the following:
 - (i) this Lease not being registered;
 - (ii) a sub-lease of the Property;
 - (iii) the grant of any time, waiver, agreement not to sue or other indulgence;
 - (iv) the release (including, without limitation, a release as part of a novation) or discharge of a person or a security;
 - (v) an arrangement, composition or compromise entered into by the Lessor, Lessee Guarantor or any other person;
 - (vi) an extinguishment, failure, loss, release, discharge, abandonment, impairment, compound, composition or compromise, in whole or in part of any document or agreement;
 - (vii) any moratorium or other suspension of a right of the Lessor under this Lease, a statute, a judgment or order or otherwise;
 - (viii) any payment to the Lessor, including a payment which at or after the payment date is illegal, void, voidable, avoided, irrecoverable or refundable; or
 - (ix) the liquidation, bankruptcy or insolvency of the Lessee.
 - (f) The Lessor may enforce its rights against the Guarantor under this Lease without first:
 - (i) enforcing any other security or right; or

- (ii) recovering any money or assets from any other person.
- (g) If any payment or other transaction relating to the Lessee's obligations under this Lease is void, voidable or otherwise unenforceable:
 - (i) the Guarantor's liability under this Lease is the same as if the payment or transaction was not void, voidable or otherwise unenforceable; and
 - (ii) the Guarantor must immediately do everything required by the Lessor to restore to the Lessor the benefit of the Guarantor's liability under this Lease which existed immediately before the payment or transaction.
- (h) A certificate, determination, judgment, order or award which is binding on the Lessee is also binding on the Guarantor.

13.5 Disclaimer of this Lease

- (a) If this Lease is disclaimed by a liquidator or trustee in bankruptcy of the Lessee, the Guarantor must, if requested by the Lessor, sign a lease of the Property on terms identical to this Lease, with the following exceptions:
 - (i) the Guarantor is substituted for the Lessee as lessee under the new lease; and
 - (ii) the Commencing Date is the date of the disclaimer.
- (b) The Guarantor must ensure that a person acceptable to the Lessor signs the new lease as guarantor.
- (c) The Guarantor must pay all costs and expenses of the Lessor in relation to the preparation, execution, stamping and registration of the new lease.

14. DISPUTE RESOLUTION

14.1 Dispute notice

- (a) If there is a dispute between the parties, then either party may give a notice to the other.
- (b) The notice must:
 - (i) succinctly set out the details of the dispute; and
 - (ii) state that it is a dispute notice given under this clause 14.1.

14.2 Notice in response

- (a) Within 14 days after the delivery of the dispute notice, the recipient must deliver to the other party a notice in response.
- (b) The notice in response must:
 - (i) acknowledge the party's receipt of the dispute notice;
 - (ii) state that is a notice given under this clause 14.2; and
 - (iii) succinctly set out information, that it believes is relevant to the dispute.

14.3 Initial Meeting

- (a) The parties must meet within 15 Business Days after the date of delivery of the dispute notice, to attempt to resolve the dispute.
- (b) Each party must use its best endeavours and act in good faith.

14.4 Refer to a mediator

- (a) If the parties cannot solve the dispute within 20 Business Days of the date on which the dispute notice is delivered, then either of the parties may refer the dispute to the Australian Commercial Disputes Centre Limited or another mediator agreed between the parties.
- (b) The parties must ensure that the mediation is conducted under the rules of the Australian Commercial Disputes Centre.

14.5 Agreement remains in force

Each party must continue to perform its obligations under this Lease pending resolution of the dispute.

14.6 Expert Determination

- (a) If the parties have not been able to resolve their dispute within 10 Business Days of referral to the mediator, then either party may refer the matter to expert determination. Having regard to the nature of the dispute, the parties must seek the appointment of an independent expert with such person to be nominated by the relevant professional body to which the expert belongs.
- (b) The appointed expert will make a determination of the dispute acting as an expert and not as an arbitrator.
- (c) The expert must make a written determination containing reasons within 20 Business Days of his appointment.
- (d) The expert's determination will be final and binding on the Lessor and the Lessee.
- (e) The expert's costs will be paid by the Lessor and the Lessee equally. Either party may pay the expert's costs and recover one half of the amount paid from the other party.

14.7 Variation to lease after dispute

- (a) The Lessor and the Lessee must execute a written variation to this Lease to record an amendment, if any, determined under this clause 14.
- (b) Unless the parties agree to the contrary the Lessor's solicitors must register the variation of lease at the Land & Property Information.
- (c) The Lessee must pay the registration fees.

15. GENERAL**15.1 Lessor's discretion**

- (a) (i) Nothing in this Lease operates to restrict or otherwise affect the unfettered discretion of the Lessor in exercising its powers as a public Authority

under any relevant laws, in relation to the subject matter of this Lease or otherwise, including, but not limited to, Council's statutory duty to properly consider any application for an approval in relation to the Property that may be submitted to it.

- (ii) If there is any conflict between the unfettered discretion of the Lessor and the exercise of its powers as a public Authority on the one hand, and the satisfaction of performance of the Lessor's obligations as lessor under this Lease, on the other, the former will prevail.
- (iii) Anything which the Lessor does, fails to do or purports to do under its discretion to exercise its powers as a public Authority:
 - A. will be deemed not to be an act or omission by the Lessor as lessor under this Lease; and
 - B. will not entitle the Lessee to make any claim against the Lessor under this Lease for any costs, losses, expenses or damages.
- (b) (i) The parties agree that the Lessor has not given any assurance or made any representation or statement to the Lessee as to how it will or may exercise any of its statutory discretions in relation to any application for an approval relating to the Property or otherwise.
- (ii) The parties agree that they have not been induced by the other party to enter into this Lease on the basis of any such assurance, representation or statement under paragraph (a).

15.2 Notices

- (a) For the purpose of this clause 15.2, **notice** means a notice, consent, approval or other communication.
- (b) A notice must be signed by or on behalf of the person giving it, addressed to the person to whom it is to be given and;
 - (i) delivered to that person's address, or to the Property in the case of the Lessee; or
 - (ii) sent by pre-paid mail to that person's address.
- (c) A notice given to a person in accordance with this clause is treated as having been given and received:
 - (i) if delivered, on the day of delivery if delivered before 5.00 pm on a Business Day, otherwise on the next Business Day; or
 - (ii) if sent by pre-paid mail, on the third Business Day after posting.
- (d) For the purpose of this clause the address of a person are those which that person may from time to time give notice to each other person. The Property is also the address of the Lessee.

15.3 Waiver

- (a) The non-exercise of or delay in exercising any power or right of a party does not operate as a waiver of that power or right, nor does any single exercise of a power or right preclude any other or further exercise of it or the exercise of any other power

or right. A power or right may only be waived in writing, signed by the party to be bound by the waiver.

- (b) The Lessor's acceptance of Rent or other money under this Lease does not operate as a waiver of the Lessor's rights under this Lease.

15.4 Severability

Any provision in this Lease which is invalid or unenforceable in any jurisdiction:

- (a) is to be read down for the purposes of that jurisdiction, if possible, so as to be valid and enforceable; or
- (b) if the provision cannot be read down under paragraph (a), is capable of being severed to the extent of the invalidity or unenforceability,

without affecting the remaining provisions of this Lease or affecting the validity or enforceability of that provision in any other jurisdiction.

15.5 Counterparts

This Lease may be executed in any number of counterparts and all of those counterparts taken together constitute one and the same instrument.

15.6 Further assurance

Each party must do, sign, execute and deliver and must procure that each of its employees and agents does, signs, executes and delivers, all deeds, documents, instruments and acts reasonably required of it or them by notice from another party to carry out and give full effect to this Lease and the rights and obligations of the parties under it.

15.7 Entire agreement

This Lease is the entire agreement of the parties on the subject matter. The only enforceable obligations and liabilities of the parties in relation to the subject matter are those that arise out of the provisions contained in this Lease. All representations, communications and prior agreements in relation to the subject matter are merged in and superseded by this Lease.

15.8 Costs and expenses

- (a) The Lessee must pay the Lessor's costs in relation to the negotiation, preparation, execution, delivery and completion of this Lease (capped at \$1,000.00 (including GST)).
- (b) The Lessee must pay all:
 - (i) stamp duty, if any, and registration fees in relation to the Lease; and
 - (ii) expenses of the Lessor and Lessor's Agents in relation to the stamping, registration, completion, renewal, extension, variation, assignment, proposed assignment, termination and surrender of this Lease.
- (c) The Lessee must pay all costs and expenses of the Lessor and Lessor's Agents in relation to:
 - (i) the renewal, extension, variation, assignment, proposed assignment, mortgage, proposed mortgage, termination and surrender of this Lease;

- (ii) the enforcement, protection or waiver, or attempted enforcement or protection of any right under this Lease; and
- (iii) the consideration or giving of any consent by the Lessor under this Lease, including, but not limited to, any administration costs of the Lessor and any legal costs and expenses and any professional consultant's fees for any of the above on a full indemnity basis.
- (d) If requested by the Lessee, the Lessor must substantiate its costs and expenses in relation to the renewal, extension variation, assignment or proposed assignment of this Lease before requiring payment from the Lessee.
- (e) The Lessee is not required to pay any account presented to the Lessor in respect of legal or other expenses incurred by the Lessor in relation to the preparation of this Lease until the Lessor has given the Lessee a copy of the account.

15.9 Exclusion of moratorium

To the extent not excluded by law, a provision of any legislation which directly or indirectly:

- (a) lessens or affects in favour of the Lessee any obligation under this Lease; or
- (b) stays, postpones or otherwise prevents or prejudicially affects the exercise of any right under this Lease,

is excluded from this Lease.

15.10 Exclusion of statutory provisions

- (a) The covenants, powers and provisions implied in leases by sections 84, 84A, 85 and 86 of the *Conveyancing Act 1919 (NSW)* do not apply to this Lease.
- (b) In this Lease words used in the first column of clause 2 of schedule 4 to the *Conveyancing Act 1919 (NSW)* do not imply a covenant under section 86 of that Act.

15.11 Lease documentation

- (a) If this Lease is not to be registered, the Lessor must give the Lessee an executed copy of the stamped Lease within 1 month after it is returned to the Lessor or the Lessor's lawyer or agent following payment of duty.
- (b) If this Lease is to be registered, the Lessor must lodge the Lease for registration within 6 months after the Lease is returned to the Lessor or the Lessor's lawyer or agent following payment of duty on the Lease and the Lessor must provide the Lessee with an executed copy of the stamped and registered Lease within 1 month after the Lease is returned to the Lessor or the Lessor's lawyer or agent following registration.
- (c) The periods specified in paragraphs (a) and (b) are to be extended for delays attributable to the need to obtain any consent from a head lessor or mortgagee.
- (d) In paragraphs (a) and (b), **registered** means registered under the *Real Property Act 1900 (NSW)*.

15.12 Payment to Lessor

The Lessee must make all payments to the Lessor under this Lease without any set-off, counterclaim, withholding or deduction

Lessor

Lessee



Berrigan Shire Council

Submission:

Review of General Manager and Senior Staff Remuneration

This submission is made by Matthew Hansen, Director Corporate Services on behalf of Berrigan Shire Council. Further information regarding this submission can be obtained by contacting Mr. Hansen at mail@berriganhire.nsw.gov.au or by contacting the Council administration office on 03 5888 5100.

Background

Berrigan Shire is a small, rural Council located in the southern Riverina along the Victorian border. The shire has a population of 8,800 spread across four towns and associated rural areas.

Berrigan Shire Council has a rate base of \$5.5m, a budget of \$43m and an asset base of \$245m.

The Council has only one Senior Staff - its General Manager (now titled as Chief Executive Officer).

The Council's current Chief Executive Officer - Karina Ewer - commenced in June 2021. The previous General Manager held that position from 1998 to 2021.

The case for increased regulation has not been made

Berrigan Shire Council's position is that the status quo should be maintained - i.e. the Council retains the discretion to offer remuneration in line with its requirements and market forces.

The consultation paper fails to make any case that the current system is broken - other than some vague references to "Australian public has become increasingly concerned". The paper provides no evidence of this supposed concern, not even anecdotal evidence.

The consultation paper does not provide one example of a Council that has overpaid their General Manager and/or Senior Staff. It is difficult to support increased regulation without knowing the extent of the problem the regulation is attempting to address - or indeed if there is a problem in the first instance.

It should be noted that local government executive salaries are already subject to regulation. Remuneration details are published, staff are employed on standard contracts that limit termination payouts and annual salary increases are tied to NSW executive salary increases as determined by the Statutory and Other Offices Remuneration Tribunal.

Councils are best placed to determine executive remuneration

Councils are the bodies best placed to determine the appropriate remuneration for their executive staff.

Councils are on the ground in the areas they serve. Unlike a remuneration tribunal, Councils are fully across the local strategic and operational issues, understand the financial capacity of the Council and know the skillset required from its executive staff to meet the challenges fronting the organisation.

Unlike an unelected remuneration tribunal, the Council is directly accountable to its community via the ballot box and the "court of public opinion". The remuneration package of the General Manager is a matter of public record and in rural communities especially this means the community knows precisely

what their neighbour and fellow community member is being paid. The Council will be the first to hear if their community has deep concerns regarding excessive executive remuneration.

The consultation paper expresses a concern that General Managers may have a “disproportionate advantage in negotiating their own contractual conditions with elected members.” When negotiating remuneration packages (and performance and other employment matters for that matter) Councils have access to support from Local Government NSW and other HR consultants should they need.

The paper also does not address the fact that Councillors are often business owners themselves, some with multi-million dollar enterprises (including farmers) and are therefore well versed in negotiation skill sets and employee management practices. Berrigan Shire Council feels comments such as the above reduce the significant value of the skill sets Councillors “bring to the table”.

New regulation must be effective and not just decorative

If the NSW government is determined to increase regulation around local government executive salaries, the regulation should at least be effective and not just window dressing.

The consultation paper states that “the community is more likely to have confidence in the remuneration levels paid to general managers if they are set by an independent body”. This statement is made without any supporting evidence. It is unlikely that independent oversight will have any measurable impact on any public concern.

Executive salaries are highly regulated at Federal and NSW level. This has not stopped debate on executive remuneration in those spheres. A recent example was published in the *Sydney Morning Herald* on 4 July 2021

Amid a new debate over public sector pay, analysis from The Sydney Morning Herald and The Age has found Australia’s top bureaucrats are earning vastly more on average than their international counterparts ...¹

Further regulation of local government executive remuneration is not likely to ameliorate any actual or perceived community concern - it will merely provide a semblance of “doing something”.

A “banding” system — as set out in the consultation paper — may be workable. It would largely depend on how the system was managed and how the bands were determined. Without further detail it is difficult to support any “banding” model.

Alternative suggestions

If further regulation and oversight of local government executive salaries is required, there are options worth considering that may be less cumbersome and restrictive and retain individual flexibility.

1. Amendment of the Act, Regulations and/or standard contracts to allow for Ministerial intervention where the Minister can demonstrate a gross overstepping of community and government expectations.

¹ Harris, Rob; Gladstone, Nigel; Stehle, Mark; Carter, Daniel (4 July 2021) [“Australia’s senior public servants earn top dollar compared to international counterparts”](#) *Sydney Morning Herald*

2. Requiring the Council's Audit Risk and Improvement Committee (ARIC) to review executive remuneration packages annually or as required. A statement from the ARIC could be published in the Annual Report.

Addendum

Berrigan Shire Council would like to express its disappointment with the timing of this review.

Initiating this review and calling for public comment immediately before local government elections has the potential to make General Manager and Senior Staff remuneration an election topic.

In the first instance, this may not allow for a balanced, considered and dispassionate consultation period. It may lead to the co-option of this review by candidates and third parties as an opportunity for political point scoring at the expense of Council staff.

Secondly, the review has the potential to compromise the position of the General Manager and Senior Staff with the incoming Council right from the start.

The Council does acknowledge that the timing does allow for the outgoing Councillors to contribute to the review. In the Council's opinion however there were other options available to obtain their contribution and the potential harm generated as set out above outweighs any benefit that may be obtained.

June 2021

REVIEW OF GENERAL MANAGER AND SENIOR STAFF REMUNERATION

Consultation paper



Produced by the Office of Local Government, Department of Planning, Industry and Environment
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Overview

The position of general manager is pivotal in a council and comes with significant responsibility.

The general manager is the interface between the elected governing body of the council which sets the strategy and monitors performance, and the operational arm of the council which implements the decisions of the governing body.

General managers are responsible for the day-to-day operations of the council, the implementation of the council's strategic plans and objectives, the delivery of services and infrastructure to the community, the management of council staff and the financial management of the council.

General managers have a unique employer/employee relationship with high levels of accountability to their employer, the governing body of the council, who are in turn accountable to the community for the council's performance through the electoral process.

The *Local Government Act 1993* ('the Act'), *Local Government (General) Regulation 2005* ('the Regulation') and the *Standard Contract of Employment for General Managers of Local Councils in NSW* approved by the Departmental Chief Executive of the Office of Local Government provide councils with flexibility in determining general managers' remuneration.

The Act expressly provides that the approved standard contract must not include provisions relating to the level of remuneration or salary (including employment benefits) of the person employed under the contract.

General managers' remuneration is determined by negotiation between general managers and councils but is informed by a range of factors including the skills and experience the individual will bring to the role, the size and operational complexity of the council, the strategic goals and objectives of the council, the particular needs of the council, market conditions and industry benchmarks.

This consultation paper has been issued to explore whether there is a need for greater regulation or prescriptive guidance in setting general managers remuneration and to inform possible policy responses.

In considering whether there should be greater regulation of general manager remuneration, it is also necessary to consider the remuneration of senior staff.

Senior staff of councils that are not employed under the *Local Government (State) Award* are employed under the *Standard Contract of Employment for Senior Staff (other than General Managers) of Local Councils in NSW*.

Like the standard contract for general managers, this is approved by the Departmental Chief Executive and must not include provisions relating to the level of remuneration or salary.

However, for a position to be classified as 'senior staff' under the Act, the holder of the position must be paid at least the same remuneration received by NSW State Government senior executives that are graded at Band 1 (currently, \$192,600).

Current legislative framework

The Act (section 334) requires councils' governing bodies to appoint a person to be general manager.

The position of general manager is a 'senior staff' position for the purposes of the Act.

As with the appointment of all council staff, councils are required to appoint the general manager using merit selection principles (section 349).

Recruitment using merit selection is a competitive process where the applicant who demonstrates that they have the best qualifications and experience relevant to the position is appointed.

The Act (section 338) requires that general managers be employed under fixed term, performance-based contracts for a duration of one to five years, based on the standard contract for general managers approved by the Departmental Chief Executive. General managers' employment contracts may be renewed.

General managers are held accountable for their performance through performance agreements and regular performance reviews required under the standard contract.

The Act (section 338) stipulates that the standard contract approved by the Departmental Chief Executive cannot set the remuneration or salary (including employment benefits) that will be received by general managers.

The standard contract also cannot stipulate the performance-based requirements of the role or the duration of the contract.

These components are included as schedules to the standard contract that can be tailored and agreed by the council and the employee as part of the recruitment process.

In practice, most councils negotiate remuneration packages with appointees during the recruitment process based on the professional advice of executive recruitment specialists engaged by the council specifically for this task.

Such specialists collate detailed comparative information about the remuneration paid to general managers across NSW and other states and territories, as well as comparable private sector and NSW public sector remuneration levels, so that they can advise councils appropriately.

Remuneration packages for general managers generally include the following components:

- total salary
- total employer superannuation contributions payable
- total value of any non-cash benefits, and
- total fringe benefits tax payable for any non-cash benefits.

They are entitled to receive an annual increase in their salary package equivalent to the latest percentage increase in remuneration for NSW public sector senior executive office holders. This increase is determined by the Statutory and Other Offices Remuneration Tribunal ('SOORT').

Unlike the NSW public sector however, they can also receive discretionary increases to their total remuneration package from the council under the provisions of the standard contract as a performance incentive.

The *Guidelines for the Appointment and Oversight of General Managers Guidelines* issued by the Office of Local Government provides further detailed guidance on best practice for the recruitment, appointment and performance oversight of general managers. They can be found at www.olg.nsw.gov.au

Reporting

Councils are publicly accountable for the remuneration they pay to their general managers.

The Regulation (clause 217) requires councils to publish in their annual report the remuneration paid to their general manager each financial year.

The Office of Local Government's Guidelines state that all discretionary increases in remuneration received by general managers must be reported to an open meeting of the council, together with the reasons for the increase.

Role of the general manager

The Act (section 335) gives the general manager responsibility for:

- conducting the day-to-day management of the council in accordance with the strategic plans, programs, strategies and policies of the council
- implementing, without undue delay, the lawful decisions of the council
- advising the governing body on the development and implementation of, and consultation on, the council's plans, programs, strategies and policies
- developing the council's community strategic plan, community engagement strategy, resourcing strategy, delivery program, operational plan and annual report
- ensuring that the mayor and other councillors are given timely information and advice and the administrative and professional support necessary to effectively discharge their functions
- exercising any of the functions of the governing body that are delegated to the general manager
- implementing the council's workforce management strategy, establishing the council's organisational structure and appointing and dismissing council staff, and
- any other functions given to the general manager.

The Regulation (clause 209) also requires the general manager to ensure that:

- the council complies with all legal financial obligations, including the keeping of accounting records
- effective measures are taken to secure the effective, efficient and economical management of financial operations within each division of the council's administration
- authorised and recorded procedures are established to provide effective control over the council's assets, liabilities, revenue and expenditure and secure the accuracy of the accounting records, and
- lines of authority and the responsibilities of members of the council's staff for related tasks are clearly defined.

Current remuneration levels in NSW

Appendix 1 lists the levels of remuneration received by the general managers of each council in NSW for the 2019-2020 financial year, as published in each council's 2019-2020 annual report.

Remuneration levels have been grouped according to the council categories determined by the Local Government Remuneration Tribunal as part of its 2020 Annual Report and Determination¹ to enable a like-for-like comparison of similar sized and types of councils.

The average remuneration received by a general manager in 2019-2020 for each council category was (per annum):

| | |
|----------------------------------|------------------|
| • Principal CBD | \$511,954 |
| • Major CBD | \$633,852 |
| • Metropolitan Large | \$457,180 |
| • Metropolitan Medium | \$414,427 |
| • Metropolitan Small | \$334,108 |
| • Major Regional City | \$439,467 |
| • Major Strategic Area | \$495,849 |
| • Regional Strategic Area | \$397,668 |
| • Regional Centre | \$350,420 |
| • Regional Rural | \$310,377 |
| • Rural | \$267,119 |
| • County council | \$143,270 |

The total average remuneration received by a NSW general manager in 2019-2020 was **\$328,287 per annum** (not including county councils).

The ten NSW councils that paid the highest levels of remuneration to their general manager in 2019-2020 were:

| | |
|--------------------|-----------|
| • Parramatta | \$633,852 |
| • Northern Beaches | \$512,092 |
| • Sydney | \$511,954 |

| | |
|------------------------|-----------|
| • Canterbury-Bankstown | \$501,938 |
| • Central Coast | \$495,849 |
| • Blacktown | \$486,744 |
| • Fairfield | \$484,588 |
| • Inner West | \$482,353 |
| • Newcastle | \$468,711 |
| • Penrith | \$465,510 |

This indicates that higher levels of general manager remuneration are paid primarily by the largest metropolitan councils.

General manager remuneration is highly influenced by population levels and the challenges of managing larger councils such as greater operational complexity, higher staffing levels and higher revenue/expenditure bases.

The ten councils that paid the lowest levels of general manager remuneration in 2019-2020 (excluding county councils) were (per annum):

| | |
|-------------------|------------------------|
| • Weddin | \$205,000 |
| • Brewarrina | \$210,867 |
| • Central Darling | \$214,663 ² |
| • Cabonne | \$220,000 |
| • Lockhart | \$221,299 |
| • Upper Lachlan | \$221,324 |
| • Junee | \$222,373 |
| • Bland | \$226,222 |
| • Greater Hume | \$229,020 |
| • Coolamon | \$230,150 |

These are all councils that are categorised as 'Rural' by the Local Government Remuneration Tribunal and supports the observation that general manager remuneration is highly influenced by population and council size.

¹ <https://www.remtribunals.nsw.gov.au/statutory-and-other-offices>

² General manager's remuneration for 2019-2020 was not publicly available. This figure is the remuneration paid to the general manager during 2018-2019 as published in the council's 2018-2019 annual report

Comparison to mayor's and councillor's remuneration

Legislative framework

Under the Act, councillor remuneration levels are determined by the Local Government Remuneration Tribunal which is an independent panel established under the Act specifically for this purpose.

The Act (section 239) requires the Local Government Remuneration Tribunal to place each council into a category with like councils, based on the following criteria:

- the size of the local government area
- the physical terrain of the local government area
- the population of the local government area and its distribution
- the nature and volume of business dealt with by each council
- the nature and extent of the development of the local government area
- the diversity of communities served
- the regional, national and international significance of the council
- any other matters considered by the Tribunal to be relevant to the provision of efficient and effective local government, and
- any other matters prescribed by the Regulation.

The Tribunal must report to the Minister for Local Government by 1 May each year what these categories are, and what the minimum and maximum fees are to be paid to mayors, councillors and the chairpersons and members of county councils each year in each category.

Categories are to be reviewed every three years.

When determining the minimum and maximum fees payable in each category, the Act (section 242A(1)) requires the Tribunal to adhere to the

same policies on increases in remuneration as those that the Industrial Relations Commission is required to give effect to under the *Industrial Relations Act 1996* (section 146C) when making or varying awards or orders relating to the conditions of employment of NSW public sector employees.

However, the Local Government Remuneration Tribunal can determine under the Local Government Act (section 242(A)(3)) that a council is placed in another existing or new category with a higher range of fees without breaching the NSW Government's wage policy.

The Tribunal's determinations take effect from 1 July each year.

Remuneration levels

Appendix 3 details the fees payable to NSW mayors and councillors from 1 July 2020 to 30 June 2021 compared to the remuneration received by general managers during 2019-2020.

General managers' remuneration cannot be directly compared to mayoral or councillor fees given the nature of the roles, and the time commitment, skills, qualifications and experience required vary so greatly.

However, it can be noted that:

- general manager remuneration ranges from \$205,000 – \$633,852 per annum (not including county councils)
- councillor fees range from \$9,190 – \$40,530 per annum (not including county councils), and
- mayoral fees (combined with their councillor fees) range from \$18,970 – \$263,040 (not including county councils).

Comparison to the NSW public sector

Legislative framework

The *Government Sector Employment Act 2013* creates a single executive structure across the NSW Public Service, with common employment arrangements, including standard written contracts of employment.

The senior executive structure is comprised of the following four broad bands:

- Band 1 – Director level
- Band 2 – Executive Director level
- Band 3 – Deputy Secretary level
- Band 4 – Secretary level

Under the *Statutory and Other Offices Remuneration Act 1975*, the SOORT annually determines the remuneration ranges for each senior executive band. These take effect from 1 October each year.

The SOORT also determines the remuneration payable to judges, magistrates and other public office holders.

Annual increases in remuneration ranges are determined by SOORT considering key national economic indicators and movements in public sector remuneration across Australia, market conditions, CPI and wages growth.

In determining senior executive remuneration, SOORT is also required under the *Statutory and Other Offices Remuneration Act 1975* (section 6AA) to comply with the policies that apply to the Industrial Relations Commission under the *Industrial Relations Act 1996* (section 146C) when the Commission makes or varies awards or orders relating to public sector employment.

Current policy (which may be subject to change), as prescribed in the *Industrial Relations (Public Sector Conditions of Employment) Regulation 2014*, is that public sector wages cannot increase by more than 2.5 per cent.

Any increase beyond 2.5 per cent can only be awarded if sufficient employee-related cost savings have been achieved to fully offset the increased employee-related costs.

When a NSW public sector Secretary or agency head creates a senior executive role in Bands 1 – 3, they can follow the *NSW Public Service Senior Executive Remuneration Management Framework 2020-21*³ which has been issued as guidance to assist decision-makers to determine where within a senior executive band remuneration range a role is to be placed.

The NSW Public Service Senior Executive Remuneration Management Framework is also to be implemented when applying annual SOORT determination increases and when considering an individual's progression over time within the discretionary remuneration range in accordance with the requirements of the agency's formal performance management system.

Model contracts of employment⁴ for senior executives are prescribed under the *Government Sector Employment Act 2013*.

³ <https://www.psc.nsw.gov.au/legislation-and-policy/senior-executives/senior-executive-remuneration-management-framework>.

⁴ <https://www.psc.nsw.gov.au/legislation-and-policy/senior-executives/model-contracts-of-employment>

Comparison of remuneration levels

Under SOORT's current determination, NSW public sector senior executive remuneration packages range from⁵ (per annum):

- **Band 1 (i.e. Directors):**
\$192,600 – \$274,700
- **Band 2: (i.e. Executive Directors)**
\$274,701 – \$345,550
- **Band 3: (i.e. Deputy Secretaries)**
\$345,551 – \$487,050
- **Band 4: (i.e. Secretaries)**
\$487,051 – \$562,650

Special determinations are also in place for specific Band 2, Band 3 and Band 4 roles that increase the remuneration packages for these roles.

Appendix 2 compares the levels of remuneration received by NSW general managers in 2019-2020 to the remuneration bands determined by SOORT for NSW public sector senior executives in 2020-2021.

General managers' remuneration cannot be directly compared to NSW public sector senior executive remuneration because the nature of the roles, the skills and experience of individuals in these positions and the size and operational complexity of government departments and councils vary so greatly.

However, it can be noted that:

- general manager remuneration ranges from \$205,000 – \$633,852 per annum (not including county councils), and
- NSW public sector senior executive remuneration ranges from \$192,000 – \$649,500 per annum.

This indicates that remuneration levels across the NSW state and local government sectors for senior executives are roughly equivalent.

⁵ <https://www.remtribunals.nsw.gov.au/statutory-and-other-offices>

Comparison to other jurisdictions

Western Australia

Similar to the way mayoral and councillor fees are set in NSW by the Local Government Remuneration Tribunal, under the Western Australian *Local Government Act 1995* (section 5.39), general manager remuneration in Western Australia is determined independently each year by the Western Australian Salaries and Allowances Tribunal under the Western Australian *Salaries and Allowances Act 1975* (section 7A).

Unlike NSW which has three separate remuneration tribunals, Western Australia has established one single tribunal that determines the remuneration of general managers as well as Western Australian Members of Parliament, mayors and councillors, the judiciary, the Western Australian public service and other significant officeholders.

Under the Tribunal's 2020 determination⁶, there are four remuneration bands for Western Australian general managers (per annum):

- **Band 1:** **\$250,375 – \$379,532**
- **Band 2:** **\$206,500 – \$319,752**
- **Band 3:** **\$157,920 – \$259,278**
- **Band 4:** **\$128,226 – \$200,192**

These remuneration packages include all salaries, superannuation contributions, allowances, fees and benefits.

Given Western Australia's vast geographic area and the isolation and remoteness of many local government areas, several additional concessions or incentives are also provided to attract individuals to general manager roles.

A Regional/Isolation Allowance can be paid to the general managers of 53 prescribed councils in addition to the general manager's remuneration package, in recognition of

regional and isolation factors which may affect the attraction and retention of general managers in remote local government areas.

The amount that can be paid ranges from **\$10,000 – \$80,000 per annum**, depending on the prescribed council.

There is no requirement for these prescribed councils to provide a Regional/Isolation Allowance to a general manager.

Payment of part or all this allowance is at the discretion of the council, taking into consideration the following factors:

- **Remoteness** – distance of the local government area from Perth or a regional centre or issues associated with the vast distances separating communities within the local government area
- **Cost of living** – increased cost of living in the local government area, as evidenced in the Western Australian Regional Price Index
- **Social disadvantage** – reduced specialist health services, schooling opportunities for children, employment opportunities for spouses, lifestyle commodities and access to professional and personal support networks when compared to Perth and regional centres
- **Dominant industry** – the impact that a dominant industry such as mining or agriculture has on a local government area and the ability to attract and retain a general manager in the face of a dominant industry
- **Attraction/retention** – the ability to recruit suitably qualified candidates and being able to retain them considering the above factors in competition with positions in Perth, regional centres and private industry, and
- **Community expectations** – the pressures on the general manager to meet expectations when professional or operational expertise is not readily available.

⁶ <https://www.wa.gov.au/government/publications/local-government-chief-executive-officers-and-elected-members-determination-no-1-of-2020>.

Councils can also pay an additional Housing Allowance to a general manager where a lack of suitable housing (either permanent or temporary) may impact the council's ability to recruit a general manager, provided the housing is located within or adjacent to the local government area in which the general manager is employed.

The cost of the accommodation or Housing Allowance is not included in the general manager's remuneration package calculations.

For a number of prescribed councils, any motor vehicle provided to the general manager or an allowance provided to a general manager for the use of a private motor vehicle for work-related purposes is considered to be a tool needed to undertake the duties of a general manager in the local government area, and any private benefit received is not considered as part of the general manager's remuneration package.

For these reasons, the actual remuneration received by general managers in remote Western Australian councils is likely to be greater than the bands previously described.

Under the Western Australian *Local Government Act 1995* (section 5.53), each council must publish the remuneration paid to its general manager in its annual report.

Victoria

The new Victorian *Local Government Act 2020* (section 45) requires each council in Victoria to develop, adopt and apply a CEO Employment and Remuneration Policy from 31 December 2021 to ensure consistent practices in the recruitment and appointment of general managers at the council.

Each council's CEO Employment and Remuneration Policy must:

- provide for the council to obtain independent professional advice on the recruitment and appointment of the general manager
- when setting the general manager's remuneration, ensure that the council has regard to any:
 - Victorian Government wages policy in force with respect to Victorian public sector executives, and
 - any determination in effect under the *Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019* (section 21) in relation to remuneration bands for executives employed in the Victorian public sector.

Currently, Victorian public sector executive remuneration bands range from (per annum)⁷:

- **Band 1:** **\$135,000 – \$249,700**
- **Band 2:** **\$249,701 – \$360,000**
- **Band 3:** **\$360,001 – \$479,900**

Victorian councils retain the power to set an individual general manager's remuneration within the relevant band, subject to Guidelines⁸ issued by the Victorian Independent Remuneration Tribunal about the placement of executives within the bands.

Prior to the introduction of the new Victorian Local Government Act last year, a review of general manager remuneration conducted in 2019 by the Victorian Local Government Inspectorate⁹ found that:

- the average general manager remuneration in Victoria was **\$295,000 per annum**
- the median general manager remuneration in Victoria was:
 - Group 1 (small-medium council): \$234,757
 - Group 2 (large rural, regional or small metro council): \$307,733
 - Group 3 (large regional to large metro council): \$362,038.

⁷ <https://www.vic.gov.au/victorian-public-service-executives>

⁸ <https://www.vic.gov.au/victorian-public-service-executives>

⁹ <https://www.lgi.vic.gov.au/managing-employment-cycle-council-ceo/print-all#current-employment-arrangements>

A review of Victorian council annual reports for 2019-2020 reveals that the highest paid general manager in Victoria in 2019-20 was employed by the City of Melbourne Council and received **\$498,000 per annum**¹⁰.

This is only slightly higher than the maximum cap that has since been set for this position.

The second highest paid general manager in Victoria in 2019-20 was employed by the City of Casey Council and received **\$470,000 - \$479,000 per annum**¹¹.

Queensland

Queensland councils, like NSW councils, have complete discretion regarding the remuneration that is paid to their general managers.

The Queensland *Local Government Act 2009* (section 194) only requires that a person who is appointed as the general manager enters a written contract of employment with the council that provides for the chief executive officer's conditions of employment (including remuneration).

The Queensland *Local Government Act* (section 201) also requires each council to publish in its annual report the remuneration package paid to its general manager each year.

To protect the privacy of general managers, payments are reported in \$100,000 bands, not the actual amount paid.

Appendix 4 lists the levels of remuneration received by the general managers of each council in Queensland for the 2019-2020 financial year, as published in each council's 2019-2020 annual report.

Remuneration levels have been grouped according to the council categories prescribed by the Queensland Local Government Remuneration Commission when setting mayoral and councillor fees to enable a like-for-like comparison of similar sized and types of Queensland councils.

It shows that the general manager remuneration range for each council category in Queensland in 2019-2020 (per annum) was:

- **Brisbane:** **\$700,000 - \$799,000**
- **Category 8:** **\$601,001 - \$700,000**
- **Category 7:** **\$375,001 - \$600,000**
- **Category 6:** **\$450,000 - \$550,000**
- **Category 5:** **\$300,000 - \$500,000**
- **Category 4:** **\$300,000 - \$500,000**
- **Category 3:** **\$200,000 - \$500,000**
- **Category 2:** **\$200,000 - \$400,000**
- **Category 1:** **\$100,000 - \$400,000**

The highest paid general manager in Queensland in 2019-2020 was the Chief Executive Officer of Brisbane City Council who earned **\$700,000 - \$799,000 per annum**¹².

The second highest paid general manager in Queensland in 2019-2020 was the Chief Executive Officer of Gold Coast City Council who earned **\$600,001 - \$700,000 per annum**¹³.

These are the largest councils in Queensland indicating that, like NSW, general manager remuneration in Queensland is influenced by population levels and council size.

¹⁰ <https://www.melbourne.vic.gov.au/SiteCollectionDocuments/annual-report-2019-20.pdf>

¹¹ https://www.casey.vic.gov.au/sites/default/files/2020-10/15824%20Casey%20-%20Annual%20Report%202019-20_Finished%20Art_Web%20Spreads.pdf

¹² <https://www.brisbane.qld.gov.au/sites/default/files/documents/2020-10/Annual-Report-2019-20-Oct%202020.pdf>

¹³ <https://www.goldcoast.qld.gov.au/documents/bf/annual-report-2019-20.pdf>

South Australia

Like NSW, South Australian councils have complete discretion regarding the remuneration that is paid to their general managers.

The South Australian *Local Government Act 1999* (Schedule 4) requires each council to publish the remuneration package received by the general manager in its annual report from 2020-2021.

There is currently no publicly available data on the remuneration levels paid to South Australian general managers.

Like Western Australia, the South Australian Parliament is currently considering new legislation (the *Statutes Amendment (Local Government Review) Bill 2020* – section 99A) that will require the South Australian Remuneration Tribunal to set the minimum and maximum remuneration levels for general managers.

The Tribunal is currently responsible for setting the annual remuneration of Members of Parliament and the judiciary, mayors and councillors of councils and other public officials.

Under the proposed legislation, the Tribunal's determinations with respect to general manager remuneration will be able to differ based on any factor considered relevant by the Tribunal including, for example, the geographical location of a council or group of councils.

Like in Victoria, South Australian councils will also be required to receive and consider independent advice when appointing, undertaking performance management and, if necessary, terminating its CEO.

Tasmania

Like NSW, Tasmanian councils have complete discretion regarding the remuneration that is paid to their general managers.

As councils are not required to publicly report on the remuneration paid to their general managers, there is no data publicly available on current remuneration ranges.

Northern Territory

Like NSW, Northern Territory councils have complete discretion regarding the remuneration that is paid to their general managers.

Whilst there is currently no data publicly available regarding the remuneration packages paid to general managers of councils in the Northern Territory, under the new Northern Territory *Local Government (General) Regulation 2021* that will commence on 1 July 2021, each council in the Northern Territory will be required to include in their future annual financial statements, the remuneration paid to their general manager during that financial year.

Comparison of remuneration levels

Appendix 5 compares the remuneration levels of general managers in NSW to those in Western Australia, Queensland and Victoria.

It is important to note that the data provided for NSW and Queensland reflects the actual remuneration paid to general managers during the 2019-2020 financial year, while:

- the data for Western Australia reflects the remuneration bands that general managers must be paid within, as determined by the Western Australian Salaries and Allowances Tribunal for 2020-2021, and
- the data for Victoria reflects the remuneration bands that senior executives in the Victorian public service must be paid within during 2020-2021 – councils are required to consider these bands when setting their general manager's remuneration package.

General manager remuneration paid in NSW, Western Australia, Victoria and Queensland ranges from (per annum):

- Queensland: \$200,000 – \$799,000
- NSW: \$205,000 – \$633,852¹⁴
- Victoria: \$135,000 – \$479,900
- Western Australia: \$128,226 – \$379,532

The average general manager remuneration in Victoria in 2019 compared to NSW in 2019-2020 was (per annum):

- NSW: \$328,287¹⁵
- Victoria: \$295,000¹⁶

This indicates that, on average, general managers in Victoria received less remuneration than their counterparts in NSW in 2019-2020.

Average remuneration for other jurisdictions cannot be determined from the data publicly available.

General managers in NSW did not receive the maximum levels of remuneration received by general managers in Queensland in 2019-2020.

A comparison of the top ten remuneration packages (per annum) paid to general managers in NSW and QLD¹⁷ in 2019-2020 reveals that the highest paid general managers in NSW earned less than their highest-paid counterparts in Queensland:

1. NSW: \$633,852 – QLD: \$799,000
2. NSW: \$512,092 – QLD: \$700,000
3. NSW: \$511,954 – QLD: \$600,000
4. NSW: \$501,938 – QLD: \$550,000
5. NSW: \$495,849 – QLD: \$550,000
6. NSW: \$486,744 – QLD: \$539,000
7. NSW: \$484,588 – QLD: \$500,000
8. NSW: \$482,353 – QLD: \$500,000
9. NSW: \$468,711 – QLD: \$500,000
10. NSW: \$465,510 – QLD: \$499,999

The highest paid general managers in NSW and Queensland in 2019-2020 earned (per annum):

- NSW: \$633,853 (Parramatta City Council)
- QLD: \$700,000 – \$799,000 (City of Brisbane Council)¹⁸.

The general manager of the City of Brisbane Council oversees one of Australia's largest councils that spans the entire Brisbane city and surrounding suburbs and it is to be expected that this position would attract higher remuneration than Parramatta City Council or City of Sydney Council.

However, a comparison of the second highest paid general managers in Queensland and NSW reveals that NSW general managers of the next largest councils are also remunerated less than their Queensland counterparts (per annum):

- NSW: \$512,092 (Northern Beaches Council)
- QLD: \$600,001 – \$700,000 (City of Gold Coast Council)

A comparison of the lowest ten remuneration packages (per annum) paid to general managers in NSW and QLD in 2019-2020 reveals that eight out of ten NSW general managers earned more than their Queensland counterparts at the lower remuneration range:

1. NSW: \$205,000 – QLD: \$199,000
2. NSW: \$210,867 – QLD: \$200,000
3. NSW: \$214,663 – QLD: \$200,000
4. NSW: \$220,000 – QLD: \$200,000
5. NSW: \$221,299 – QLD: \$200,000
6. NSW: \$221,324 – QLD: \$200,000
7. NSW: \$222,373 – QLD: \$200,000
8. NSW: \$226,222 – QLD: \$225,001
9. NSW: \$229,020 – QLD: \$249,000
10. NSW: \$230,150 – QLD: \$250,000

It is unclear if population levels and council size play a role in this.

¹⁴ Not including county councils. See Appendix 1

¹⁵ Not including county councils. See Appendix 1

¹⁶ <https://www.lgi.vic.gov.au/managing-employment-cycle-council-ceo/print-all#current-employment-arrangements>

¹⁷ The maximum value of the remuneration range reported by Queensland councils as having been paid to general managers in 2019-2020 has been used.

¹⁸ <https://www.brisbane.qld.gov.au/sites/default/files/documents/2020-10/Annual-Report-2019-20-Oct%202020.pdf>

Senior staff remuneration

Any regulation of general manager remuneration will have implications for the remuneration of other senior staff of councils.

The Act (section 332(2)) defines ‘senior staff’ as including the:

- general manager of the council, and
- holders of all other positions identified in the council’s organisation structure as “senior staff positions”.

Like general managers, the Act provides that ‘senior staff’ are to be employed under fixed term, performance-based contracts based on the standard contract approved by the Departmental Chief Executive.

Like the standard contract for general managers, the standard contract for senior staff approved by the Departmental Chief Executive must not include provisions relating to the level of remuneration or salary.

Not all senior council executives are necessarily considered ‘senior staff’ for the purposes of the Act.

It depends on whether the council has identified a position as a ‘senior staff’ one for the purposes of the Act.

The Act (section 332) requires the governing body to determine the senior staff positions within the organisation structure of the council. A council may not determine a position to be a senior staff position unless:

- the responsibilities, skills and accountabilities of the position are generally equivalent to those applicable to the Executive Band of the *Local Government (State) Award*, and

- the total remuneration package payable with respect to the position is equal to or greater than the minimum remuneration package (within the meaning of Part 3B of the *Statutory and Other Offices Remuneration Act 1975*) payable with respect to senior executives whose positions are graded Band 1 under the *Government Sector Employment Act 2013* (currently \$192,600).

This means that staff positions other than the general manager can only be determined to be a ‘senior staff’ position if their total remuneration package is equal to or greater than \$192,600¹⁹.

While the general manager is deemed to be a ‘senior staff’ position, their remuneration is not subject to this minimum remuneration threshold and general managers’ remuneration packages can be less than the threshold.

Senior council executives that are not identified as ‘senior staff’ under the Local Government Act are employed under the *Local Government (State) Award* and are paid at the Executive Band prescribed under the Award.

It is open to councils to have no ‘senior staff’ other than the general manager and for all senior council executives to be employed under the Award rather than the standard contract.

Current remuneration levels (per annum) under the Executive Bands of the Award between 2020-2021 and 2022-2023 are²⁰:

- | | |
|-------------------|------------------------------|
| • Level 1: | \$96,314 – \$100,204 |
| • Level 2: | \$120,187 – \$125,044 |
| • Level 3: | \$149,989 – \$156,047 |
| • Level 4: | \$179,790 – \$187,054 |

¹⁹ <https://www.remtribunals.nsw.gov.au/statutory-and-other-offices>

²⁰ <https://usu.org.au/wp-content/uploads/2020/07/Local-Government-State-Award-2020.pdf>

Other jurisdictions

VICTORIA

Like NSW, Victorian councils employ 'senior officers' under the Victorian *Local Government Act 2020*.

A senior officer is defined in section 3(1) of the Victorian Act as:

- the chief executive officer of the council
- a member of council staff who has management responsibilities and reports directly to the chief executive officer, and
- any other member of council staff whose total remuneration currently exceeds the threshold amount which is specified by the Minister for Local Government in accordance with the Act (section 97B).

The current threshold for a senior staff member is remuneration equivalent to or above **\$151,000 per annum**.

Each year the senior officer remuneration threshold is reviewed and increased by the Minister.

In 2019-20, the remuneration range for senior staff (not including the general manager) at the:

- City of Melbourne Council was \$325,000 – \$408,784²¹, and
- City of Geelong Council was \$151,000 – \$239,000²².

South Australia

South Australian councils employ 'senior executive officers' under the South Australian *Local Government Act 1999*.

Senior executive staff are defined as an employee of a council:

- who reports directly to the general manager
- whose total remuneration equals or exceeds **\$100,000 per annum**, and

- whose position is identified in the organisational structure of the council as a senior executive officer's position.

Data regarding the current remuneration levels of senior staff in South Australian councils is not publicly available.

Queensland

'Senior executive employees' in Queensland are considered under the Queensland *Local Government Act 2009* (section 201) to be the general manager and any other local government employee that reports directly to the general manager and whose position would be considered to be a senior position in the council's organisational structure.

There is no minimum remuneration threshold required to be categorised as a senior executive employee in a Queensland council.

The Queensland Act requires the total remuneration a council pays to its senior staff to be published in the council's annual report, as well as the number of employees in senior management who are being paid each band of remuneration.

Comparison to NSW

The minimum remuneration thresholds for senior staff in NSW, Victoria and South Australia are:

- NSW: \$192,600 per annum
- VIC: \$151,000 per annum
- SA: \$100,000 per annum

The higher minimum threshold indicates that senior staff employed in NSW councils under the standard contract may receive higher remuneration levels than senior staff in other Australian jurisdictions.

However, the remuneration levels for senior council staff employed under the Award in NSW are equivalent to those paid in other jurisdictions.

²¹ <https://www.melbourne.vic.gov.au/SiteCollectionDocuments/annual-report-2019-20.pdf>

²² <https://www.geelongaustralia.com.au/common/Public/Documents/8d8661974ed16d2-thecityofgreatergeelongannualreport2019-20.PDF>

Issues to consider

There are several issues to consider when deciding whether further regulation or prescriptive guidance is required with respect to general manager remuneration.

Councils' financial position and independence

The impact of the drought through most of NSW over the last decade, the destruction caused by the 2019/20 bushfires particularly in south-eastern NSW, and the COVID-19 pandemic, have all significantly impacted the ability of councils to provide essential services and have led many stakeholders to consider that councils should be supported in any way possible to reduce their operating costs in order to return more public money back into their communities.

Minimising employment costs, including in relation to general managers, is seen as one practical option to help achieve this.

However, current general manager remuneration practices allow for flexibility and independent council autonomy particularly when councils vary significantly in their population size and geographical nature.

By maintaining the status quo, and retaining current flexibility, it allows councils to work within their own scope of work and budgets and employ a general manager that best meets the needs of a local council at a particular point in time.

Community expectations

Media reports in recent times indicate that the Australian public has become increasingly concerned about the disparity between senior executive remuneration across the public and private sectors and average worker wages.

While much of this concern has been focused on the multi-million dollar salaries, benefits, bonuses and share options paid to the chief executive officers of large private sector organisations and publicly listed companies, it has led other jurisdictions such as Victoria and South Australia to review the remuneration paid to the general managers of their councils and place caps on the maximum remuneration that can be paid to ensure they remain in line with community expectations.

Competition with the private sector

NSW councils need strong, capable, high performing and innovative leadership to ensure that they meet community expectations and deliver their strategic plans and objectives.

Many councils are large and complex enterprises providing a wide range of services, including but not limited to:

- garbage collection
- road building and maintenance
- child-care centres
- aged care facilities
- medical services
- community services
- social events
- community facilities
- lifeguard services
- pest control
- financial investments

- youth events and services
- community-building activities
- citizenship and ceremonial events
- land-use management, and
- planning and development activities.

As outlined on *Your Council*²³, NSW councils employed over 48,000 staff in 2018-2019 with a diverse range of roles and responsibilities.

In some rural communities, the local council is the main employer and service-provider in the region.

General managers are also required to control large budgets, funded through public monies.

Total operating income for all NSW councils in 2018-19 was \$12.5 billion (\$15.2 billion including capital grants and contributions) and total expenditure was \$12.4 billion.

NSW councils also own and control assets with a total value of over \$153.7 billion, including cash, investments, infrastructure, plant and equipment, receivables, inventory and intangible assets.

They also maintained over 166,904km of roads and determined 63,420 development applications in 2018-2019.

Councils need to be able to offer competitive salaries, particularly compared to the private sector and NSW public sector, to attract suitably qualified and talented general managers.

Employment vulnerability

The role of a general manager is unique, and complex compared to other chief executive officers in the private and public sectors given the political nature of local government.

As noted in a recent Victorian review of general manager employment²⁴, unlike other chief executive officers, a general manager of a council is employed and managed by a public entity comprised of elected community representatives who make decisions by democratic vote.

This creates a unique situation where a group of people, who may have limited capability in managing employment cycles and/or human resource management, control the general manager's employment but no single individual is responsible.

This, along with poor performance review processes in some councils and potential personal or political affiliations of councillors, can cause a general manager's employment to be highly vulnerable to termination.

Contractual and performance arrangements established by inexperienced elected members can also impact on a general manager's ability to perform their duties effectively.

Remuneration negotiations are likely to take this employment vulnerability and uncertainty into account.

Conversely, general managers may also have a disproportionate advantage in negotiating their own contractual conditions with elected members who are inexperienced or do not have the expertise to set appropriate remuneration for their general manager.

²³ <https://www.yourcouncil.nsw.gov.au/>

²⁴ <https://www.lgi.vic.gov.au/managing-employment-cycle-council-ceo/print-all>

Competition within the government sector

The regulatory regime in place in NSW for determining mayoral and councillor fees has been identified by some stakeholders as a possible model to regulate general manager remuneration.

Under this model, the Local Government Remuneration Tribunal, or another independent body, would set the remuneration to be paid to general managers based on the size, population and diversity of the local government area, operational complexity, revenue/expenditure of the council and other relevant factors.

However, remote councils may possibly be disadvantaged by any remuneration criteria based on these factors.

Remote NSW councils find it challenging to attract and retain suitably qualified and experienced staff due to the geographical isolation of their communities, and lifestyle, housing, education and climate factors.

Many people who have the skills, qualifications, experience and desire to work in local government often prefer to live near metropolitan centres.

Remote councils often need to offer above market remuneration rates to attract staff compared to similar sized regional and metropolitan councils.

This can also be seen in the NSW Capital Region.

NSW councils that are located near the Australian Capital Territory are more likely to need to pay higher remuneration to their general managers and senior staff to be competitive against the Commonwealth and Australian Capital Territory governments in attracting and retaining staff.

However, these councils would likely be considered as smaller councils under any comparative criteria used by an independent

remuneration setting body, and their ability to pay above-market remuneration to attract staff would likely be restricted.

This would also make it harder for smaller and regional/remote councils to compete against larger and metropolitan councils for high calibre staff.

Any regulatory regime for general manager remuneration in NSW may need to account for the need for smaller and remote councils to be able to compete with other councils and levels of government to attract high-calibre general managers

Western Australia seeks to overcome this challenge by offering a Regional/Isolation Allowance and a Housing Allowance to general managers of certain remote councils in addition to the set remuneration package that is determined by the Western Australian Salaries and Allowances Tribunal.

An additional incentive may also be required in this way to attract general managers to small and remote NSW councils should remuneration caps be set.

Parity with the NSW public sector

It is difficult to compare the remuneration received by senior executives in the NSW public sector and general managers in making any assessment of whether general manager remuneration is appropriate.

While there are some similarities, NSW government departments and agencies play a different role and have different responsibilities compared to councils.

They also have different staffing levels, operating budgets, strategic objectives, service delivery and engagement with local communities.

However, in the absence of any other useful comparisons, Victoria uses prescribed public sector remuneration levels to set remuneration bands for Victorian general managers.

NSW also uses the remuneration paid to lower-level senior executives in the NSW public sector as a guide to the minimum remuneration for senior staff at the council other than the general manager.

A comparison of NSW senior executive public service and general manager remuneration indicates there is already some level of parity between the different levels of government.

For example, many rural NSW councils currently pay their general manager **\$205,000-\$399,827 per annum** which could be seen to be equivalent to the remuneration paid to a Director of a unit (**\$192,600 - \$274,000 per annum**) or an Executive Director of a branch (**\$274,701 - \$345,550 per annum**) in a NSW government department or agency.

It is noted, however, that general managers of some rural councils may be responsible for a higher operating budget and staffing levels than a Director or Executive Director in the NSW public service.

The largest metropolitan councils paid their general managers **\$397,929 - \$633,852 per annum** in 2019-20 which could be seen to be equivalent to the prescribed remuneration bands for a Secretary (**\$487,051 - \$562,650 per annum**) or a Deputy Secretary (**\$345,551 - \$487,050 per annum**) of a NSW public sector department or agency.

Many Secretaries, however, are remunerated above these prescribed bands and receive up to **\$649,500 per annum** via special determinations made by the SOORT.

Many Deputy Secretaries also receive up to **\$599,000 per annum** through special determinations.

It is noted, however, that general managers of some of the largest NSW councils may be responsible for higher operating budgets and

staffing levels than Secretaries or Deputy Secretaries of NSW government departments and agencies and responsible for the delivery of a broader range of services and infrastructure to their communities.

Some stakeholders have suggested that the SOORT be commissioned to prescribe remuneration bands for general managers, like they do for the NSW public sector.

To ensure talented general managers are not lost from local government to state government due to reduced remuneration, a mechanism may be required to appropriately set a level of remuneration for general managers that is commensurate with their roles and responsibilities.

Parity with other jurisdictions

Based on publicly available data and considering the size and complexity of NSW councils compared to councils in other jurisdictions, general managers in NSW do not appear to be paid significantly higher amounts than general managers in other Australian jurisdictions.

Victoria and Western Australia

A comparison of the average general manager remuneration in NSW in 2019-2020 (**\$328,287 per annum**) and Victoria in 2019 (**\$295,000 per annum**) indicates that NSW general managers, on average, are paid more than their Victorian counterparts, but not significantly so.

A comparison of the two highest paid general managers in NSW in 2019-2020 (**\$633,854 and \$512,092 per annum**) and Victoria (**\$498,000 and \$479,000 per annum**) also reveals that the general managers of the largest NSW councils receive higher remuneration than their Victorian counterparts.

The maximum remuneration NSW general managers received in 2019-2020 (**\$663,852 per annum**) was also higher than in Western Australia (**\$379,532 per annum**).

It is unclear if the difference in population and council size between the states plays a role in this discrepancy, however, it is noted that current NSW public sector remuneration is also greater than Victoria public sector remuneration, suggesting that it possibly does.

Current NSW public sector remuneration packages range from **\$192,600 – \$562,650 per annum** (current special determinations lifts this to **\$649,500 per annum**) compared to **\$135,000 – \$479,900 per annum** in Victoria.

Queensland

Compared to Queensland, NSW general managers mostly receive lower remuneration than their Queensland counterparts.

In all cases, the top ten highest paid general managers in NSW were paid less than their highest-paid counterparts in Queensland.

The highest paid general manager in NSW (Parramatta City Council) received **\$633,853 per annum** in 2019-2020 compared to the highest paid general manager in Queensland (Brisbane City Council) who received **\$700,000-\$799,000 per annum**.

Similarly, the second highest paid general manager in NSW (Northern Beaches Council) received **\$512,092 per annum** in 2019-2020 compared to the second highest paid general manager in Queensland (City of Gold Coast Council) who received **\$600,001 – \$700,000 per annum**.

A comparison of the lowest paid general managers in NSW (**\$205,000 – \$230,150 per annum**) and Queensland (**\$199,000 – \$250,000 per annum**²⁵) indicates that Queensland has a lower minimum remuneration

for its general managers but this becomes comparable to NSW as you move up the lower range.

Potential increase in remuneration costs for some councils

Regulating general manager remuneration may not necessarily reduce costs for all councils.

It is possible that for some councils paying below market remuneration rates to their general manager, it may have the opposite effect and inflate their costs.

Senior staff impacts

Based on publicly available data, the lowest paid general manager in NSW in 2019-2020 received **\$205,000 per annum**.

Under the Act, the minimum remuneration that can be received by a senior staff member at a council is **\$192,600 per annum** (excluding county councils).

Therefore, in some NSW councils, there are senior staff that receive higher remuneration than general managers in other councils.

Placing caps on general manager remuneration, to ensure fairness, may necessarily lead to placing caps on the remuneration of other senior staff members to ensure that the general manager continues to be the highest paid staff member in a council.

Otherwise, councils may find it difficult to attract individuals to more complicated and demanding general manager roles when an individual can occupy a higher paying but lower level senior staff role at another council.

²⁵ As Queensland reports its general manager remuneration in \$100,000 ranges, the maximum value of published range has been used.

Transitional arrangements

Any change to general manager remuneration that lowers current rates is likely to be disruptive to the local government sector, leading to the loss of experienced and talented general managers to higher paying positions, potentially outside of the local government sector.

It could also see the movement of general managers from smaller lower-paying councils to larger higher-paying ones.

This disruption could be minimised by implementing transitional arrangements that would see the existing employment conditions of general managers already contracted to councils preserved until their current contracts expire, or until they end their employment with the council.

However, the preservation of existing entitlements may result in reduced mobility and staff development as general managers are unlikely to want to end their contract or employment and give up their existing remuneration for potentially lower remuneration.

One way to potentially avoid this is to ensure any remuneration caps set are higher than existing remuneration levels paid to general managers so that they are not disadvantaged when they move councils.

However, this could mean, at least in the short term, that the prescription of remuneration caps would see increases in general manager remuneration rather than a reduction.

Options

Maintain status quo

Some stakeholders may consider that government intervention is not required in relation to the remuneration paid to general managers of NSW councils.

Advantages to maintaining the status quo include:

- no additional costs to councils through increased remuneration levels prescribed by the NSW Government or some other body
- the way general managers are remunerated in NSW is consistent with current arrangements in South Australia (for the time being), Queensland, Tasmania and the Northern Territory
- councils retain the discretion to offer remuneration packages for general managers that are appropriate to attract the best possible applicants within the council's budgetary constraints
- general manager remuneration continues to be determined by market forces which allows councils to remain competitive with other sectors, and

Maintaining the status quo, however, does not address the concerns of some stakeholders that:

- there is a lack of consistency in the remuneration of general managers across councils, and
- general managers are overpaid, particularly given the financial pressure facing some councils and compared to other NSW workers.

Regulate general manager remuneration

Some stakeholders may consider that government intervention is required to place limits on the levels of remuneration general managers receive.

Possible options include amending the Act to:

- empower the Local Government Remuneration Tribunal to set general manager remuneration levels in the same way it does mayoral and councillor fees – this would be similar to the approach used in Western Australia and currently proposed in South Australia
- empower the SOORT to set general manager remuneration levels in the same way it does for senior executives in the NSW public sector – this would be similar to the new approach used in Victoria
- establish a new independent body to set general manager remuneration, or
- prescribe remuneration limits, as determined by the NSW Government under the Act and Regulation.

The Act could also be amended to grandfather the remuneration of existing general managers.

Advantages in regulating general manager remuneration include:

- general manager remuneration would be determined by an independent body in a similar way to other NSW public officials, and general managers in Western Australia and Victoria (and possibly South Australia), enhancing equity and transparency
- there would be consistency in remuneration for general managers between like councils, and
- the community is more likely to have confidence in the remuneration levels paid to general managers if they are set by an independent body.

Potential challenges include:

- due to the diversity of councils in NSW prescribed remuneration limits may be problematic as exceptions to those limits are likely to be sought and an individual or body with relevant authority required to assess these
- giving jurisdiction to SOORT or a newly established Tribunal rather than the Local Government Remuneration Tribunal to set general manager remuneration may result in two Tribunals determining categories of councils (depending on the model that may be adopted for those purposes) – this could lead to confusion and challenges to determinations made
- giving jurisdiction to SOORT rather than the Local Government Remuneration Tribunal may create confusion as to the roles and authority of the Tribunals as general manager remuneration and councillor fees will be determined by two separate bodies
- councils would be limited by NSW public sector wages policy when setting general manager remuneration and prevented from providing possible performance incentives (which are not allowed for NSW public sector employees), which may restrict their ability to attract and retain staff
- it would create a situation where individuals or bodies at arms-length from councils would be responsible for deciding the remuneration of council staff rather than councils themselves
- how to deal with existing employment contracts that see general managers paid more than they would receive under any future remuneration levels set
- how to deal with the possibility that without regulation of senior staff salaries, lower-ranked senior staff at councils could be paid more than a general manager
- having an independent body set general manager remuneration levels may not lead to more community confidence in remuneration levels – some stakeholders disagree with the Local Government Remuneration Tribunal’s annual determinations in relation to mayoral and councillor fees
- some councils may be required to increase the remuneration they pay to their general manager if they currently pay below any assigned remuneration band, and
- additional costs incurred to fund a Tribunal to determine general manager remuneration each year – it is possible this cost may need to be met by councils themselves.

Have your say

We now want to hear from you.

Key questions to consider

- Do you think more regulation is needed in relation to how much councils pay their general managers?
- Why or why not?
- If yes, what should this regulation look like?
- Who should decide how much councils pay their general managers?

Submissions may be made in writing by COB 9 August 2021 to the following addresses.

| | |
|-----------------------------------|--|
| Post: | Email: |
| Locked Bag 3015 NOWRA NSW 2541 | olg@olg.nsw.gov.au |

Submissions should be labelled 'Review of General Manager Remuneration' and marked to the attention of OLG's Council Governance Team.

Submissions received by the Office of Local Government may be made publicly available at its discretion. If submissions are made public, contact details will be redacted. The name of the person making the submission may be released unless the person has requested to remain anonymous.

Any submissions received are also subject to the *Government Information (Public Access) Act 2009*.

Further information

For more information, please contact OLG's Council Governance Team on (02) 4428 4100 or via email at olg@olg.nsw.gov.au.

Appendix 1: General manager remuneration 2019-20²⁶

Total (excluding county councils)

| | |
|------------------------------|------------------|
| Total number of councils | 128 |
| Total remuneration paid: | \$42,020,708 |
| Average remuneration: | \$328,287 |

Metropolitan councils

Principal CBD

| | |
|----------|------------------|
| • Sydney | \$511,954 |
|----------|------------------|

Major CBD

| | |
|--------------|------------------|
| • Parramatta | \$633,852 |
|--------------|------------------|

Metropolitan Large

| | |
|------------------------|------------------|
| • Northern Beaches | \$512,092 |
| • Canterbury-Bankstown | \$501,938 |
| • Blacktown | \$486,744 |
| • Fairfield | \$484,588 |
| • Inner West | \$482,353 |
| • Penrith | \$465,510 |
| • Sutherland | \$435,102 |
| • Cumberland | \$430,500 |
| • Liverpool | \$419,244 |
| • Ryde | \$412,982 |
| • Hills | \$397,929 |
| • Average = | \$457,180 |

Metropolitan Medium

| | |
|--------------------|------------------|
| • Georges River | \$460,017 |
| • Bayside | \$447,009 |
| • North Sydney | \$428,000 |
| • Randwick | \$425,196 |
| • Hornsby | \$407,405 |
| • Ku-ring-gai | \$403,584 |
| • Willoughby | \$391,565 |
| • Camden | \$390,158 |
| • Campbelltown | \$376,912 |
| • Average = | \$414,427 |

Metropolitan Small

| | |
|--------------------|-------------------------|
| • Lane Cove | \$412,003 ²⁷ |
| • Woollahra | \$404,875 |
| • Waverley | \$395,860 |
| • Burwood | \$383,519 |
| • Strathfield | \$380,326 |
| • Canada Bay | \$379,703 |
| • Mosman | \$316,578 |
| • Hunters Hill | \$300,404 |
| • Average = | \$334,108 |

²⁶ Council categories have been based on the Local Government Remuneration Tribunal's 2020 Annual Report and Determination (<https://www.remtribunals.nsw.gov.au/>). Remuneration packages have been based on the remuneration paid to general managers during the 2019-2020 financial year, as published in the council's annual report for that financial year. Remuneration packages includes any salary, superannuation payments, benefits and fringe benefits tax paid to the general manager.

²⁷ General managers remuneration for 2019-2020 could not be determined from the council's annual reports. This figure is the remuneration paid to the general manager during 2018-2019 as reported on the NSW *Your Council* website.

Non-metropolitan councils

Major Regional City

| | |
|--------------------|------------------|
| • Newcastle | \$468,711 |
| • Wollongong | \$410,223 |
| • Average = | \$439,467 |

Major Strategic Area

| | |
|-----------------|------------------|
| • Central Coast | \$495,849 |
|-----------------|------------------|

Regional Strategic Area

| | |
|------------------|------------------|
| • Lake Macquarie | \$397,668 |
|------------------|------------------|

Regional Centre

| | |
|---------------------------|------------------|
| • Maitland | \$450,326 |
| • Wagga Wagga | \$389,161 |
| • Shoalhaven | \$383,952 |
| • Mid-Coast | \$383,750 |
| • Dubbo Regional | \$380,253 |
| • Bathurst Regional | \$376,263 |
| • Coffs Harbour | \$366,147 |
| • Tamworth Regional | \$360,459 |
| • Blue Mountains | \$358,643 |
| • Albury | \$357,044 |
| • Wollondilly | \$354,610 |
| • Port Macquarie-Hastings | \$353,421 |
| • Queanbeyan-Palerang | \$351,655 |
| • Tweed | \$351,376 |
| • Port Stephens | \$344,998 |
| • Ballina | \$333,359 |
| • Wingecarribee | \$330,000 |
| • Shellharbour | \$329,640 |
| • Lismore | \$329,415 |
| • Armidale Regional | \$325,544 |
| • Orange | \$325,348 |
| • Hawkesbury | \$299,428 |
| • Cessnock | \$295,501 |
| • Clarence Valley | \$279,808 |
| • Average = | \$350,420 |

Regional Rural

| | |
|-------------------------|------------------|
| • Kiama | \$346,160 |
| • Mid-Western Regional | \$339,734 |
| • Singleton | \$337,431 |
| • Eurobodalla | \$330,946 |
| • Snowy Monaro Regional | \$319,991 |
| • Goulburn Mulwaree | \$317,493 |
| • Richmond Valley | \$313,091 |
| • Kempsey | \$311,532 |
| • Griffith | \$299,792 |
| • Bega Valley | \$293,960 |
| • Broken Hill | \$286,497 |
| • Byron | \$285,984 |
| • Lithgow | \$252,288 |
| • Average= | \$310,377 |

Rural

| | |
|--------------------|-------------------------|
| • Gwydir | \$399,827 |
| • Inverell | \$349,924 |
| • Narrabri | \$339,665 |
| • Walgett | \$322,817 |
| • Murrumbidgee | \$316,159 |
| • Upper Hunter | \$306,448 |
| • Federation | \$304,681 |
| • Snowy Valleys | \$303,156 |
| • Murray River | \$303,111 |
| • Nambucca Valley | \$298,929 |
| • Edward River | \$295,446 |
| • Hilltops | \$290,000 |
| • Liverpool Plains | \$286,947 ²⁸ |
| • Forbes | \$286,418 |
| • Carrathool | \$285,146 |
| • Warrumbungle | \$283,807 |
| • Bogan | \$282,659 |
| • Gunnedah | \$282,015 |
| • Coonamble | \$279,866 |

²⁸ General manager's remuneration for 2019-2020 could not be determined from publicly available data. This figure is the remuneration paid to the general manager during 2018-2019 as published in the council's 2018-2019 annual report.

| | | | |
|------------------------|-------------------------|--------------------------|------------------|
| • Narrandera | \$279,825 | • Weddin | \$205,000 |
| • Dungog | \$279,447 | • Average = | \$267,119 |
| • Gilgandra | \$277,364 | | |
| • Cootamundra-Gundagai | \$276,253 | County Councils | |
| • Tenterfield | \$275,000 | • Rous | \$242,987 |
| • Wentworth | \$274,094 | • Goldenfields Water | \$237,251 |
| • Moree Plains | \$271,891 | • Riverina Water | \$235,653 |
| • Bourke | \$268,624 | • Central Tablelands | \$174,917 |
| • Bellingen | \$268,621 | • Hawkesbury River | \$149,000 |
| • Glen Innes Severn | \$263,991 | • Upper Macquarie | \$104,000 |
| • Leeton | \$263,859 | • Castlereagh-Macquarie | \$69,928 |
| • Narromine | \$262,000 | • New England Tablelands | \$59,902 |
| • Cowra | \$261,012 | • Upper Hunter | \$15,788 |
| • Yass | \$260,000 | • Average= | \$143,270 |
| • Balranald | \$257,954 | | |
| • Lachlan | \$255,000 | | |
| • Temora | \$249,510 | | |
| • Kyogle | \$249,232 | | |
| • Berrigan | \$248,742 | | |
| • Uralla | \$246,897 | | |
| • Cobar | \$245,000 | | |
| • Blayney | \$244,745 | | |
| • Oberon | \$240,533 | | |
| • Muswellbrook | \$240,770 ²⁹ | | |
| • Warren | \$240,360 | | |
| • Walcha | \$240,000 | | |
| • Hay | \$234,600 | | |
| • Parkes | \$232,496 | | |
| • Coolamon | \$230,150 | | |
| • Greater Hume | \$229,020 | | |
| • Bland | \$226,222 | | |
| • Junee | \$222,373 | | |
| • Upper Lachlan | \$221,324 | | |
| • Lockhart | \$221,299 | | |
| • Cabonne | \$220,000 | | |
| • Central Darling | \$214,663 ³⁰ | | |
| • Brewarrina | \$210,867 | | |

29 General manager's remuneration for 2019-2020 could not be determined from the council's annual reports. This figure is the remuneration paid to the general manager during 2018-2019 as reported on the NSW *Your Council* website

30 General manager's remuneration for 2019-2020 was not publicly available. This figure is the remuneration paid to the general manager during 2018-2019 as published in the council's 2018-2019 annual report

Appendix 2: Comparison to NSW public sector senior executive remuneration

| NSW Public Sector Senior Executives | | NSW local government general managers | |
|-------------------------------------|--|---|--------------------------------------|
| Senior Executive remuneration band | \$ per annum (2020-2021) ³¹ | Local Government Remuneration Tribunal council category | \$ per annum (2019-20) ³² |
| Band 4 – Secretaries | \$487,051 – \$562,650 (\$599,000 – \$649,500) ³³ | Principal CBD | \$511,954 |
| Band 3 – Deputy Secretaries | \$345,551 – \$487,050 (\$533,050 – \$599,000) ³⁴ | Major CBD | \$633,852 |
| Band 2 – Executive Directors | \$274,701 – \$345,550 (\$378,850 – \$409,500) ³⁵ | Metropolitan Large | \$397,929 – \$512,092 |
| Band 1 – Directors | \$192,600 – \$274,700 | Metropolitan Medium | \$376,912 – \$460,017 |
| | | Metropolitan Small | \$300,404 – \$404,875 |
| | | Major Regional City | \$410,223 – \$468,711 |
| | | Major Strategic Area | \$495,849 |
| | | Regional Strategic Area | \$397,668 |
| | | Regional Centre | \$279,808 – \$450,326 |
| | | Regional Rural | \$252,288 – \$346,160 |
| | | Rural | \$205,000 – \$399,827 |
| | | County councils | \$15,788 – \$242,987 |

³¹ <https://www.remtribunals.nsw.gov.au/statutory-and-other-offices>

³² Council categories have been based on the Local Government Remuneration Tribunal's 2020 Annual Report and Determination (<https://www.remtribunals.nsw.gov.au/>). Remuneration packages have been based on the remuneration paid to general managers during the 2019-2020 financial year, as published in the council's annual report for that financial year. Remuneration packages includes any salary, superannuation payments, benefits and fringe benefits tax paid to the general manager.

³³ A special determination applies to nine specifically named Secretaries lifting their remuneration package above the standard threshold to \$599,000 – \$649,500 per annum

³⁴ A special determination applies to five specifically named Deputy Secretaries lifting their remuneration package above the standard threshold to \$533,050 – \$599,000 per annum

³⁵ A special determination applies to three specifically named Executive Directors lifting their remuneration package above the standard threshold to \$378,850 – \$409,500 per annum

Appendix 3: Comparison to mayoral and councillor fees

| Category | | Councillor/Member annual fee 2020-2021 ³⁶ | Mayoral/Chairperson annual fee 2020 - 2021 ³⁷ | General manager remuneration 2019-2020 ³⁸ |
|--|-------------------------|--|--|--|
| General Purpose Councils - Metropolitan | Principal CBD | \$27,640 - \$40,530 | \$169,100 - \$222,510 | \$511,954 |
| | Major CBD | \$18,430 - \$34,140 | \$39,160 - \$110,310 | \$633,852 |
| | Metropolitan Large | \$18,430 - \$30,410 | \$39,160 - \$88,600 | \$397,929 - \$512,092 |
| | Metropolitan Medium | \$13,820 - \$25,790 | \$29,360 - \$68,530 | \$376,912 - \$460,017 |
| | Metropolitan Small | \$9,190 - \$20,280 | \$19,580 - \$44,230 | \$300,404 - \$404,875 |
| General Purpose Councils - Non-metropolitan | Major Regional City | \$18,430 - \$32,040 | \$39,160 - \$99,800 | \$410,223 - \$468,711 |
| | Major Strategic Area | \$18,430 - \$32,040 | \$39,160 - \$99,800 | \$495,849 |
| | Regional Strategic Area | \$18,430 - \$30,040 | \$39,160 - \$88,600 | \$397,668 |
| | Regional Centre | \$13,820 - \$24,320 | \$28,750 - \$60,080 | \$279,808 - \$450,326 |
| | Regional Rural | \$9,190 - \$20,280 | \$19,580 - \$44,250 | \$252,288 - \$346,160 |
| | Rural | \$9,190 - \$12,160 | \$9,780 - \$26,530 | \$205,000 - \$399,827 |
| County Councils | | \$1,820 - \$10,140 | \$3,920 - \$16,660 | \$15,788 - \$242,987 |

³⁶ <https://www.remtribunals.nsw.gov.au/>

³⁷ This fee must be paid in addition to the fee paid to the Mayor/Chairperson as a Councillor/Member under section 249(2) of the Act.

³⁸ Council categories have been based on the Local Government Remuneration Tribunal's 2020 Annual Report and Determination (<https://www.remtribunals.nsw.gov.au/>). Remuneration packages have been based on the remuneration paid to general managers during the 2019-2020 financial year, as published in the council's annual report for that financial year. Remuneration packages includes any salary, superannuation payments, benefits and fringe benefits tax paid to the general manager.

Appendix 4: Queensland general manager remuneration 2019-20³⁹

City of Brisbane Council

- Brisbane \$700,000 – \$799,000

Category 8

- City of Gold Coast \$601,001 – \$700,000

Category 7

- Logan \$500,000 – \$600,000
- Moreton Bay \$440,000 – \$539,000
- Sunshine Coast \$375,001 – \$475,000

Category 6

- Ipswich \$450,000 – \$550,000
- Townsville \$450,000 – \$550,000

Category 5

- Redland \$400,000 – \$500,000
- Mackay \$400,000 – \$499,999
- Toowoomba \$300,000 – \$400,000
- Cairns \$300,000 – \$399,000

Category 4

- Fraser Coast \$400,000 – \$500,000
- Bundaberg \$350,000 – \$450,000
- Gladstone \$300,000 – \$399,000
- Rockhampton not available

Category 3

- Livingstone \$400,000 – \$500,000
- Western Downs \$300,000 – \$400,000
- Central Highlands \$300,000 – \$400,000
- Lockyer Valley \$300,000 – \$400,000
- Noosa \$300,000 – \$400,000
- Whitsunday \$300,000 – \$400,000
- Isaac \$300,000 – \$400,000
- Southern Downs \$300,000 – \$399,999
- Scenic Rim \$300,000 – \$399,000
- Cassowary Coast \$250,000 – \$350,000
- Tablelands \$250,000 – \$350,000
- Gympie \$250,000 – \$349,000
- South Burnett \$200,000 – \$299,000
- Maranoa not available

Category 2

- Mareeba \$300,000 – \$400,000
- Somerset \$300,000 – \$399,000
- Mt Isa \$200,000 – \$300,000

³⁹ Council categories have been based on the Queensland Local Government Remuneration Commission's 2020 Annual Report (https://www.dlgrma.qld.gov.au/_data/assets/pdf_file/0031/47947/local-government-remuneration-commission-report-2020.pdf). Remuneration packages have been based on the remuneration band paid to general managers during the 2019-2020 financial year, as published in the council's annual report for that financial year. Where data is not available this is because the general manager's remuneration was not able to be determined based on the information provided in the council's annual report, or the report was not available online at the time of writing.

Category 1

| | | | |
|------------------------|-----------------------|----------------------|-----------------------|
| • Diamantina | \$300,000 – \$400,000 | • Northern Peninsula | \$100,000 – \$200,000 |
| • Aurukun | \$300,000 – \$399,000 | • Pormpuraaw | \$100,000 – \$200,000 |
| • Mornington | \$380,000 – \$389,999 | • Wujal Wujal | \$100,001 – \$200,000 |
| • Torres Strait Island | \$250,001 – \$350,000 | • Yarrabah | \$100,000 – \$200,000 |
| • Burdekin | \$250,001 – \$350,000 | • Cloncurry | \$100,000 – \$200,000 |
| • Charters Towers | \$250,000 – \$350,000 | • Boulia | \$100,000 – \$200,000 |
| • Balonne | \$200,001 – \$300,000 | • Flinders | \$100,000 – \$199,000 |
| • North Burnett | \$200,000 – \$300,000 | • Woorabinda | not available |
| • Blackwall-Tambo | \$200,000 – \$300,000 | • Palm Island | not available |
| • Goondiwindi | \$200,000 – \$300,000 | • Douglass | not available |
| • Hinchinbrook | \$200,000 – \$300,000 | • Lockhart River | not available |
| • Cook | \$200,000 – \$300,000 | • Mapoon | not available |
| • Kowanyama | \$200,000 – \$300,000 | • Napranum | not available |
| • Burke | \$200,000 – \$300,000 | • Weipa | not available |
| • Croydon | \$200,000 – \$300,000 | • McKinlay | not available |
| • Carpentaria | \$200,000 – \$300,000 | • Richmond | not available |
| • Longreach | \$200,000 – \$300,000 | • Barcoo | not available |
| • Bulloo | \$200,000 – \$300,000 | • Paroo | not available |
| • Murweh | \$200,000 – \$300,000 | • Cherbourg | not available |
| • Quilpie | \$200,000 – \$300,000 | | |
| • Barcaldine | \$201,000 – \$300,000 | | |
| • Doomadgee | \$200,000 – \$299,999 | | |
| • Banana | \$200,000 – \$299,999 | | |
| • Torres Shire | \$200,000 – \$250,000 | | |
| • Etheridge | \$150,000 – \$250,000 | | |
| • Winton | \$200,000 – \$249,000 | | |
| • Hope Vale | \$125,001 – \$225,001 | | |

Appendix 5: Comparison to other jurisdictions

| NSW 2019-2020 ⁴⁰ | WA 2020-2021 ⁴¹ | VIC 2020-2021 ⁴² | QLD 2019-2020 ⁴³ |
|---|----------------------------------|----------------------------------|--------------------------------------|
| Principal CBD: \$511,954 | Band 1: \$250,375 – \$379,532 | Band 3: \$360,001 – \$479,900 | Brisbane: \$700,000 – \$799,000 |
| Major CBD: \$633,852 | Band 2: \$206,500 – \$319,752 | Band 2: \$249,701 – \$360,000 | Category 8: \$601,001 – \$700,000 |
| Metropolitan Large: \$397,929 – \$512,092 | Band 3: \$157,920 – \$259,278 | Band 1: \$135,000 – \$249,700 | Category 7: \$375,001 – \$600,000 |
| Metropolitan Medium: \$376,912 – \$460,017 | Band 4: \$128,226 – \$200,192 | | Category 6: \$450,000 – \$550,000 |
| Metropolitan Small: \$300,404 – \$404,875 | | | Category 5: \$300,000 – \$500,000 |
| Major Regional City: \$410,223 – \$468,711 | | | Category 4: \$300,000 – \$500,000 |
| Major Strategic Area: \$495,849 | | | Category 3: \$200,000 – \$500,000 |
| Regional Strategic Area: \$397,668 | | | Category 2: \$200,000 – \$400,000 |
| Regional Centre: \$279,808 – \$450,326 | | | Category 1: \$100,000 – \$400,000 |
| Regional Rural: \$252,288 – \$346,160 | | | |
| Rural: \$205,000 – \$399,827 | | | |
| County councils: \$15,788 – \$242,987 | | | |

⁴⁰ Council categories have been based on the NSW Local Government Remuneration Tribunal's 2020 Annual Report and Determination (<https://www.remtribunals.nsw.gov.au/>). Remuneration packages have been based on the remuneration paid to general managers during the 2019-2020 financial year, as published in the council's annual report for that financial year. Remuneration packages includes any salary, superannuation payments, benefits and fringe benefits tax paid to the general manager.

⁴¹ <https://www.wa.gov.au/government/publications/local-government-chief-executive-officers-and-elected-members-determination-no-1-of-2020>.

⁴² General manager remuneration in Victoria must take into consideration current Victorian public sector senior executive remuneration levels (<https://www.vic.gov.au/victorian-public-service-executives>)

⁴³ Council categories have been based on the Queensland Local Government Remuneration Commission's 2020 Annual Report and Determination (https://www.dlgrma.qld.gov.au/_data/assets/pdf_file/0031/47947/local-government-remuneration-commission-report-2020.pdf). Remuneration packages have been based on the remuneration paid to general managers during the 2019-2020 financial year, as published in the council's annual report for that financial year.



GOVERNMENT



Berrigan Shire Council

Submission:

Model Councillor and Staff Interaction Policy

This submission is made by Matthew Hansen, Director Corporate Services on behalf of Berrigan Shire Council. Further information regarding this submission can be obtained by contacting Mr. Hansen at mail@berriganshire.nsw.gov.au or by contacting the Council administration office on 03 5888 5100.

Berrigan Shire Council broadly supports the draft Model Councillor and Staff Interaction Policy. While the policy takes a more formal line than this Council has in the past, the policy clearly sets out base line expectations for all Council officials.

The Council would like to commend the Office of Local Government (OLG) for the approach they have taken in the development of this policy - taking advice from Councils and Council officials who work in this space rather than developing a model policy based on advice from “subject experts” without direct relevant experience in local government.

The Council would also like to commend OLG for not making adoption of this policy mandatory for all Councils and allowing Councils to modify or amend this policy to meet local needs. Local government is extremely diverse and what is appropriate for large urban Councils may not be appropriate for small, rural Councils.



MODEL SOCIAL MEDIA POLICY

Consultation Draft

2021



MODEL SOCIAL MEDIA POLICY

2020

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Introduction

Social media – opportunities and challenges

Social media is at the heart of modern communication. Since its inception, social media has grown in popularity and influence and is now fundamental to not just how people interact with one another, but also to how we work, play and consume information and ideas.

Social media can be broadly defined as *online platforms and applications - such as social networking sites, wikis, blogs, microblogs, video and audio sharing sites, and message boards - that allow people to easily publish, share and discuss content*¹. Significantly, one of social media's key features is its unprecedented reach and accessibility, in that anyone with a computer or hand-held device can use social media to generate content which has the potential to be viewed and shared by hundreds of millions of people worldwide.

Despite its obvious benefits, social media also presents a variety of challenges and risks. These include:

- the emergence of new, harmful forms of behaviour, such as cyber-bullying and trolling;
- maintaining the accuracy, reliability and integrity of information disseminated from multiple sources;
- organisations can be held liable for content uploaded onto their social media platforms by third parties;
- content uploaded in a person's private capacity can adversely affect their employment and cause significant reputational damage to colleagues and employers; and
- rapid innovation can make it difficult to keep pace with emerging technologies and trends.

Social media and local government in NSW

As in the federal and state jurisdictions, social media has become an important tool in government and political discourse at the local level. In the context of NSW local government, social media has two primary functions:

- a) it is used by councils to interact and share information with their communities in an accessible and often more informal format.
- b) it enables councillors to promote their achievements and address their constituents directly about community issues and events in ways that either complement or bypass traditional news and print media.

In addition, many councils use social media as the platform through which they webcast their meetings. This increases transparency by providing visibility of council decision making in real time.

However, councils and councillors are not immune from the challenges associated with social media, which can pose a significant risk both in a legal sense and in terms of a council's ability to operate in a unified and coordinated way. It is therefore vital that councils have the right policy settings in place so that both councils and councillors can realise the full benefits of social media whilst mitigating risk.

The development and intent of this policy

The Model Social Media Policy has been developed by the Office of Local Government (OLG) in consultation with councils. It is applicable to councils, county councils and joint organisations.

The Model Social Media Policy sets out an exemplar approach by incorporating examples of best practice from the social media policies of a diverse range of NSW councils, as well as from Commonwealth and State Government agencies.

¹ NSW Department of Education. Social media policy: Implementation procedures – November 2018

The Model Social Media Policy provides councils, county councils and joint organisations with a robust framework for the administration and management of their social media platforms. It also sets standards of conduct for all council officials who use social media in their official capacity. It has been developed to be fit-for-purpose in a digital age where innovation and emerging trends are the norm.

The Model Social Media Policy recognises that councils use social media differently depending on factors such as a council's size and resources, the demographics of a local government area, and council's willingness to engage with their community in this way. For these reasons, the Model Social Media Policy ensures a degree of flexibility by including optional and adjustable provisions which enables each council to tailor the policy to suit its own unique circumstances.

Content of the Model Social Media Policy

At the heart of the Model Social Media Policy are the four 'Principles' of social media engagement. These are:

- Openness
- Relevance
- Accuracy
- Respect

These principles, which are expanded upon in Part 1, should underpin every aspect of a council's social media activity and all councils and council officials should commit to upholding them.

Except for Part 8, this policy applies to council social media pages and councillor social media pages that are linked to the council's website.

The Model Social Media Policy is structured as follows:

- | | |
|---------------|---|
| Part 1 | Sets out the principles of social media engagement for councils |
| Part 2 | Contains two administrative models that councils can adopt in relation to |

the management of their social media platforms

Part 3 Details the administrative framework for councillors' social media platforms

Part 4 Prescribes the standards of conduct expected of council officials when engaging on social media in an official capacity or in connection with their role as a council official

Part 5 Provides a framework by which councils can remove content from their social media platforms, and block or ban third parties

Part 6 Prescribes how councils' social media platforms should be used during emergencies

Part 7 Contains information about records management and privacy requirements relating to social media

Part 8 Relates to personal use of social media by council officials

Part 9 Definitions

Adoption

While not mandatory, the Model Social Media Policy reflects best practice and all councils, county councils and joint organisations are encouraged to adopt it. In doing so, they are free to adapt the policy to suit their local circumstances and operating environments or to supplement it with their own provisions.

Optional and adjustable provisions are marked in red.

Note: In adopting the Model Social Media Policy, Joint Organisations should adapt it to substitute the terms "board" for "council", "chairperson" for "mayor", "voting representative" for "councillor" and "executive officer" for "general manager".

Note: In adopting the Model Social Media Policy, county councils should adapt it to substitute the term "chairperson" for "mayor" and "member" for "councillor".

Enforcement

Clause 3.1(b) of the *Model Code of Conduct for Local Councils in NSW* provides that council

officials must not conduct themselves in a manner that is contrary to a council's policies. If adopted by a council, a breach of the policy will be a breach of the council's code of conduct.

Concerns or complaints about the administration of a council's social media platforms should be made to the council official responsible for social media management in the first instance.

Acknowledgements

The Office of Local Government wishes to thank Local Government NSW and the councils involved in drafting this Policy for their invaluable assistance.

Model Social Media Policy

Part 1 – Principles

1.1 We, the councillors, staff and other officials of (insert name of Council), are committed to upholding and promoting the following principles of social media engagement:

Openness Our social media platforms are places where anyone can share and discuss issues that are relevant to our Council and the community we represent and serve.

Relevance We will ensure our social media platforms are kept up to date with informative content about our Council and community.

Accuracy The content we upload onto our social media platforms and any other social media platform will be a source of truth for our Council and community and we will prioritise the need to correct inaccuracies when they occur.

Respect Our social media platforms are safe spaces. We will uphold and promote the behavioural standards contained in this policy and our Council's code of conduct when using our social media platforms and any other social media platform.

Part 2 – Administrative framework for council's social media platforms

Note: this Part contains two different models for who appoints authorised users. These models are:

- **Option 1 – the General Manager model**
- **Option 2 – the Social Media Coordinator model**

Platforms

2.1 Council will maintain a presence on the following social media platforms:

- Facebook
- Twitter
- YouTube
- LinkedIn
- Instagram

2.2 Council's social media platforms must specify or provide a clearly accessible link to the 'House Rules' for engaging on the platform.

Establishment and deletion of Council social media platforms

2.3 A new council social media platform, or a social media platform proposed by a council related entity (for example, a council committee), can only be established or deleted with the written approval of the General Manager or their delegate.

2.4 Where a council social media platform is established or deleted in accordance with clause 2.3, the General Manager or their delegate may amend clause 2.1 of this

policy without the need for endorsement by the Council's governing body.

Option 1 – the 'General Manager' model

The role of the General Manager

2.5 The role of the General Manager is to

- a) approve and revoke a staff member's status as an authorised user
- b) develop and/or approve the training and/or induction to be provided to authorised users
- c) maintain a register of authorised users
- d) maintain effective oversight of authorised users
- e) ensure the Council adheres to the rules of the social media platform(s)
- f) coordinate with the Council's (Insert name of Council department or team) to ensure the Council's social media platforms are set up and maintained in a way that maximises user friendliness and any technical problems are resolved promptly.

2.6 The General Manager is an authorised user for the purposes of this policy.

Option 2 – the 'Social Media Coordinator' model

Appointment and role of the Social Media Coordinator

2.7 The General Manager will appoint a member of council staff to be the council's social media coordinator (SMC). The SMC should be a senior and suitably qualified member of staff.

2.8 The General Manager may appoint more than one SMC.

2.9 The SMC's role is to:

- a) approve and revoke a staff member's status as an authorised user

- b) develop and/or approve the training and/or induction to be provided to authorised users
- c) maintain a register of authorised users
- d) maintain effective oversight of authorised users
- e) moderate the Council's social media platforms in accordance with Part 5 of this policy
- f) ensure the Council complies with its record keeping obligations under the *State Records Act 1998* in relation to social media
- g) ensure the Council adheres to the rules of the social media platform(s)
- h) coordinate with the Council's (Insert name of Council department or team) to ensure the Council's social media platforms are set up and maintained in a way that maximises user friendliness and any technical problems are resolved promptly.

2.10 The SMC may delegate their functions under paragraphs (e) and (f) of clause 2.7 to authorised users.

2.11 The SMC is an authorised user for the purposes of this policy.

Authorised users

2.12 Authorised users are members of council staff who are authorised by the **General Manager/SMC** to upload content and engage on the Council's social media platforms on the Council's behalf.

2.13 Authorised users should be members of council staff that are responsible for managing, or have expertise in, the events, initiatives, programs or policies that are the subject of the social media content.

2.14 The General Manager/SMC will appoint **(Insert a number)** member(s) of Council staff from each division of the Council to be the authorised users for social media

content relating to the work of that division.

OR

The General Manager/SMC will appoint authorised users when required.

2.15 An authorised user must receive a copy of this policy and induction training on social media use and Council's obligations before uploading content on Council's behalf.

2.16 The role of an authorised user is to:

- a) ensure, to the best of their ability, that the content they upload onto the Council's social media platforms is accurate
- b) correct inaccuracies in Council generated content
- c) engage in discussions and answer questions about the substantive content on the Council's social media platform
- d) keep the Council's social media platforms up to date
- e) moderate the Council's social media platforms in accordance with Part 5 of this policy
- f) ensure the Council complies with its record keeping obligations under the *State Records Act 1998* in relation to social media

Note: Paragraphs (e) and (f) are applicable if the council adopts option 1.

- g) where authorised to do so by the SMC:
 - i) moderate the Council's social media platforms in accordance with Part 5 of this policy
 - ii) ensure the Council complies with its record keeping obligations under the *State Records Act 1998* in relation to social media

Note: Paragraph(g) is applicable if the council adopts option 2.

2.17 When uploading content, an authorised user must identify themselves as a member of Council staff but they are not obliged to disclose their name or position within the Council.

2.18 Authorised users must not use Council's social media platforms for personal reasons.

Administrative tone

2.19 Authorised users upload content and engage on social media on the Council's behalf. Authorised users must use language consistent with that function and avoid expressing or appearing to express their personal views when undertaking their role.

2.20 Authorised users may use more personal, informal language when engaging on the Council's social media platforms, for example when replying to comments. Abbreviations (for example: 'CU L8r', 'How RU', 'lol') are not to be used.

Register of authorised users

2.21 The SMC/General Manager will maintain a register of authorised users. This register is to be reviewed (Council to specify frequency) to ensure it is fit-for-purpose.

Ceasing to be an authorised user

2.22 The General Manager / SMC may revoke a staff member's status as an authorised user, if:

- a) the staff member makes such a request
- b) the staff member has not uploaded content onto any of the Council's social media platforms in the last (council to specify time period).
- c) the staff member has failed to comply with this policy

- d) the **General Manager/SMC** is of the reasonable opinion that the staff member is no longer suitable to be an authorised user.

Part 3 – Administrative framework for councillors’ social media platforms

- 3.1 For the purposes of this policy, councillor social platforms are not council social media platforms. Part 2 of this policy does not apply to councillors’ social media platforms.
- 3.2 Councillors are responsible for the administration and moderation of their own social media platforms (in accordance with Parts 3 and 5 of this policy) and ensuring they comply with the record keeping obligations under the *State Records Act 1998* in relation to social media.
- 3.3 Clause 3.2 also applies to councillors in circumstances where another person administers, moderates, or uploads content onto their social media platform.
- 3.4 Councillors must comply with the rules of the platform when engaging on social media.
- 3.5 The **General Manager/SMC** must ensure a link to councillors’ social media platforms is included on the councillor profile page on Council’s website.

Induction and training

- 3.6 Councillors who engage or intend to engage on social media must receive induction training on social media use. Induction training can be undertaken either as part of the councillor’s induction program or as part of their ongoing professional development program.

Identifying as a councillor

- 3.7 Councillors must identify themselves on their social media platforms in the following format:

Councillor "First Name and Last Name".

- 3.8 A councillor's social media platform must include a profile photo which is a clearly identifiable image of the councillor.
- 3.9 If a councillor becomes or ceases to be the mayor, deputy mayor, or the holder of another position (for example, chairperson of a committee), this must be clearly stated on the councillor's social media platforms and updated within (Council to specify timeframe) of a change in circumstances.

Other general requirements for councillors' social media platforms

- 3.10 Councillor social media platforms must specify or provide a clearly accessible link to the 'House Rules' for engaging on the platform.
- 3.11 A councillor's social media platform must include a disclaimer to the following effect:
- "The views expressed and comments made on this social media platform are my own and not that of the Council".*
- 3.12 Despite clause 3.11, mayoral or councillor media releases and other content that has been authorised according to the Council's media and communications protocols may be uploaded onto a councillor's social media platform.
- 3.13 Councillors may, in consultation with the General Manager, upload publicly available Council information onto their social media platforms.

- 3.14 Councillors may use more personal, informal language when engaging on their social media platforms.

Councillor queries relating to social media platforms

- 3.15 Questions from councillors relating to their obligations under this policy or technical queries relating to the operation of their social media platforms may be directed to the General Manager/SMC in the first instance.

Other social media platforms administered by councillors

- 3.16 A councillor must advise the General Manager/SMC of any social media platforms they administer on which content relating to the Council or council officials is, or is expected to be, uploaded. The councillor must do so within:
- a) (Council to specify timeframe) of becoming a councillor, or
 - b) (Council to specify timeframe) of becoming the administrator.

Part 4 – Standards of conduct on social media

4.1 This policy only applies to council officials' use of social media in an official capacity or in connection with their role as a council official. The policy does not apply to personal use of social media that is not connected with a person's role as a council official.

4.2 Council officials must comply with the Council's code of conduct when using social media in an official capacity or in connection with their role as a council official.

4.3 Council officials must not use social media to post or share comments, photos, videos, electronic recordings or other information that:

- a) is defamatory, offensive, humiliating, threatening or intimidating to other council officials or members of the public
- b) contains profane language or is sexual in nature
- c) constitutes harassment and/or bullying within the meaning of clauses 3.7 and 3.9 of the *Model Code of Conduct for Local Councils in NSW*, or is unlawfully discriminatory
- d) is contrary to their duties under the *Work Health and Safety Act 2011* and their responsibilities under any policies or procedures adopted by the Council to ensure workplace health and safety
- e) contains content about the Council, council officials or members of the public that is misleading or deceptive
- f) divulges confidential Council information

- g) breaches the privacy of other council officials or members of the public
- h) contains allegations of suspected breaches of the Council's code of conduct or information about the consideration of a matter under the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW*,
- i) could be perceived to be an official comment on behalf of the Council where they have not been authorised to make such comment,
- j) commits the Council to any action
- k) violates an order made by a court
- l) breaches copyright
- m) advertises, endorses or solicits commercial products or business
- n) constitutes spam
- o) is in breach of the rules of the social media platform.

4.4 Council officials must:

- a) attribute work to the original author, creator or source when uploading or linking to content produced by a third party
- b) obtain written permission from a minor's parent or legal guardian before uploading content in which the minor can be identified.

4.5 Council officials must exercise caution when sharing, liking, or retweeting content as this can be regarded as an endorsement.

4.6 Council officials must not incite or encourage other persons to act in a way that is contrary to the requirements of this Part.

4.7 Councillors must uphold and accurately represent the policies and decisions of the

Council's governing body but may explain why they voted on a matter in the way that they did. (see section 232(1)(f) of the *Local Government Act 1993*)

Part 5 – Moderation of social media platforms

- 5.1 Council officials who are responsible for the moderation of the Council's or councillors' social media platforms may remove content and 'block' or ban a person from those platforms. Such actions must be undertaken in accordance with this Part.
- 5.2 For the purposes of this Part, 'social media platform' and 'platform' means both the Council's and councillors' social media platforms.

House Rules

- 5.3 Social media platforms must state or provide an accessible link to the 'House Rules' for engaging on the platform.
- 5.4 At a minimum, the House Rules should specify:
- a) the principles of social media engagement referred to in clause 1.1 of this policy
 - b) the type of behaviour or content that will result in that content being removed or a person being blocked or banned from the platform
 - c) the process by which a person can be blocked or banned from the platform
 - d) a statement relating to privacy and personal information (see clause 7.4 of this policy)
 - e) when the platform will be monitored (for example weekdays 9am – 5pm, during the Council's business hours)
 - f) that the social media platform is not to be used for making complaints about the Council or council officials.

Note: If the Council adopts clause 5.4(f), the House Rules should include

information about, or a link to, Council's complaints handling policy.

- 5.5 For the purposes of clause 5.4(b), third parties engaging on social media platforms must not post or share comments, photos, videos, electronic recordings or other information that
- a) is defamatory, offensive, humiliating, threatening or intimidating to council officials or members of the public,
 - b) contains profane language or is sexual in nature
 - c) constitutes harassment and/or bullying within the meaning of clauses 3.7 and 3.9 of the *Model Code of Conduct for Local Councils in NSW*, or is unlawfully discriminatory
 - d) contains content about the Council, council officials or members of the public that is misleading or deceptive
 - e) breaches the privacy of council officials or members of the public
 - f) contains allegations of suspected breaches of the Council's code of conduct or information about the consideration of a matter under the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW*,
 - g) violates an order made by a court
 - h) breaches copyright
 - i) advertises, endorses or solicits commercial products or business,
 - j) constitutes spam
 - k) would be in breach of the rules of the social media platform.

Removal of content

- 5.6 Where a person uploads content onto a social media platform that is of a kind specified under clause 5.5(a) – (k), the moderator may remove that content.
- 5.7 Prior to removing the content, the moderator must make a record of it (for example, a screenshot).
- 5.8 If the moderator removes content under clause 5.6, they must, where practicable, notify the person who uploaded the content that it has been removed and the reason(s) for its removal.

Blocking or banning

- 5.9 If a person uploads content that is removed under clause 5.6 of this policy on **(Council to specify a number)** occasions, that person may be blocked or banned from **the social media platform / all social media platforms**.
- 5.10 **A person may only be blocked or banned from a Council social media platform with the approval of the General Manager/SMC. This clause does not apply to blocking or banning a person from a councillor's social media platform.**
- 5.11 Prior to blocking or banning a person from a social media platform, the person must, where practicable, be advised of the intention to block or ban them from the **platform/all platforms** and be given a chance to respond. Any submission made by the person must be considered prior to a determination being made to block or ban them.
- 5.12 The duration of the block or ban is to be determined by the **General Manager/SMC**, or in the case of a councillor's social media platform, the councillor.
- 5.13 Where a determination is made to block or ban a person from a **social media platform/all social media platforms**, the

person must, where practicable, be notified in writing of the decision and the reasons for it. The written notice must also advise the person which social media platforms they are blocked or banned from and the duration of the block or ban.

5.14 Where a person that is the subject of a block or ban continues to engage on a social media platform(s) using an alternative social media account, profile, avatar, etc, a moderator may block or ban the person from the platform(s) immediately. In these circumstances clauses 5.9 to 5.13 do not apply.

Part 6 – Use of social media during emergencies

- 6.1 During emergencies, such as natural disasters or public health incidents, the **General Manager/SMC** will be responsible for the management of content on the Council's social media platforms.
- 6.2 Authorised users and council officials must not upload content onto the Council's or their own social media platforms which contradicts advice issued by the agency coordinating the emergency response.

Part 7 – Records management and privacy requirements

Records management

- 7.1 Social media information is a 'record' for the purposes of the *State Records Act 1998*.
- 7.2 Social media information must be managed in accordance with the *State Records Act 1998* and the Council's approved records management policies and practices.

Privacy considerations and requirements

- 7.3 Social media communications are in the public domain. Council officials should exercise caution about what personal information, if any, they upload onto social media.
- 7.4 The *Privacy and Personal Information Protection Act 1998* applies to the use of social media platforms by the Council and councillors. To mitigate potential privacy risks, the Council and councillors will:
- a) advise people not to provide personal information on social media platforms
 - b) inform people if any personal information they may provide on social media platforms is to be used for official purposes
 - c) moderate comments to ensure they do not contain any personal information
 - d) advise people to contact the Council or councillors through alternative channels if they have personal information they do not want to disclose in a public forum.

Part 8 – Private use of social media

Note: Activities on social media websites are public activities. Even though privacy settings are available, content can still be shared and accessed beyond the intended recipients.

The terms and conditions of most social media sites state that all content becomes the property of the site on which it is posted².

- 8.1 Council officials who engage on social media in their private capacity should maintain a separate social media account(s) for that purpose.
- 8.2 Council officials should ensure that:
- a) they do not identify themselves as a council official on their private social media account(s)
 - b) they do not undertake any functions associated with their role as a council official on their private social media account(s)
 - c) appropriate privacy settings are enabled on their private social media account(s).

What constitutes 'private' use?

- 8.3 For the purposes of this policy, a council official's social media engagement will be considered 'private use' when the content they upload:
- a) is not associated with, or refers to, the Council, any other council officials, contractors, related entities or any other person or organisation providing services to or on behalf of the Council, and

² Social Media: Guidance for Agencies and Staff (Government of South Australia) – page 9

- b) is not related to or does not contain information acquired by virtue of their employment or role as a council official.
- 8.4 If a council official chooses to identify themselves as a council official, either directly or indirectly (such as in their user profile), then they will not be deemed to be acting in their private capacity for the purposes of this policy.

Use of social media during work hours

- 8.5 Council staff may access and engage on social media in their private capacity during work hours for a period of time to be specified by their manager (OPTION 1).

OR

Council staff may only access and engage on social media in their private capacity while at work during breaks (OPTION 2).

OR

Council staff must not access or engage on social media in their private capacity during work hours (OPTION 3).

- 8.6 Council staff who do access and engage on social media in their private capacity during work hours must ensure it does not affect their required performance.

Note: Councils that adopt clause 8.5 (Option 3) should delete clause 8.6.

Part 9 - Definitions

In this Model Social Media Policy, the following terms have the following meanings:

| | |
|-----------------------------|---|
| authorised user | members of council staff who are authorised by the General Manager or SMC to upload content and engage on the Council's social media platforms on the Council's behalf |
| council official | <p>in the case of a council - councillors, members of staff and delegates of the council (including members of committees that are delegates of the council);</p> <p>in the case of a county council – members, members of staff and delegates of the council (including members of committees that are delegates of the council);</p> <p>in the case of a joint organisation – voting representatives, members of staff and delegates of the joint organisation (including members of committees that are delegates of the joint organisation)</p> |
| minor | for the purposes of clause 4.3(b) of this policy, is a person under the age of 18 years |
| personal information | information or an opinion (including information or an opinion forming part of a database and whether or not recorded in a material form) about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion |
| SMC | is a council's social media coordinator appointed under clause 2.7 of this policy |
| social media | online platforms and applications - such as social networking sites, wikis, blogs, microblogs, video and audio sharing sites, and message boards - that allow people to easily publish, share and discuss content. Examples of social media platforms include, but are not limited to Facebook, Twitter, Snapchat, LinkedIn, Yammer, YouTube, Instagram, Flickr and Wikipedia |



MODEL COUNCILLOR AND STAFF INTERACTION POLICY

Consultation Draft

2021



MODEL COUNCILLOR AND STAFF INTERACTION POLICY

2020

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Preface

Positive working relationships between councillors and staff: a council's key asset

Positive, professional working relationships between councillors and staff are a key element of any council's success. If relationships between councillors and staff are functioning effectively, the council is more likely to perform effectively. If relationships are dysfunctional, then the council's performance will suffer.

A good relationship between councillors and staff is based, in large part, on both having a mutual understanding and respect for each other's roles and responsibilities. These are defined in the *Local Government Act 1993* (the LGA) and the *Model Code of Conduct for Local Councils in NSW* (the Model Code of Conduct).

In broad terms, a councillor's role is a strategic one. As members of the governing body, councillors are responsible not only for representing the community, but also for setting the strategic direction of the council and keeping its performance under review. A comprehensive outline of the role of a councillor is provided in Part 4 of this Policy.

The role of council staff, under the leadership of the general manager, is to carry out the day-to-day operations of the council and to implement the decisions, plans, programs and policies adopted by the governing body.

Access to information: the key to the relationship

Councillors need access to information about the council's strategic position and performance to perform their civic functions effectively. The general manager and staff are responsible for providing councillors with this information to facilitate the decision-making process.

Given councillors' role in setting the council's strategic direction and keeping its performance under review, councillors are entitled to request information about a range of issues.

However, in requesting information, councillors should not be seeking to interrogate the minutiae of the council's operations or to direct or influence staff in the performance of their duties. Councillors should also recognise that a council's resources are finite, and they need to be mindful of the impact of their requests.

Above all, interactions between councillors and staff should be positive, respectful and professional.

The development and intent of this policy

This Model Councillor and Staff Interaction Policy has been developed by the Office of Local Government (OLG) in consultation with councils. It is applicable to councils, county councils and joint organisations.

It provides an exemplar approach, incorporating examples of best practice from a diverse range of NSW councils. At its core, the policy has two main goals:

- to establish a framework by which councillors can access the information they need to perform their civic functions, and
- to promote positive and respectful interactions between councillors and staff.

The Model Councillor and Staff Interaction Policy is structured as follows:

| | |
|---------------|---|
| Part 1 | Introduction |
| Part 2 | Sets out the scope of the policy |
| Part 3 | Describes the policy's objectives |
| Part 4 | Sets out the respective roles and responsibilities of councillors and staff and the principles that should guide their interactions |
| Part 5 | Sets out the administrative framework for a councillor requests system |
| Part 6 | Identifies which staff councillors can contact directly |
| Part 7 | Addresses councillors' entitlement to access council buildings |

Part 8 Describes appropriate and inappropriate interactions between councillors and staff

Schedule 1 Contains a template for a list of staff councillors can contact directly under Part 6 of the policy

Adoption

While not mandatory, the Model Councillor and Staff Interaction Policy reflects best practice and all councils, county councils and joint organisations are encouraged to adopt it. In doing so, they are free to adapt the policy to suit their local circumstances and operating environments or to supplement it with their own provisions.

Provisions which can be adjusted are marked in red.

Note: In adopting the policy, joint organisations should adapt it to substitute the terms "board" for "council", "chairperson" for "mayor", "voting representative" for "councillor" and "executive officer" for "general manager".

Note: In adopting the policy, county councils should adapt it to substitute the term "chairperson" for "mayor" and "member" for "councillor".

Enforcement

Clause 3.1(b) of the Model Code of Conduct provides that council officials must not conduct themselves in a manner that is contrary to a council's policies. If adopted by a council, a breach of the policy may also constitute a breach of council's code of conduct.

Concerns or complaints about the administration of a council's councillor request system should be raised with the general manager in the first instance.

Acknowledgements

OLG wishes to thank Local Government NSW and the councils involved for their invaluable assistance in developing the Model Councillor and Staff Interaction Policy.

Model Councillor and Staff Interaction Policy

Part 1 – Introduction

- 1.1 *The Councillor and Staff Interaction Policy* (the Policy) provides a framework for councillors when exercising their civic functions by specifically addressing their ability to interact with, and receive advice from, authorised staff.
- 1.2 The Policy complements and should be read in conjunction with (Insert name of Council's) *Code of Conduct* (the Code of Conduct).
- 1.3 The aim of the Policy is to facilitate a positive working relationship between councillors, as the community's elected representatives, and staff, who are employed to administer the operations of the Council. The Policy provides direction on interactions between councillors and staff to assist both parties in carrying out their day-to-day duties professionally, ethically and respectfully.
- 1.4 It is important to have an effective working relationship that recognises the important but differing contribution both parties bring to their complementary roles.

Part 2 – Application

- 2.1 This Policy applies to all councillors and council staff.
- 2.2 This Policy applies to all interactions between councillors and staff, whether face-to-face, online (including social media and virtual meeting platforms), by phone, text message or in writing.
- 2.3 This Policy applies whenever interactions between councillors and staff occur, including inside or outside of work hours, and at both council and non-council venues and events.
- 2.4 This Policy does not confer any delegated authority upon any person. All delegations to staff are made by the General Manager.
- 2.5 Clause 3.1(b) of the Code of Conduct provides council officials must not conduct themselves in a manner that is contrary to a council's policies. A breach of this Policy will be a breach of the Code.

Part 3 – Policy objectives

3.1 The objectives of the Policy are to:

- a) establish positive, effective and professional working relationships between councillors and staff defined by mutual respect and courtesy
- b) enable councillors and staff to work together appropriately and effectively to support each other in their respective roles
- c) ensure that councillors receive advice in an orderly, courteous and appropriate manner to assist them in the performance of their civic duties
- d) ensure councillors have adequate access to information to exercise their statutory roles
- e) provide direction on, and guide councillor interaction with, staff for both obtaining information and in general situations
- f) maintain transparent decision making and good governance arrangements
- g) ensure the reputation of Council is enhanced by councillors and staff interacting consistently, professionally and positively in their day-to-day duties
- h) provide a clear and consistent framework through which breaches of the Policy will be managed in accordance with the Code of Conduct.

Part 4 – Principles, roles and responsibilities

- 4.1 Several factors contribute to a good relationship between councillors and staff. These include goodwill, understanding of roles, communication, protocols, and a good understanding of legislative requirements.
- 4.2 The Council's governing body and its administration (being staff within the organisation) must have a clear and sophisticated understanding of their different roles, and the fact that these operate within a hierarchy. The administration is accountable to the General Manager, who in turn, is accountable to the Council's governing body.
- 4.3 Section 232 of the *Local Government Act 1993* (the LGA) states that the role of a councillor is as follows:
 - a) to be an active and contributing member of the governing body
 - b) to make considered and well-informed decisions as a member of the governing body
 - c) to participate in the development of the integrated planning and reporting framework
 - d) to represent the collective interests of residents, ratepayers and the local community
 - e) to facilitate communication between the local community and the governing body
 - f) to uphold and represent accurately the policies and decisions of the governing body
 - g) to make all reasonable efforts to acquire and maintain the skills

necessary to perform the role of a councillor.

4.4 The administration’s role is to advise the governing body, implement Council’s decisions and to oversee service delivery.

4.5 It is beneficial if the administration recognises the complex political environments in which elected members operate and acknowledge that they work within a system that is based on democratic governance. Councillors similarly need to understand that it is a highly complex task to prepare information and provide quality advice on the very wide range of issues that Council operations cover.

4.6 Council commits to the following principles to guide interactions between councillors and staff:

Principle

Achieved by

Equitable and consistent

Ensuring appropriate, consistent and equitable access to information for all councillors within established service levels

Considerate and respectful

Councillors and staff working supportively together in the interests of the whole community, based on mutual respect and consideration of their respective positions

Ethical, open and transparent

Ensuring that interactions between councillors and staff are ethical, open, transparent, honest and display the highest standards of professional conduct

Fit for purpose

Ensuring that the provision of equipment and information to councillors is

done in a way that is suitable, practical and of an appropriate size, scale and cost for a client group of (Council to insert the number of councillors) people.

Accountable and measurable

Providing support to councillors in the performance of their role in a way that can be measured, reviewed and improved based on qualitative and quantitative data

4.7 Councillors are members of the Council’s governing body, which is responsible for directing and controlling the affairs of the Council in accordance with the LGA. Councillors need to accept that:

- a) responses to requests for information from councillors may take time and consultation to prepare and be approved prior to responding
- b) staff are not accountable to them individually
- c) they must not direct staff except by giving appropriate direction to the General Manager by way of a council or committee resolution, or by the mayor exercising their functions under section 226 of the LGA
- d) they must not, in any public or private forum, direct or influence, or attempt to direct or influence, a member of staff in the exercise of their functions
- e) they must not contact a member of staff on council-related business unless in accordance with this Policy

- f) they must not use their position to attempt to received favourable treatment for themselves or others.

4.8 The General Manager is responsible for the efficient and effective day-to-day operation of the Council and for ensuring that the lawful decisions of the Council are implemented without undue delay. Council staff need to understand:

- a) they are not accountable to individual councillors and do not take direction from them. They are accountable to the General Manager, who in turn is accountable to the Council's governing body
- b) they should not provide advice to councillors unless it has been approved by the General Manager
- c) they must carry out reasonable and lawful directions given by any person having the authority to give such directions in an efficient and effective manner
- d) they must ensure that participation in political activities outside the service of the Council does not interfere with the performance of their official duties
- e) they must provide full and timely information to councillors sufficient to enable them to exercise their civic functions in accordance with this Policy.

Part 5 – The councillor requests system

5.1 Councillors have a right to request information provided it is relevant to councillor's exercise of their civic functions. This right does not extend to matters about which a councillor is merely curious.

5.2 Councillors do not have a right to request information about matters that they are prevented from participating in decision-making on because of a conflict of interest, unless the information is otherwise publicly available.

5.3 The General Manager may identify Council support staff (the Councillor support officer) under this Policy for the management of requests from councillors.

5.4 Councillors can use the councillor requests system to:

- a) request information or ask questions that relate to the strategic position, performance or operation of the Council
- b) bring concerns that have been raised by members of the public to the attention of staff
- c) request ICT or other support from the Council administration.

5.5 Councillors must, to the best of their knowledge, be specific about what information they are requesting, and make their requests respectfully. Where a councillor's request lacks specificity, the General Manager or staff member authorised to manage the matter is entitled to ask the councillor to clarify their request and the reason(s) why they are seeking the information.

- 5.6 Staff must make every reasonable effort to assist councillors with their requests and do so in a respectful manner.
- 5.7 The General Manager or the staff member authorised to manage a councillor request will provide a response within (Council to insert timeframes for responding to councillor requests). Where a response cannot be provided within that timeframe, the councillor will be advised, and the information will be provided as soon as practicable.
- 5.8 Councillors are required to treat all information provided by staff appropriately and to observe any confidentiality requirements.
- 5.9 Staff will inform councillors of any confidentiality requirements for information they provide so councillors can handle the information appropriately.
- 5.10 Where a councillor is unsure of confidentiality requirements, they should contact the General Manager, or the staff member authorised to manage their request.
- 5.11 The General Manager may refuse access to information requested by a councillor if:
- a) the information is not necessary for the performance of the councillor's civic functions, or
 - b) the councillor has previously declared a conflict of interest in the matter and removed themselves from decision-making on it, or
 - c) the General Manager is prevented by law from disclosing the information, or
 - d) if responding to the request would, in the General Manager's opinion, result in an unreasonable diversion of staff time and resources.
- 5.12 Where the General Manager refuses to provide information requested by a councillor, they must act reasonably. The General Manager must advise a councillor in writing of their reasons for refusing access to the information requested.
- 5.13 Where a councillor's request for information is refused by the General Manager on the grounds referred to under paragraph c) of clause 5.11, the councillor may instead request the information through a resolution of the council by way of a notice of motion.
- 5.14 Where a councillor persistently makes requests for information which, in the General Manager's opinion, result in a significant and unreasonable diversion of staff time and resources the council may, on the advice of the General Manager, resolve to limit the number of requests the councillor may make.
- 5.15 A report will be provided to councillors regularly (at least quarterly) regarding the performance and efficiency of the councillor requests system against established key performance indicators.

Part 6 – Access to Council staff

- 6.1 Councillors may directly contact members of staff that are listed at Schedule 1 of this Policy. The General Manager may amend this list at any time and will advise councillors promptly of any changes.
- 6.2 Councillors can contact staff listed at Schedule 1 about matters that relate to the staff member's area of responsibility.
- 6.3 Councillors should as far as practicable, only contact staff during normal business hours.
- 6.4 If councillors would like to contact a member of staff not listed on Schedule 1, they must receive permission from the General Manager.
- 6.5 If a councillor is unsure which authorised staff member can help with their enquiry, they can contact the General Manager **or the Councillor Support Officer** who will provide advice about which authorised staff member to contact.
- 6.6 In some instances, the General Manager or a member of the Council's executive leadership team will direct a council staff member to contact councillors to provide specific information or clarification relating to a specific matter.
- 6.7 A councillor or member of staff must not take advantage of their official position to improperly influence other councillors or members of staff in the performance of their civic or professional duties for the purposes of securing a private benefit for themselves or for another person.

Part 7 – Councillor access to council buildings

- 7.1 Councillors are entitled to have access to the council chamber, committee room, mayor's office (subject to availability), councillors' rooms, and public areas of Council's buildings during normal business hours for meetings. Councillors needing access to these facilities at other times must obtain approval from the General Manager.
- 7.2 Councillors must not enter staff-only areas of Council buildings without the approval of the General Manager.

Part 8 – Appropriate and inappropriate interactions

8.1 Examples of appropriate interactions between councillors and staff include, but are not limited to, the following:

- a) councillors and council staff are courteous and display a positive and professional attitude towards one another
- b) council staff ensure that information necessary for councillors to exercise their civic functions is made equally available to all councillors, in accordance with this Policy and any other relevant Council policies
- c) council staff record the advice they give to councillors in the same way they would if it was provided to members of the public
- d) council staff, including Council's executive team members, document councillor requests via the councillor requests system
- e) council meetings and councillor briefings are used to establish positive working relationships and help councillors to gain an understanding of the complex issues related to their civic duties
- f) councillors and council staff feel supported when seeking and providing clarification about council related business
- g) councillors forward requests through the councillor requests system and staff respond in accordance with the timeframes stipulated in this Policy

8.2 Examples of inappropriate interactions between councillors and staff include, but are not limited to, the following:

- a) councillors and council staff conducting themselves in a manner which:
 - i) is contrary to their duties under the *Work Health and Safety Act 2011* and their responsibilities under any policies or procedures adopted by the Council to ensure workplace health and safety
 - ii) constitutes harassment and/or bullying within the meaning of clauses 3.7 and 3.9 of the Code of Conduct, or is unlawfully discriminatory
- b) councillors approaching staff and staff organisations to discuss individual or operational staff matters (other than matters relating to broader workforce policy such as, but not limited to, organisational restructures or outsourcing decisions), grievances, workplace investigations and disciplinary matters
- c) staff approaching councillors to discuss individual or operational staff matters (other than matters relating to broader workforce policy such as, but not limited to, organisational restructures or outsourcing decisions), grievances, workplace investigations and disciplinary matters
- d) subject to paragraph b) of clause 5.11, staff refusing to give information that is available to other councillors to a particular councillor
- e) councillors who have lodged an application with the council, discussing the matter with staff in staff-only areas of the council
- f) councillors being overbearing or threatening to staff

- g) staff being overbearing or threatening to councillors
- h) councillors making personal attacks on staff or engaging in conduct towards staff that would be contrary to the general conduct provisions in Part 3 of the Code of Conduct in public forums including social media
- i) councillors directing or pressuring staff in the performance of their work, or recommendations they should make
- j) staff providing ad hoc advice to councillors without recording or documenting the interaction as they would if the advice was provided to a member of the community

8.3 Where a councillor engages in conduct that, in the opinion of the General Manager, puts the health, safety or welfare of staff at risk, the General Manager may restrict the councillor's access to staff.

8.4 Any concerns relating to the conduct of staff under this Policy should be raised with the General Manager.

Schedule 1 – Authorised staff contacts for councillors (template table)

1. Clause 6.1 of this Policy provides that councillors may directly contact members of staff that are listed below. The General Manager may amend this list at any time.
2. Councillors can contact staff listed below about matters that relate to the staff member's area of responsibility.
3. Councillors should as far as practicable, only contact staff during normal business hours.
4. If councillors would like to contact a member of staff not listed below, they must receive permission from the General Manager.
5. If a councillor is unsure which authorised staff member can help with their enquiry, they can contact the General Manager or the Councillor Support Officer who will provide advice about which authorised staff member to contact.
6. In some instances, the General Manager or a member of the Council's executive leadership team will direct a council staff member to contact councillors to provide specific information or clarification relating to a specific matter.

| Authorised staff members name | Position |
|--------------------------------------|--------------------------------|
| <i>[Insert staff member's name]</i> | <i>[Insert position title]</i> |
| | |
| | |
| | |
| | |
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POLICY PLATFORM

April 2021

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Introduction

Local Government NSW (LGNSW) is the peak body for local government in NSW, representing general purpose councils and related entities.

LGNSW aims to strengthen and protect an effective, democratic system of local government across NSW by supporting and advocating on behalf of member councils, including actively and persuasively representing the views of local government to the NSW and Australian governments.

The LGNSW Policy Platform consolidates the voices of councils across NSW, reflecting the collective positions of local government on issues of importance and guiding LGNSW in its advocacy on behalf of the local government sector.

The Policy Platform comprises two parts:

- Part 1: **Fundamental Principles** and
- Part 2: **Position Statements**

Part 1: Fundamental Principles are the enduring and overarching principles that direct LGNSW's response to broad matters of importance to the local government sector.

Part 2: Position Statements contain LGNSW's more detailed positions on specific issues and guide LGNSW's work on, and response to, policy issues of the day. Position Statements are subordinate to LGNSW's Fundamental Principles but are more agile and targeted at specific policy issues as they arise.

Role of the Annual Conference and LGNSW Board

The LGNSW Annual Conference is the supreme policy-making body of LGNSW and an opportunity for councillors to come together to share ideas and debate issues that shape the way LGNSW is governed.

Members may put forward motions for consideration of the Annual Conference.¹ Where a majority of voting delegates at the Annual Conference vote in support of the motion, it is adopted as a resolution of LGNSW².

After each conference, LGNSW reviews resolutions and amends the Fundamental Principles and Position Statements as required. Conference resolutions rarely change the sector's views on high-level Fundamental Principles. Position Statements require refinements more regularly to reflect the sector's views on new or developing issues.

The LGNSW Board comprises councillors from member councils across NSW, who are elected to the LGNSW Board biennially at the Annual Conference.

The Board controls and governs LGNSW in between Annual Conferences and when decisions are required on policy positions for the local government sector (such as if there is no existing policy position on an issue that LGNSW must comment on), the Board and President can make that decision for the sector.

¹ Further information on this process is available in the LGNSW Conference Motions Submission Guide available online in the lead up to each LGNSW Annual Conference at www.lgnsw.org.au/events-training/local-government-nsw-annual-conference.

² Further information about the 2020 annual conference resolutions is available on the LGNSW website at <https://www.lgnsw.org.au/Public/Events/Annual-Conferences/Annual-Conference-2020>

Part 1: Fundamental Principles

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). 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.

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.

Date Endorsed: November 2020 by LGNSW Conference

Part 2: Position Statements

1. Financial Sustainability

Local government is a partner in the economic stewardship of NSW and responsible for the provision of a wide range of essential infrastructure and services.

However, the financial sustainability of councils has been undermined by rate pegging for over 40 years, which has resulted in the under-provision of community infrastructure and services and the deferral of infrastructure maintenance and renewal expenditure resulting in significant infrastructure backlog.

Our Position

LGNSW advocates for:

- 1.1 The removal of rate pegging and reform of the NSW local government rating system, including the removal of inequitable rate exemptions and greater autonomy and flexibility in rating policy, structure and practices.
- 1.2 Greater autonomy in determining fees and charges.
- 1.3 FAGs to be increased to at least 1% of total Commonwealth taxation revenue.
- 1.4 Federal Government to increase FAGs funding to 1% of Commonwealth tax revenue, prior to any changes to the formula.
- 1.5 Increased specific purpose grants from State and Commonwealth Governments to assist councils in meeting the infrastructure and service needs of their communities (e.g. R2R, library grants).
- 1.6 An end to cost shifting onto local government by the State and Commonwealth Governments.
- 1.7 New and fairer financing opportunities for local government, with particular emphasis on infrastructure e.g. value capture, Voluntary Planning Agreements (VPAs) and fees and charges.
- 1.8 Permanent recurrent funding for Joint Organisations (JOs) to support their viability and effectiveness.
- 1.9 The introduction of a broad-based property levy to replace both the Emergency Services Levy on insurance policies and the 11.7% Emergency Services Levy on local government.
- 1.10 A more flexible procurement framework to enable councils to benefit from innovative procurement practices.
- 1.11 Inclusion of climate change considerations in approved terms of reference for investigations and reviews by IPART.

2. Economic Development

Councils have an active role in encouraging investment, place management and activation, and supporting businesses of all sizes. Whether the local economy is based on agriculture, mining, finance, manufacturing, tourism, hospitality, retail, education, forestry, fishing or other offerings, councils play a major role in creating the conditions for appealing and sustainable communities and local economies.

Our Position

LGNSW advocates for the NSW Government and Australian Government to:

- 2.1 Identify opportunities to support rural and regional growth and reduce pressures in Sydney.
- 2.2 Work with councils to establish and implement more Local Activation Precincts (LAPs), including those on a smaller scale, based on an LGA's endowments to attract major employers, drive local economies and create a diverse range of local jobs.
- 2.3 Reduce unnecessary regulatory complexity affecting local economies to support events, cultural and business uses.
- 2.4 Commitment to sustainable procurement to drive quadruple bottom line outcomes across local government functions and services including improved efficiency, reduced waste to landfill, financial savings, stimulating markets for innovative and more sustainable products and services, social responsibility, supporting local communities and businesses and helping to achieve long term environmental and social objectives.
- 2.5 Implement, in consultation with councils, an Agricultural Enterprise Credit Scheme and/or a Farm Management Deposit Scheme for businesses that rely on the agriculture sector for much of their revenue, to enhance economic sustainability of communities.
- 2.6 Support the development of night time economies through:
 - Developing a state-wide Night Time Economy Strategy, alongside toolkits, resources and grants for councils and safe public transport options at night.
 - Consultation with the NSW Night Time Economy Councils' Committee, LGNSW and councils
- 2.7 Invest in accessible, sustainable and low impact tourism experiences through:
 - Collaborating with councils on state-local destination plan development and collective marketing.
 - Broadening tourism funding eligibility for councils which do not benefit from the high levels of tourism associated with a higher density of state funded tourism facilities.
 - Establishing regional roadshows and touring schedules.
- 2.8 Adequately regulate tourist and short-term accommodation and its impacts through:
 - Retaining NSW Government (rather than industry) oversight of the property register for Short Term Rental Accommodation (STRA) and requiring STRA participants to pay a fee to cover the costs of regulation and compliance.
 - Instituting a booking tax for online accommodation brokers using residential zoned and rated land, with funds raised to be distributed to councils to fund public infrastructure to support tourism.
 - Allowing councils to apply business rates to serviced apartments that provide tourist accommodation on a commercial basis.
- 2.9 Increase the availability of slots for regional air services into Sydney Kingsford Smith Airport and investigate with councils improvements to transport routes around the airport.
- 2.10 Redevelop dated public housing to address housing shortages and stimulate local economies.

3. Roads and Infrastructure

Local government owns and manages \$160 billion in infrastructure assets including local roads, bridges, pedestrian and cycle networks, local water and sewerage utilities, stormwater and water management, buildings and facilities, regional airports and aerodromes, parks, recreation, cultural, family and community services facilities, and a range of other infrastructure vital to local communities, and is best placed to plan for and deliver this essential local infrastructure.

Local government also plays a key role in identifying and advocating for the provision of State Government infrastructure to meet the needs of their communities (e.g. schools, hospitals, state roads). State and Commonwealth Government growth plans and projects needs to make up front provision for the delivery of associated local infrastructure.

Our Position

LGNSW advocates for:

- 3.1 Effective coordination of State and Commonwealth funding programs where co-contribution is required.
- 3.2 State and Commonwealth Government growth plans and projects must make upfront provision for, and include, the delivery of associated local infrastructure.
- 3.3 Increased opportunity for community use of state and federal facilities.
- 3.4 Increased infrastructure funding to local government through Commonwealth and State Government revenue sharing and grant programs (e.g. Roads to Recovery, NSW block grants for regional roads, local water utilities, street lighting, library grants, waste and resource recovery).
- 3.5 The removal of rate pegging and other constraints on council revenue to assist councils in meeting the infrastructure funding needs of their communities.
- 3.6 The importance of infrastructure funding mechanisms such as Development Contributions and Voluntary Planning Agreements and the creation of other mechanisms for efficient and equitable value capture.
- 3.7 The removal of the cap on development contributions.
- 3.8 The review of the State Government's decision to allow deferral of local contributions payments.
- 3.9 Equitable infrastructure funding, so that Commonwealth and State assistance is directed to areas of greatest need.
- 3.10 Amendments to the Aboriginal Land Rights Act to streamline council acquisition of land held by Local Aboriginal Land Councils (LALCs) for infrastructure, but only where the LALC approves the acquisition.
- 3.11 The elimination of monopolistic practices by utility network operators (electricity, telecommunications, water and gas) that impose unjustified costs on councils and communities.
- 3.12 Fairer funding of infrastructure provided through long established partnerships between the Federal, NSW and local governments for shared infrastructure and service responsibilities.

4. Rural and Regional Communities

Delivering the infrastructure and services needs of rural and regional communities is an ongoing challenge for local government. Small, widely dispersed and sometimes remote communities can struggle to reconcile high delivery costs with a small own source revenue base and face a range of economic, demographic and environmental challenges, such as structural change, ageing populations, skills shortages, population decline and water insecurity that undermine long term sustainability.

The abrogation of responsibility for service delivery by State and Commonwealth Governments has added to these challenges and councils often have no choice other than to take on additional responsibilities (examples include support for medical services and aged care).

Our Position

LGNSW advocates for:

- 4.1 An audit of service delivery and funding flows into rural and regional NSW by State and Commonwealth agencies.
- 4.2 State and Commonwealth Government accept that rural councils will never be able to fund the basic standard of infrastructure and public services to which all Australians are entitled from own source revenue.
- 4.3 Recognition of the higher costs of infrastructure and service delivery faced by rural communities due to inherent and unavoidable economies of scale.
- 4.4 New models for rural and regional infrastructure, service delivery, health and mental health care, including consideration of council coordination and/or implementation that avoids cost shifting and is built on close collaboration between local, state and federal governments and NGOs.
- 4.5 Improved commercial airline services and public transport for regional communities.
- 4.6 Incentives and measures to increase domestic and international migration to inland rural and regional communities, including for experienced and qualified staff.
- 4.7 Action to address difficulties meeting Continuing Professional Development requirements for professionals working in rural and remote NSW
- 4.8 Increased funding for rural communities, including a strengthening of needs-based funding in the distribution of grants to local government.
- 4.9 Ensuring that regional and rural areas are adequately represented following electoral district redistributions.

5. Drought

It is widely accepted that climate change and other factors may result in more devastating drought conditions in future, with an increase in the frequency and duration of droughts.

As the sphere of government closest to the community, councils have a critical local leadership role to play in planning, preparing, responding to, and recovering (PPRR) from drought and are uniquely placed to deliver services at the local level.

Our Position

LGNSW advocates for:

- 5.1 Recognition by State and Federal Government that drought is a natural disaster and that it be eligible for natural disaster funding
- 5.2 Development by the State Government of an emergency plan, in consultation with local government and Aboriginal communities, to address the immediate water supply crisis afflicting NSW towns and communities and a disaster recovery plan for when the drought breaks.
- 5.3 Increased emergency funding to support people suffering hardship as a result of drought (including farmers, small businesses and individuals) and the appointment of recovery coordinators, through the Joint Organisations, to facilitate implementation of recovery plans.
- 5.4 Development and implementation of integrated National and State Drought Policies which:
 - clearly define when an area is deemed to be in “drought”
 - list the range of assistance measures and triggers for when those measures will be activated
- 5.5 Development by the State Government, in partnership with local government and Aboriginal communities, of long-term water supply strategies for catchments throughout the State which mitigate risk from the predicted impact of climate change and to help ensure population and economic growth targets can be achieved and supported.
- 5.6 Substantial investment by State and Federal Government in regional and rural water supply infrastructure and demand management initiatives for drought proofing and water security measures and infrastructure.
- 5.7 Management of river systems to ensure the best possible social, economic and environmental outcomes are achieved, particularly during drought.

6. Natural Disaster and Emergency Management

All councils in NSW play a key role in all aspects of disaster (e.g. bushfire, earthquake, flood, storm, cyclone, storm surge, landslide, tsunami, meteorite strike, tornado and drought) and emergency management at the local and regional level.

In addition to statutory or regulatory responsibilities and despite limited means, councils also play a major role in providing support to their communities, volunteers and charities.

Issues requiring addressing include allocation of responsibilities for emergency management, adequacy and timeliness of funding, the absence of funding for betterment or mitigation works and the funding of council day labour.

Our Position

LGNSW advocates for:

- 6.1 The transfer of emergency management responsibilities to the NSW Government.
- 6.2 Prioritisation of the development and implementation of policies and programs to build the resilience of communities so that they can better withstand and recover from natural disasters.
- 6.3 Increased Federal funding and review of the DRFA to expand eligibility of assets and:
 - Ensure that repair of damage to road and bridge infrastructure as the result of natural disasters continues to be funded under the DRFA.
 - Streamline DRFA processes to help ensure funding is obtained on a timely basis.
 - Recognize rehabilitation of significant environmental damage for funding under the DRFA
 - Allow payment of day labour and council equipment costs under the DRFA.
- 6.4 Increased funding for mitigation and betterment measures, both in advance of disasters where the risks are identified and in the recovery stage.
- 6.5 Financial support for restoration, remediation and betterment of local community infrastructure that has been severely damaged by natural disasters including climatic conditions and drought.
- 6.6 NSW and Federal Government fully fund the clean up of damaged or destroyed buildings and structures, particularly those that contain asbestos, following natural disasters and establish and operate an Asbestos Emergency Management Flying Squad to provide expert advice to councils.
- 6.7 The NSW Government to support cultural burning for fire management on Crown land, National Parks and State Forests (and training and employment of Indigenous people for this task).
- 6.8 Streamlining approvals for constructing and maintaining asset protection zones (APZs) or undertaking hazard reduction burns, requiring appropriate APZs for urban settlements that interface with natural areas, and ensuring government managed forested areas maintain fire trails.
- 6.9 Appropriate recognition for individual first responders via a local government service award.
- 6.10 Urgent implementation and funding of the recommendations of the NSW Bushfire Inquiry.

7. Planning

Councils support an efficient, fair, and locally led planning system that prioritises quality of life and meets the needs and expectations of local communities.

Decisions of successive state governments have gradually diminished councils' and communities' authority to determine what and how development occurs in their local areas. Restoring community-led planning powers to local government is a longstanding advocacy priority for LGNSW.

Our Position

LGNSW advocates for:

- 7.1 The planning system to ensure the voice of local communities is heard through:
 - the well understood and accepted councillor representation system, which provides transparency and accessibility to communities,
 - genuine local representation, including councillors, on regional planning panels, and
 - third party merit appeal rights in respect of all categories of development applications, including decisions made by the Independent Planning Commission (IPC).
- 7.2 Local government to retain control over the determination of locally appropriate development. Local planning powers must not be overridden by State plans and policies or misuse of State Significant Development provisions.
- 7.3 Local government to be treated as a partner (not just another stakeholder) in metropolitan, regional and district planning processes - the role and voice of local government is vital in delivering productivity, liveability and sustainability.
- 7.4 Strategic (local, district and regional) plans that reflect the agreed planning outcomes from community engagement at local, regional/district and metropolitan levels.
- 7.5 The establishment and role of Local Planning Panels (LPPs) should be voluntary not mandatory. Where panels are mandatory, councils should be allowed to establish the thresholds and processes for public determination of matters referred to the Panel.
- 7.6 A review of State Environmental Planning Policies (SEPPs), with priority given to housing related SEPPs so that housing solutions developed by councils are not undermined and planning decisions relating to the location, type and design of local development (including education establishments and child care facilities) are returned to councils.
- 7.7 Councils and communities to be able to determine how housing is delivered in their local areas based on their local housing strategies and in particular:
 - Provide more discretion for councils to amend the SEPP (Exempt and Complying Development Codes) when applying it to their area, and
 - Allow for the Low Rise Housing Diversity Code to be optional, not mandatory.
- 7.7 State and federal governments to identify opportunities to support growth in rural and regional areas and reduce growth pressures in Sydney.
- 7.8 Reforms to the planning system to include a fundamental review of its primary purpose and work to improve its efficiency and effectiveness, by consolidating state policies and local plans in local planning instruments, streamlining plan-making and development assessment and ensuring councils have adequate powers to implement provisions.
- 7.9 A policy framework (with actions, responsibilities and timeframes) and mechanisms to deliver high level objectives in district and regional plans (including protecting employment lands, food security, liveability, sustainability, open space provision).
- 7.10 The State and Federal Governments to develop a strategic approach to state significant developments such as newly emerging solar farms to ensure their impact on farm land and

neighbouring communities is properly considered and local councils receive development contributions to fund the local infrastructure required to support them.

- 7.11 Greater independence and integrity in the development application process by introducing provision for councils, rather than proponents, to appoint independent consultants to undertake the reports needed for development assessment (such as Statements of Environmental Effects and Environmental Impact Statements).
- 7.12 The NSW Government assisting councils to fund the development and implementation of integration platforms between the NSW Government Planning Portal and local government document management and application systems.

8. Housing and Homelessness

Local councils, as the level of government closest to the community, play an important role in engaging with and planning for the needs of their communities. This includes planning to ensure there is an appropriate supply and mix of housing to meet the community's diverse and changing needs. Councils help shape and deliver housing policy objectives through their land use planning and community service responsibilities. Councils also prepare local housing strategies in consultation with communities, to detail how and where housing will be provided in local areas.

Councils also work closely with a range of specialist housing and homelessness services, domestic violence agencies and police to respond appropriately and with compassion to rough sleeping. While the NSW Government is ultimately responsible for housing and homelessness, councils are closely involved through maintaining public space, managing community concerns and complaints, conducting outreach programs, and safety measures such as clean-ups and syringe disposal.

Our Position

LGNSW advocates for:

- 8.1 The NSW and Australian Governments to address homelessness, the housing affordability crisis and access to public housing in metropolitan, regional and rural areas, including through:
 - providing funding for councils to deliver initiatives at the local level; and
 - implementing the Housing First model across NSW, with proactive outreach, crisis support and homelessness prevention measures including addressing co-morbidities.
- 8.2 The NSW Government, through implementation of the NSW Housing Strategy, to establish a clear framework for review of housing supply targets which includes concurrence with councils in setting these targets.
- 8.3 Minimum targets of 5-10 per cent social and affordable housing across NSW and 25 per cent for government-owned land, and a NSW Government commitment to clarifying roles and responsibilities and providing resources, policies and plans to meet these housing needs.
- 8.4 Action by the NSW Government towards achieving affordable housing targets through:
 - improving processes for the timely approval of affordable housing contributions schemes developed by councils under State Environmental Planning Policy 70 Affordable Housing (Revised Schemes) (SEPP 70), and
 - developing strategies to support local councils in NSW in increasing affordable housing in their local government areas.
- 8.5 The NSW Government working with councils and Aboriginal communities and organisations to set clear targets to reduce housing disadvantage impacting Aboriginal people in NSW.
- 8.6 Improved housing accessibility and liveability through:
 - an agreed legislated definition of accessibility incorporating universal design principles,
 - mandated minimum accessibility standards at the Liveable Housing Australia (LHA) Design Guidelines Gold Level (Option 3) or an equivalent standard at this level or higher,
 - linking and alignment of state and federal housing, ageing and disability strategies.
- 8.7 Policies and plans that enhance holistic sustainability outcomes in housing by requiring consideration of housing design (including site selection), construction and operation over its lifetime, minimising economic harm and considering economic and social sustainability.
- 8.8 Housing growth that meets community expectations, by contributing to place-making and the safety and quality of the built form.

9. Building Regulation and Certification

Successive NSW Governments have continued to extend the types of development that qualify as exempt and complying development. The NSW Government has also introduced a private registered certifier scheme to approve development without the need for development consent from council.

The issue of building defects is also of great concern to local government as the trend towards multi-storey apartments continues. LGNSW and councils have called on successive state governments to take actions to address deficiencies with building and certifier regulation and implement a system which ensures that all parties are responsible and accountable for their actions, and the community and public interest is at the forefront.

Our Position

LGNSW advocates for:

- 9.1 Development and implementation of a regulatory framework to ensure the building and certification system delivers well-built, safe and compliant buildings that protect the public interest.
- 9.2 Tighter and more effective regulation of private certifiers – new regulatory arrangements must be strong, proactively enforced and subject to regular and rigorous audit.
- 9.3 A gradual return of certification functions to councils if the NSW Government's building reforms do not deliver meaningful solutions to problems with the private certification system and address conflicts of interest.
- 9.4 The NSW Government taking a leadership role in the management of cladding issues by providing effective guidance and funding to deal with the cladding crisis and releasing details surrounding the identified high-risk buildings.
- 9.5 The NSW Government to fully implement the Construct NSW reform program and commit to expand reforms to building classes other than Class 2 (multi-unit buildings).
- 9.6 Complying development to be limited to low risk or low impact development, with clearly defined parameters.
- 9.7 Support from the NSW Government for more affordable access to the full suite of Australian Standards for the local government sector.

10. Climate Change

Local government has a significant role in reducing carbon emissions and adapting to the impacts of climate change. Councils are responsible for \$160 billion worth of assets. Reducing emissions can lower operating costs associated with these assets. The effects of climate change also have the potential to damage council assets, cause serious disruptions to the delivery of council services, generate unbudgeted financial impacts and affect the wellbeing of the community.

Our Position

LGNSW advocates for:

- 10.1 Urgent action to address the climate emergency in a bipartisan manner to make clear, effective and unambiguous steps to avert a climate crisis in NSW under four priority areas:
 - a) reduction of Australia's carbon emissions through effective mitigation strategies;
 - b) planning for and adapting to a changing climate;
 - c) significant structural adjustment in businesses and communities which may arise from transitioning to a low carbon economy and adapting to the impacts of climate change; and
 - d) the provision of leadership and support for both councils and their communities.
- 10.2 Ambitious but realistic policies and practices that promote council, community, industry and government commitment to renewable energy, energy conservation and energy efficiency.
- 10.3 An integrated approach to climate change mitigation and adaptation strategies, including shared responsibility and collaboration across all levels of government, industry and the community.
- 10.4 Long term consideration of climate change issues across all government functions and services.
- 10.5 Carbon emission reduction measures through a market mechanism across all sectors of the economy including energy generation, mining, transport, waste, construction, buildings and agriculture.
- 10.6 State Environmental Planning Policies that achieve improvements in liveability and sustainability of housing to:
 - a) ensure developments and precincts include measures to alleviate the urban heat island effect.
 - b) apply (or enable councils to apply) higher Building Sustainability Index (BASIX) targets and include other sustainability outcomes to improve housing stock resilience.
 - c) enable innovative approaches to community and public transport.
 - d) improve provisions to ensure the resilience of housing stock.
- 10.7 A renewable energy target of 40% by 2025 to support investment and market confidence in renewable energy projects.
- 10.8 Greater support to local government for coastal management especially in areas experiencing erosion exacerbated by state and federal infrastructure e.g. airports, ports and breakwaters.
- 10.9 Other spheres of government to work with and support councils to build resilience to current and future climate risks on the community and businesses.
- 10.10 Introducing a range of funding mechanisms that would allow councils to build climate resilience in their communities.
- 10.11 A mandatory government reporting framework for climate risk exposure.
- 10.12 Enable the uptake of zero and low carbon technologies including electric vehicles through appropriate investment, concessions and legislation.
- 10.13 Retention of the uranium mining ban in NSW, and support for sustainable and clean energy and jobs solutions.

11. Waste and Recycling

Councils provide waste, recycling and resource recovery services to the community, provide and operate recycling and disposal infrastructure and work tirelessly to reduce the amount of waste ending up in landfill by educating residents, businesses and schools about waste avoidance and recycling.

Councils continue to face significant challenges from increasing waste generation and lack of markets for Australian recycled content. All levels of government, as well as business and the community need to work together as we move to a more circular economy where materials and products remain within the economy for longer and waste is reduced.

Our Position

LGNSW advocates for:

- 11.1 The reinvestment by the NSW Government of the NSW waste levy collected from the community and industry to:
 - a) Urgently fund regions of councils to develop and implement regional waste plans for the future of waste and resource recovery in their regions, which include infrastructure and circular economy solutions to address the needs of our cities and regions.
 - b) Fund the delivery of priority infrastructure and other projects, procured by local government, that are needed to deliver the regional-scale plans, particularly where there is market failure identified in the regional plans.
 - c) Increase local and state government procurement of recycled goods made with domestic content, for example by:
 - adopting recycled content targets to help drive demand and provide incentives to deliver on these targets
 - funding further research, development and delivery of recycling technologies and products generated from recyclables, particularly by local or regional councils.
 - d) Fund and deliver state-wide education campaigns on the importance of recycling to encourage the right way to recycle, the purchase of products with recycled content, as well as promote waste avoidance.
 - e) Work with the Federal Government to introduce producer responsibility schemes for soft plastics and other emerging problem wastes such as paints, batteries, chemicals, mattresses, electronic waste, asbestos and sharps.
 - f) Facilitate research and engagement on waste to energy options in line with the waste hierarchy.
 - g) Rehabilitate orphan dump sites and address illegal dumping.
- 11.2 Support for innovative solutions to reduce waste and waste transport requirements, including a sustainable long-term solution for mixed waste organics.
- 11.3 Avoidance and minimisation of waste, including from building and construction sites with appropriately scaled fines for non-compliance.
- 11.4 Protection of existing and identification of new waste management locations.
- 11.5 Clear policy direction with regulatory certainty, achievable targets and implementation and funding pathways for delivery through e.g. NSW Waste Strategy, National Waste Policy, COAG targets.
- 11.6 Access to credible data and improved accountability to achieve best value for the community.

12. Biodiversity

Local Government supports the conservation of biological diversity. Councils are a key influence on local biodiversity management and have an essential role to play. This includes through planning and approval processes, community education and engagement activities, and as public land managers. Councils can develop biodiversity strategies and plans, protect biodiversity through their land use planning instruments, and manage biodiversity actively through specific programs and projects.

Councils also have a legislative mandate to manage the ongoing challenge of development pressure, natural disasters and maintenance of environmental values. Councils have responded through improved knowledge of, and strategic planning for, their local biodiversity including undertaking mapping and assessments, developing biodiversity strategies, policies and processes, and building staff capability.

Our Position

LGNSW advocates for:

- 12.1 Protection and management of local biodiversity on an 'avoid, minimise, offset' basis.
- 12.2 Closer coordination across spheres of government, and with other biodiversity resource managers, to include local biodiversity information and mapping in regional and state-wide approaches to biodiversity management.
- 12.3 Resources and assistance to councils to build capacity, review systems and implement changes to NSW legislation in relation to managing biodiversity.
- 12.4 Continuation of funding streams to support local land management activities to achieve biodiversity outcomes.
- 12.5 Policies and practices that maximise biodiversity and the protection of threatened and endangered species, including the development and maintenance of habitat corridors.
- 12.6 Wider recognition of the value of urban biodiversity and bushland areas and the implementation of management approaches to specifically meet the needs of these areas including incentives to protect mature urban vegetation.
- 12.7 Cross jurisdictional commitment to managing the threats to biodiversity including weeds, pests and other risks such as bushfires which impact on the integrity of local biodiversity and contribute to further losses.
- 12.8 A review of the 10/50 Vegetation Clearing Code of Practice to assess the safety benefits compared to the impacts on tree canopy.
- 12.9 Additional Ramsar site listings in recognition of the value of lake systems for aquatic biodiversity, supporting migratory bird species, fish nurseries and essential wetland processes.
- 12.10 The NSW Government to review the cumulative impacts of legislation governing land, water and natural resource management, and act to ensure the protection of biodiversity, threatened iconic species, water security, native forests and food security throughout NSW.

13. Biosecurity

Local government has a significant role in biosecurity including:

- as a local control authority (LCA) in regulating weeds under the *Biosecurity Act 2015*,
- as a land manager, to understand and implement its biosecurity responsibilities (e.g. weeds, pests), and
- in discharging regulatory responsibilities under the *Companion Animals Act 1998*, for domesticated cats and dogs.

Our Position

LGNSW advocates for:

- 13.1 A global ban on the trade in wild animals and wild animal products given their role in the emergence and spread of zoonotic diseases.
- 13.2 The concepts that underpin the Biosecurity Act, such as risk-based decision making and a tenure neutral approach to weed and pest management.
- 13.3 Local government representation on the Biosecurity Advisory Committee, established under the Biosecurity Act.
- 13.4 Changes to the weed management framework, including:
 - Funding stability and funding via the Weed Action Program to be increased to \$20M per year.
 - A review of the Weed Action Program administration to minimise any duplication or excessive reporting and auditing requirements applied to councils and county councils.
 - Penalties for weed-related offences set at levels high enough to act as a deterrent.
- 13.5 Local government to have input to the setting of relevant charges (for weed regulatory functions), and local government keeping any revenue from services or compliance and enforcement undertakings.
- 13.6 Amendments to legislation to enable councils to more effectively manage the nuisance effects of cats on residents and wildlife, including streamlining the process of animal registration, limiting the roaming of cats beyond their owner's property, and enabling a trap-neuter-return program.
- 13.7 Legislation to prevent the establishment of puppy farms in NSW and instigate a common database and better coordination between enforcement agencies across jurisdictions.

14. Health and Safety

All councils in NSW play an essential part in improving and safeguarding the health and safety of their communities. Local government also has statutory responsibilities for public health protection under the *Public Health Act 2010* and *Food Act 2003*, regulating food businesses as well as premises that may pose environmental health risks through legionella, skin penetration or exposure to hazardous materials including asbestos. Councils also provide communities with access to additional services to contribute to community health, including immunisation clinics, sporting and recreation facilities and open space, mental health and physical activity programs, clean drinking water and no-smoking zones. Councils further have a role in considering how the built environment can be planned to promote health and safety.

Council involvement in community safety and crime prevention initiatives is often in partnership with police and other government and non-government organisations, engaging with communities to understand and develop strategies to address local crime issues.

Our Position

LGNSW advocates for:

- 14.1 Practical reforms and initiatives that improve public health and safety but do not represent cost shifting or burden the limited resources of local government without providing adequate funding or cost recovery mechanisms.
- 14.2 Legislative amendments to enable council rangers to issue fines and penalty amounts equivalent to NSW Health for breaches of the *Smoke-free Environment Act 2000*.
- 14.3 The NSW Government to take action to protect human health and the environment by:
 - making asbestos identification, removal, transport and disposal cheaper, easier, and safer.
 - working with the Federal government to ensure that all vehicles imported into Australia meet the highest EU standards for emissions.
 - introduce tax initiatives to encourage the up-take of electric powered vehicles in order to phase out the reliance on fossil fuels.
 - assisting communities to address breaches of national air quality standards.
 - implementing tighter controls on facilities at high risk of causing dust and air pollution.
- 14.4 The NSW Government to ensure that any new schools constructed in a local government area provide appropriately sized off-street drop off and pick up zones.
- 14.5 The NSW Government to allocate more resources for increased police numbers and state regulatory inspections, to improve response times, particularly in regional and rural NSW.
- 14.6 The state and federal governments to fund councils and community organisations to manage anti-terror and security related risks at events and in crowded places.
- 14.7 Amendments to noise control regulations to ensure that general activities within a park cannot be deemed intrusive or offensive during certain hours of the day.
- 14.8 Increased local government involvement in determination of gaming machine applications with priority consideration given to social impact.
- 14.9 Funding, resources and initiatives to address the prevalence of domestic and family violence (DFV) in NSW, including Crimes Act recognition that coercive control and dowry abuse are forms of DFV, and funding a DFV prevention officer to work with NSW councils.

15. Libraries, Arts and Culture

Local government provides art galleries, museums, libraries and cultural services which are vital in enabling communities to participate in artistic and cultural expression. Councils provide almost 400 free public library services in NSW, including central, branch and mobile libraries in NSW. The right to equitable access to basic information is a cornerstone of democratic society.

Our Position

LGNSW calls on State and Commonwealth governments to:

- 15.1 Support the critical role of public libraries in communities by:
 - Reversing the significant decrease in the State Government expenditure as a proportion of total expenditure on public libraries that has occurred since the 1980s.
 - Creating a sustainable funding model for public libraries that indexes funding to CPI and is protected in legislation.
 - Investigating systems to provide communities throughout NSW with greater access to larger collections and library resources and materials.
- 15.2 Devise a museum strategy for NSW with sufficient resources to ensure cultural heritage led vibrancy, collection care and local storytelling initiatives are supported, developed and maintained for communities throughout NSW.
- 15.3 Ensure councils receive a fair share of funding from and access to government arts and culture programs.
- 15.4 Recognise the challenges for small, regional and remote councils and prioritise them for arts and cultural funding relative to the large State Cultural Institutions.
- 15.5 Provide stimulus and recovery funding to councils to promote and support arts and culture, including for galleries, performance, exhibitions and festivals.

16. Elections and Democracy

Councils are elected to shape, serve, support and give voice to their communities, to whom they are democratically accountable. The NSW and Australian governments must respect local government as an equal sphere of government and must not seek to impose decisions on local government that fundamentally affect the ability of democratically elected councillors to reflect the views of their communities on local government matters.

Councils call for local government elections to be conducted in a manner as similar as possible to State elections to make democratic participation similar for voters and to support voter turnout.

Our Position

LGNSW advocates for the NSW Government to:

- 16.1 Amend the *Local Government Act 1993* (LG Act) to prevent the forced amalgamation of councils or significant boundary alteration without the support of a plebiscite.
- 16.2 Amend the LG Act to limit the power of the Minister for Local Government to suspend or dismiss democratically elected councils in all but the most extraordinary circumstances.
- 16.3 Permit newly amalgamated councils that have been divided into wards as part of a larger council area to revert to their status as undivided electorates.
- 16.4 Amend the Local Government (General) Regulation 2005 to shorten the pre-poll voting period to the period including the Saturday to Friday of the week before Election Day.
- 16.5 Ensure councils and communities retain choice in their method of voting and does not impose universal postal voting.
- 16.6 Amend the LG Act to ensure that councillors and candidates who are members of a registered political party, or have been a member of a registered political party during at any time during the 12 months prior to seeking council election/re-election, be prohibited from using the word 'Independent' beside their name on the ballot paper and on all electoral materials.
- 16.7 Amend the LG Act to ensure a person may only nominate for election to a particular council if they are a resident or ratepayer.
- 16.8 Eliminate the need for council by-elections, by extending countback provisions to the first two years of a council term, and extending the minister's discretion to provide councils with the option of avoiding a by-election for a casual vacancy during the latter two years of a council term.
- 16.9 Implement measures such as information sessions and training programs to increase the diversity of candidates standing for local government elections.
- 16.10 Legislate so that LG elections are to be conducted by the NSW Electoral Commission only.
- 16.11 Reduce the cost of conducting LG elections, including through:
 - (a) a commitment that the NSW Electoral Commission not be permitted to increase the cost of elections by more than the rate cap limit imposed on LG rates
 - (b) directly offsetting the cost of LG elections with significant fine revenue from non-voting
 - (c) trialling online voting initiatives.

17. Governance

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

Governance

LGNSW advocates for the NSW Government to:

- 17.1 Establish a panel of independent members with specific local government knowledge, for appointment to local councils' Audit, Risk and Improvement Committees.
- 17.2 Review the guidelines for Audit, Risk and Improvement Committees to reduce the exclusion period for former councillors and staff, to support rural and regional councils.
- 17.3 Amend the LG Act to strengthen requirements for general managers to provide councillors with the information required to perform their functions.
- 17.4 Invest more resources into managing Code of Conduct complaints to ensure they are dealt with efficiently and effectively.
- 17.5 Amend the gifts and benefits provisions in the Model Code of Conduct so that the token value amount be removed and replaced with the provisions that apply in the Code of Conduct for Members of the NSW Parliament.
- 17.6 Amend the LG Act and Model Code of Meeting Practice to require councils to publish unconfirmed minutes of council and committee meetings and provide suitable legal protection for councils to act on decisions before the minutes are confirmed.
- 17.7 Permit councillors to attend and participate in council meetings by audio-visual means.
- 17.8 In the interests of safety and privacy, review the Information and Privacy Commission requirement for returns of interest disclosures to be published online.
- 17.9 Legislate to make it an offence for any person to threaten, incite violence, intimidate, menace or harass any person exercising functions under the Local Government Act or any other Act or regulation that confers functions on a council, and disqualify any person who has committed such an offence from holding public office for local government in NSW.
- 17.10 Require Working With Children Checks and police checks for councillors.
- 17.11 Improve accessibility and compliance outcomes by simplifying all forms and processes for candidates and public office holders and permitting documents to be signed and lodged electronically.
- 17.12 Restore funding to ensure the independence of the Independent Commission Against Corruption in NSW. LGNSW also supports establishing a similar body federally.

18. Councillor Conditions and Remuneration

The increasing workload and accountability of elected representatives (particularly in recent years) may mean that, without proper compensation, fewer people are likely to put themselves forward for public office. To attract a diverse array of talented candidates for election, the local government sector should be able to offer conditions and compensation, including superannuation, comparable to that available from the work activities mayors and councillors forgo in order to serve on councils.

Our Position

LGNSW advocates for the NSW Government to:

- 18.1 Investigate options for full time councillors in NSW.
- 18.2 Fund ongoing councillor professional development.
- 18.3 Repeal s242A of the LG Act so that the Local Government Remuneration Tribunal (LGRT) is able to determine fair and reasonable fees for councillors and mayors, unfettered by the Public Sector Wages Policy (and the LGRT to determine the maximum permissible remuneration increase for councillors and mayors while the NSW Public Sector Wages Policy still applies)
- 18.4 Amend s241 of the LG Act to remove reference to maximum and minimum fees payable, so that the LGRT determines the actual annual remuneration for councillors and mayors.
- 18.5 Amend s240(1) of the LG Act to include councils' financial position and/or performance as additional criteria that the LGRT must have regard to when determining categories for councils and mayors.
- 18.6 Legislate to require compulsory superannuation payment to councillors and mayors at the rate equivalent to the rate set out in the *Superannuation Guarantee (Administration) Act 1992* (Cth).
- 18.7 Require all councils, county councils and Joint Organisations to have personal accident insurance cover for all councillors while performing their functions, equivalent to the level of insurance employees receive under NSW workers' compensation legislation.

19. Strong and Inclusive Communities

Local government is a significant provider and supporter of essential services to all members of the community including older people, people with disability, families, children, young people, Aboriginal people and people from all cultures and backgrounds. Councils also support refugee resettlement, services for newly arrived migrants and hold citizenship ceremonies and Harmony Day events. Councils fill the gaps in the provision of essential human services when there are no other providers, particularly in rural and remote areas, and advocate for equitable access to infrastructure and services.

Our Position

LGNSW advocates for:

- 19.1 Continued State and Commonwealth funding to supplement the contribution of NSW councils of approximately 60% towards the cost of community development, ageing and disability staff positions.
- 19.2 Increased support for councils and communities that resettle refugees and welcome multicultural communities, including through:
 - A broader humanitarian resettlement strategy to encourage and support distribution of resettlement across NSW and Australia,
 - Support to areas where concentrated resettlement occurs to address social and economic impact gaps (including housing affordability, employment, infrastructure and services).
 - Funding for councils' roles, responsibilities and activities that support multicultural communities and promote social cohesion, including refugee resettlement.
 - Reviewing restrictive eligibility requirements of the Status Resolution Support Scheme and restoring access to this program for all people seeking asylum until their status is resolved.
- 19.3 Funding to support participation of people with disability in their communities, including:
 - Funding to implement actions and projects identified in council Disability Inclusion Action Plans.
 - Funding to councils for community support, information, and referral and capacity building initiatives.
- 19.4 The NSW Government to support and encourage inclusive consultation and engagement approaches, in consultation with councils and including technological options for people with disability.
- 19.5 Funding and policy settings to address accessible and liveable housing design standards, housing affordability, access to public housing, and homelessness, including funding for councils to deliver initiatives at the local level.
- 19.6 NSW Health to retain ownership of its aged care and disability facilities.
- 19.7 Amendment of the *Local Government Act 1993* to explicitly require Equal Employment Opportunity management plans to include provisions for targeted programs to increase employment opportunities for Aboriginal and Torres Strait Islander people.
- 19.8 Funding support for volunteers and volunteer development programs, including for community organisations that engage volunteers.
- 19.9 An urgent increase in the rate of Newstart and Youth Allowance by a minimum of \$100 per week.
- 19.10 An increase in Government support for vulnerable children and young people to meet demand for rehabilitation services, early intervention and justice initiatives.
- 19.11 Adequate funding for council-run youth and children services and recognition that councils are an essential provider of services to children and young people.

- 19.12 Initiatives to address skill shortages and impediments to employment and training, injecting significant funds into TAFE and the higher education system to redress recent funding cuts and the impacts of TAFE deregulation.

20. Aboriginal Constitutional Recognition

LGNSW acknowledges the significance of the Statement from the Heart issued at the 2017 First Nations National Constitutional Convention at Uluru and supports the principle of the Constitutional recognition of Aboriginal and Torres Strait Islander Australians. Australia is one of the few first world nations with a colonial history that does not recognise its Aboriginal population in the Constitution.

LGNSW believes that Constitutional change will build stronger relationships of trust and mutual respect between Aboriginal and Torres Strait Islander peoples and other Australians. Local government in NSW can be instrumental in this campaign as it is best connected to communities at the grass roots level.

Our Position

LGNSW:

- 20.1 Supports the recommendations of the Joint Select Committee on Constitutional Recognition relating to Aboriginal and Torres Strait Islander Peoples, and seeks that the Australian Government initiate a process of co-design with Aboriginal and Torres Strait Islander peoples, consider establishing a First Nations Voice, support the process of truth-telling and consider the establishment of a National Resting Place (or Places) for commemoration, healing and reflection.
- 20.2 Encourages councils to progress the Constitutional recognition campaign at the local level and build support among all political leaders to advocate for a referendum.
- 20.3 Supports community awareness campaigns on the importance of Constitutional recognition to redress any disproportionate disadvantage experienced by Aboriginal and Torres Strait Islander peoples.

v20200403

Our ref: R18/0008 Out-
12 July 2021
GMs and Mayors

Dear Member,

OFFICIAL NOTICE

Local Government NSW Annual Conference, 28-30 November (in person) and 20 December 2021 (online)

The following letter provides important information to help you to plan ahead and participate fully in the Annual Conference.

Event: LGNSW Annual Conference 2021
Date: 28-30 November 2021 (in person), and 20 December 2021 (online)
Venue: Hyatt Regency, Sydney
Address: 161 Sussex Street, Sydney

Registration to attend the Conference

Conference attendees are asked to register online on the [LGNSW website](#). Registrations will open on Tuesday 27 July and a future communication with more information on how to register will be sent in due course. Members can take advantage of special 'early bird' rates until Monday, 11 October 2021.

Voting Delegates: Motions and Board Election

Separate from Conference registration, members must advise LGNSW of the name(s) of their nominated voting delegates by **5pm (AEDT) on Tuesday 2 November 2021**.

This year involves two types of voting and LGNSW is required to develop two separate rolls of voters:

- 1. Voting on motions** – To vote on motions, delegates must be an elected member of a financial Associate member, financial Ordinary member or an Administrator of such a member appointed in accordance with the *Local Government Act 1993*.
- 2. Voting in the election for Office Bearers and the Board (Board election)** – To vote in the Board election, delegates must be a Councillor of a council which is an Ordinary member.

Voting entitlements

The formula for calculating members' voting entitlements is prescribed at rule 23 of the LGNSW rules. A copy of the LGNSW (Federal) rules may be found [here](#).

The **number of voting delegates** that each member is entitled to send to the Conference for each type of voting is listed in **Appendix A**. Column A indicates the number of voters for voting on motions and, where applicable, Column B indicates the number of voters for voting in the Board election.

In accordance with the LGNSW rules, only members that were financial on 1 March 2021 (the 'calculation date') have been allocated voting entitlements. To exercise voting rights, members also need to be financial on the date the 'roll of voters' closes (to be determined by the AEC).

Nomination as a voting delegate

Ordinary members need to advise LGNSW of the name(s) of their nominated voting delegate(s) for both types of voting: voting on motions and voting in the Board election.

Associate members need to advise LGNSW of the name(s) of their nominated voting delegate(s) for voting on motions only.

Future Conference updates will contain links and instructions on how to advise LGNSW of the names of nominated voting delegates.

Nominations received after **5pm (AEDT) on Tuesday 2 November 2021** cannot be accepted, however, a member may, subject to the LGNSW rules, notify LGNSW of a change to the name of an already nominated voting delegate for voting on motions (a substitute delegate- see below).

Given the close proximity between formal AEC declarations following the 4 September local government elections, and the 2 November nomination cut-off date, members are **strongly encouraged** to schedule an October council meeting to determine their nominated voting delegates for the Conference in sufficient time.

For further information on voting entitlements and processes, contact Adam Dansie on (02) 9242 4140 or email: adam.dansie@lgnsw.org.au.

Substitution of nominated voting delegates for voting on motions

Subject to the LGNSW rules, Ordinary members and Associate members may notify a change to the name of a nominated voting delegate for voting on motions under rule 34(b) of the LGNSW rules (a substitute delegate) by giving notice in writing signed by either the Mayor/Chairperson (or Deputy Mayor/Deputy Chairperson with the Mayor/Chairperson's written delegated authority) or General Manager/Chief Executive Officer (or Acting General Manager/Acting Chief Executive Officer with the General Manager/Chief Executive Officer's written delegated authority), to Andrew Olivares (LGNSW) at andrew.olivares@lgnsw.org.au.

Further instructions on how to substitute voting delegates for voting on motions, and a link to a 'Substitute Delegate Form' will be provided in future Conference communications.

Absentee (proxy) voting in the election for Office Bearers and the Board

The [LGNSW rules](#) provide for absentee voting in elections for Office Bearers and the Board. Further information about absentee (proxy) voting will be provided by the AEC Returning Officer in due course.

Motions

The [online portal](#) for submitting motions to be considered at the Conference is **now open**.

Proposed motions should be strategic, affect members state-wide and introduce new or emerging policy issues and actions. Members are encouraged to review the [Action Reports](#) from previous conferences (on the member-only pages of the LGNSW website) and the existing principles and positions of LGNSW as set out in the [Policy Platform](#) before submitting motions for the 2021 Conference.

LGNSW has recently updated the [2020 Action Report](#) with multiple ministerial responses to matters raised at the 2020 Annual Conference.

Guidelines on how to submit motions for the Conference are [available here](#).

Deadline for submitting motions

Members are encouraged to submit motions by **27 September 2021**. The latest date motions can be accepted for inclusion in the Business Paper is 12 midnight (AEDT) on Sunday 31 October 2021.

For further information on submitting motions, please contact Beau Reid on 02 9242 4082 or beau.reid@lgnsw.org.au or visit the [Conference page](#).

Business Papers

The full Conference Business Paper is expected to be available on the LGNSW website and forwarded to members (in electronic format) approximately two weeks prior to the Conference.

Travel

The Hyatt Regency Sydney is located in Sydney's Central Business District, adjacent to Darling Harbour, approx. 30 minutes (8km) from Sydney (Kingsford Smith) Airport, and approx. 550m from Town Hall Train Station.

For those driving, parking is available at [Wilson Secure Car Park](#) directly opposite the hotel (please note there are two entrances at 383 Kent Street or 168 Sussex Street, Sydney). Please contact the Front Desk to obtain a 24hrs multi-entry self-parking ticket for the above car park at Hyatt Regency Sydney rates.

Accommodation

We encourage you to plan ahead and book your accommodation at the Hyatt Regency using the link below:

- [Your Room At The Hyatt Regency Sydney](#)

Privacy Statement

LGNSW, which is regulated by the *Privacy Act 1988* (Cth), collects private information about registered attendees to the Conference such as names, addresses, telephone numbers, credit card information and email addresses. We use the private information you give us to process your registration and to send you information in relation to the Conference.

If you choose not to provide some or all of the private information that we have sought, LGNSW may be unable to process your registration or it may result in you being unable to vote at the Conference. Further information about how LGNSW collects, holds and uses private information is contained in LGNSW's Privacy Policy which is available on the website at the following web address: <http://www.lgnsw.org.au/privacy>

Further details

Further details about the Conference are on the [LGNSW website](#).

I look forward to seeing you at the Conference in November.

Yours sincerely

Cr Linda Scott
President

Appendix A

Members' voting entitlements: 2021 Annual Conference and Board election

| Member | Column A – Number of voters for voting on motions | Column B – Number of voters for voting in Board election |
|-------------------------|--|---|
| Albury (R/R) | 4 | 4 |
| Armidale Regional (R/R) | 3 | 3 |
| Ballina (R/R) | 3 | 3 |
| Balranald (R/R) | 1 | 1 |
| Bathurst Regional (R/R) | 3 | 3 |
| Bayside (M/U) | 9 | 9 |
| Bega Valley (R/R) | 3 | 3 |
| Bellingen (R/R) | 2 | 2 |
| Berrigan (R/R) | 1 | 1 |
| Blacktown (M/U) | 11 | 11 |
| Bland (R/R) | 1 | 1 |
| Blayney (R/R) | 1 | 1 |
| Blue Mountains (R/R) | 4 | 4 |
| Bogan (R/R) | 1 | 1 |
| Bourke (R/R) | 1 | 1 |
| Brewarrina (R/R) | 1 | 1 |

| | | |
|---------------------------------------|----|----|
| Broken Hill (R/R) | 2 | 2 |
| Burwood (M/U) | 3 | 3 |
| Byron (R/R) | 3 | 3 |
| Cabonne (R/R) | 2 | 2 |
| Camden (M/U) | 6 | 6 |
| Campbelltown (M/U) | 9 | 9 |
| Canada Bay (M/U) | 5 | 5 |
| Canterbury-Bankstown (M/U) | 11 | 11 |
| Carrathool (R/R) | 1 | 1 |
| Castlereagh-Macquarie County (R/R) | 1 | 0 |
| Central Coast (R/R) | 7 | 7 |
| Central Darling (R/R) | 1 | 1 |
| Central Tablelands Water County (R/R) | 1 | 0 |
| Cessnock (R/R) | 4 | 4 |
| Clarence Valley (R/R) | 4 | 4 |
| Cobar (R/R) | 1 | 1 |
| Coffs Harbour (R/R) | 4 | 4 |
| Coolamon (R/R) | 1 | 1 |
| Coonamble (R/R) | 1 | 1 |
| Cootamundra-Gundagai Regional (R/R) | 2 | 2 |
| Cowra (R/R) | 2 | 2 |
| Cumberland (M/U) | 9 | 9 |
| Dubbo Regional (R/R) | 4 | 4 |
| Dungog (R/R) | 1 | 1 |

| | | |
|---------------------------------|---|---|
| Edward River (R/R) | 1 | 1 |
| Fairfield (M/U) | 9 | 9 |
| Far West Joint Organisation | 1 | 0 |
| Federation (R/R) | 2 | 2 |
| Forbes (R/R) | 1 | 1 |
| Georges River (M/U) | 9 | 9 |
| Gilgandra (R/R) | 1 | 1 |
| Glen Innes Severn (R/R) | 1 | 1 |
| Goldenfields Water County (R/R) | 1 | 0 |
| Greater Hume (R/R) | 2 | 2 |
| Griffith (R/R) | 3 | 3 |
| Gunnedah (R/R) | 2 | 2 |
| Gwydir (R/R) | 1 | 1 |
| Hawkesbury City (M/U) | 5 | 5 |
| Hawkesbury River County (M/U) | 2 | 0 |
| Hay (R/R) | 1 | 1 |
| Hilltops (R/R) | 2 | 2 |
| Hornsby (M/U) | 9 | 8 |
| Hunters Hill (M/U) | 2 | 2 |
| Inner West (M/U) | 9 | 9 |
| Inverell (R/R) | 2 | 2 |
| Junee (R/R) | 1 | 1 |
| Kempsey (R/R) | 3 | 3 |
| Kiama (R/R) | 3 | 3 |

| | | |
|--|---|---|
| Kimbriki Environmental Enterprises Pty Ltd (M/U) | 1 | 0 |
| Ku-ring-gai (M/U) | 6 | 6 |
| Kyogle (R/R) | 1 | 1 |
| Lachlan (R/R) | 1 | 1 |
| Lake Macquarie (R/R) | 7 | 7 |
| Lane Cove (M/U) | 3 | 3 |
| Leeton (R/R) | 2 | 2 |
| Lismore (R/R) | 3 | 3 |
| Lithgow (R/R) | 3 | 3 |
| Liverpool (M/U) | 9 | 9 |
| Liverpool Plains (R/R) | 1 | 1 |
| Lockhart (R/R) | 1 | 1 |
| Maitland (R/R) | 4 | 4 |
| Mid-Coast (R/R) | 4 | 4 |
| Moree Plains (R/R) | 2 | 2 |
| Mosman (M/U) | 3 | 3 |
| Murray River (R/R) | 2 | 2 |
| Murrumbidgee (R/R) | 1 | 1 |
| Muswellbrook (R/R) | 2 | 2 |
| Nambucca (R/R) | 2 | 2 |
| Narrabri (R/R) | 2 | 2 |
| Narrandera (R/R) | 1 | 1 |
| Narromine (R/R) | 1 | 1 |
| Newcastle (R/R) | 7 | 7 |

| | | |
|---|----|----|
| New England County (R/R) | 1 | 0 |
| Norfolk Island Regional Council (R/R) | 1 | 0 |
| North Sydney (M/U) | 5 | 5 |
| Northern Beaches (M/U) | 10 | 10 |
| Northern Sydney Regional Organisation of Councils (M/U) | 1 | 0 |
| Oberon (R/R) | 1 | 1 |
| Orange (R/R) | 3 | 3 |
| Parkes (R/R) | 2 | 2 |
| Parramatta, City of (M/U) | 10 | 9 |
| Penrith (M/U) | 9 | 9 |
| Port Macquarie-Hastings (R/R) | 4 | 4 |
| Port Stephens (R/R) | 4 | 4 |
| Queanbeyan-Palerang Regional (R/R) | 4 | 4 |
| Randwick (M/U) | 9 | 9 |
| Richmond Valley (R/R) | 3 | 3 |
| Riverina Water County (R/R) | 1 | 0 |
| Rous County (R/R) | 1 | 0 |
| Ryde (M/U) | 6 | 6 |
| Shellharbour (R/R) | 4 | 4 |
| Shoalhaven (R/R) | 5 | 5 |
| Singleton (R/R) | 3 | 3 |
| Snowy Monaro Regional (R/R) | 3 | 3 |
| Snowy Valleys (R/R) | 2 | 2 |
| Southern Sydney Regional Organisation of Councils | 1 | 0 |

| | | |
|--|----|---|
| (M/U) | | |
| Strathfield (M/U) | 3 | 3 |
| Sutherland Shire (M/U) | 9 | 9 |
| Sydney, City of (M/U) | 10 | 9 |
| Tamworth Regional (R/R) | 4 | 4 |
| Temora (R/R) | 1 | 1 |
| Tenterfield (R/R) | 1 | 1 |
| The Hills Shire (M/U) | 9 | 9 |
| Tweed (R/R) | 4 | 4 |
| Upper Hunter (R/R) | 2 | 2 |
| Upper Lachlan (R/R) | 1 | 1 |
| Upper Macquarie County (R/R) | 1 | 0 |
| Uralla (R/R) | 1 | 1 |
| Wagga Wagga (R/R) | 4 | 4 |
| Walcha (R/R) | 1 | 1 |
| Walgett (R/R) | 1 | 1 |
| Warren (R/R) | 1 | 1 |
| Warrumbungle (R/R) | 1 | 1 |
| Waverley (M/U) | 5 | 5 |
| Weddin (R/R) | 1 | 1 |
| Wentworth (R/R) | 1 | 1 |
| Western Sydney Regional Organisation of Councils (M/U) | 1 | 0 |
| Willoughby (M/U) | 5 | 5 |
| Wingecarribee (R/R) | 4 | 4 |

| | | |
|-------------------|------------|------------|
| Wollondilly (R/R) | 4 | 4 |
| Wollongong (R/R) | 7 | 7 |
| Woollahra (M/U) | 5 | 5 |
| Yass Valley (R/R) | 2 | 2 |
| LGNSW Board (M/U) | 10 | 10 |
| LGNSW Board (R/R) | 8 | 8 |
| TOTAL: | 476 | 458 |

2020 Local Government NSW Conference Actions – last updated July 2021

The full list of Ministerial responses to annual conference resolutions can be found [here](#).

The full list of LGNSW submissions can be found [here](#).

All conference resolutions sent to the leaders of parties in NSW Parliament and Independents encouraging them to share with their colleagues.

| Resolution | LGNSW actions | Responses and outcomes to date |
|---|--|--|
| 3 Mosman Municipal Council - Local Government State Award That Local Government NSW conducts an independent review of the current arrangements and procedures for negotiating and finalising the Local Government State Award, and any interim or variation to that award, by a suitably experienced consultant such as a former tribunal member, to ensure best practice governance and transparency for its members is achieved. | Considered by LGNSW's Industrial Advisory Committee on 10 March 2021. Committee recommendations are being reviewed by the LGNSW Board. | |
| 5 Murray River Council - Future conferences and training online That Local Government NSW gives consideration to: <ol style="list-style-type: none"> 1. Future conferences being online or having an online component to enable councillors who cannot travel to participate, and 2. Future training offerings for councillors online to enable more councillors to participate in learning and development activities without the inconvenience and cost of travel. | <ul style="list-style-type: none"> • Each conference, event or forum is evaluated for its ability to be held as an in person, online or hybrid. • Many learning programs are now delivered online as a result of the COVID-19 impact. • LGNSW will continue to review and deliver online programs where feasible. | <ul style="list-style-type: none"> • Holding activities online extends our reach and positively impacts on attendance from regional areas where travel, time and cost are factors. • Some of our programs have seen positive increase in attendance such as the Employment Law seminar. • LGNSW Learning has begun to promote pre and post-election training programs. |
| 6 Newcastle City Council - Local government exclusion from National Cabinet That Local Government NSW: <ol style="list-style-type: none"> 1. Notes with disappointment that local government is not represented on the newly formed National Cabinet and seeks their assistance in requesting that First Ministers review the decision to exclude local government; 2. Seeks meetings with the Prime Minister and the Premier to discuss in more detail the importance of having local government representation on National Cabinet and the value of partnerships with councils in achieving the objectives of the National Cabinet and the national reform agenda; and 3. Notes that the Australian Local Government Association, Local Government NSW and other state/territory local government associations will continue to advocate for local government representation on the National Cabinet and for local government's interests in all relevant forums. <p><i>This issue was also raised by City of Canterbury-Bankstown and Wollondilly Shire Councils.</i></p> | Letters to: <ul style="list-style-type: none"> • Prime Minister, the Hon. Scott Morrison MP (federal) • Premier, the Hon. Gladys Berejiklian MP • Minister for Local Government, the Hon. Shelley Hancock MP | <p>On 23 November the Minister for Local Government wrote to LGNSW reiterating previous comments by the Premier that the NSW Government would represent the views of NSW councils in the National Cabinet.</p> <p>In March 2021 the Federal Labor Party made a commitment, through an amendment to their National Platform, that a Federal Labor government would restore full local government representation, including voting rights, to the peak Ministerial Council of the nation, currently National Cabinet.</p> <p>In June 2021 LGNSW received a response from the Premier via the Minister for Local Government, advising that: The NSW Government is committed to working with the Local Government sector to ensure that issues facing councils are considered and addressed.</p> |
| 7 Blayney Shire Council - Emergency management reform That Local Government NSW advocates to the NSW Government, specifically Resilience NSW to transfer responsibility for emergency management to the NSW Government to deliver the following outcomes: | Letters to: <ul style="list-style-type: none"> • Minister for Police and Emergency Services, the Hon David Elliott MP • Minister for Local Government, the Hon. Shelley Hancock MP • Commissioner, Resilience NSW | LGNSW supported the rate reforms contained in Local Government Amendment Bill 2021 that was passed through Parliament on 13 May 2021. However, LGNSW argued that Bill did not go far enough and advocated for further amendments to the Bill to remove rate pegging and as an interim measure to decouple the Emergency Services Levy (ESL) from rate pegging. LGNSW also continues to advocate for reform of rate exemptions. |

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| <ul style="list-style-type: none"> Decentralisation of emergency management roles to regional NSW providing stronger local knowledge and employment in the regions. Improved capacity for resilience and recovery planning with that resource capable to transition directly into leading recovery (instead of local government). Significant efficiency gains in the emergency management space with a greater capacity for more on-ground professional emergency management personnel in each local government area or agreed combined areas. More consistent emergency management outcomes regardless of the size or capacity of the council (which itself is highly variable). Improved strategy and delivery of emergency services infrastructure through integration. Improved alignment by allowing local councils and the NSW Police to focus on their core roles. Improved facilities, support and training for emergency service volunteers. A significant boost to the financial sustainability of all councils in NSW. A greater capacity within local councils to develop and implement permanent resilience improvements (e.g. on critical infrastructure). Local councils still have a critical role to play in emergency management planning and response through a 'seat at the table', and, That the transfer of responsibility includes removal of the \$120 million local government annual contribution to emergency services and the transfer of ownership of Rural Fire Services and State Emergency Services infrastructure from local government to the NSW Government. <p><i>This issue was also raised by Coolamon Shire, Weddin Shire, Greater Hume, Cootamundra-Gundagai Regional, Kempsey Shire, Bellingen Shire, Carrathool Shire and Fairfield City Councils.</i></p> | <p>11 Feb 2021 - LGNSW President met with Minister Elliott</p> <p>12 March 2021 - submission on NSW Tax Reform, emphasising need to replace ESL with a Broad Based Property Tax.</p> | <p>While an amendment to decouple rates from the rate peg was passed it proved ineffective and the government has refused to accept the intent and objectives of the amendment. LGNSW is supporting further amendments to decouple the ESL from rates.</p> <p>In June 2021 LGNSW received a response from the Minister for Police and Emergency Services via the Minister for Local Government, advising that:</p> <ul style="list-style-type: none"> The NSW Government is committed to the NSW emergency management framework which is defined in legislation, policy and practice. Consistent with that framework, and established emergency management doctrine, emergencies and recovery efforts are managed at the local level in the first instance, which is global best practice. Resilience NSW is the state's lead disaster management agency, responsible for all aspects of disaster recovery. Resilience NSW will be structured in a way that will allow it to provide unprecedented support to local government on emergency management and recovery, with resources dedicated to working directly with councils on emergency management. Resilience NSW will have an Executive Director of Local Engagement and Coordination, with six regional directors reporting to that ED. Resilience NSW has also established its Regional Disaster Preparedness Program, which sees a Regional Disaster Preparedness Officer employed for a two year period by Resilience NSW and hosted 'in region' by the relevant joint organisation. Resilience NSW will work with councils to assist on disaster preparedness, response and recovery. |
| <p>8 Bega Valley Shire Council - NSW Bushfire Inquiry endorsement</p> <p>That Local Government NSW endorses the NSW Government's Bushfire Inquiry Report and urges Resilience NSW to proceed with implementation of the Inquiry's recommendations as a matter of urgency.</p> <p><i>This issue was also raised by Snowy Valleys Council.</i></p> | <p>Letters to:</p> <ul style="list-style-type: none"> Minister for Police and Emergency Services, the Hon David Elliott MP Minister for Local Government, the Hon. Shelley Hancock MP Commissioner, Resilience NSW <p>11 Feb 2021 - LGNSW President met with Minister Elliott</p> | <p>In June 2021 LGNSW received a response from the Minister for Police and Emergency Services via the Minister for Local Government, advising that:</p> <ul style="list-style-type: none"> The NSW Government has accepted all recommendations of the NSW Bushfire Inquiry. Resilience NSW and other government agencies are working together to implement the recommendations. The Government has already committed \$192.2m in funding to support the implementation of NSW Bushfire Inquiry recommendations. (Further detail in above-linked letter). The Bushfires Legislation Amendment Act 2020 responded to seven recommendations. <ul style="list-style-type: none"> The Act amended the Rural Fires Act 1997, the Biodiversity Conservation Act 2016, the National Parks and Wildlife Act 1974, and other legislation, to implement changes in response to the devastating 2019/20 bush fire season. The Act legislated the establishment of a Rural Boundary Clearing Code to eliminate the onerous burdens on landholders to clear vegetation on their land. The Act Bill also amended legislation to foster greater consistency between public and private landholders, particularly with regards to dealing with bush fire hazards on their land. |

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| | | <ul style="list-style-type: none"> ○ The Act also legislated greater audit powers for the RFS, enhancing the Commissioner's powers to audit plans and manage bush fire hazard complaints. ○ The Act legislated the declaration of Assets of Intergenerational Significance, such as the Wollemi Pines, as well as a whole range of other measures. ● The Government is providing quarterly progress reports on the implementation of the recommendations to the NSW Parliament. These are publicly available as they are published on the NSW Parliament website. |
| <p>9 Tenterfield Shire Council - Cultural burning to facilitate fire management</p> <p>That Local Government NSW calls upon the NSW Government to support cultural burning on Crown Lands, National Parks and State Forest held lands in every State of Australia, and the training and employment of indigenous people to carry out this important task.</p> | <p>Letters to:</p> <ul style="list-style-type: none"> ● Minister for Police and Emergency Services, the Hon David Elliott MP ● Minister for Local Government, the Hon. Shelley Hancock MP ● Commissioner, Resilience NSW | <p>In June 2021 LGNSW received a response from the Minister for Aboriginal Affairs, the Minister for Police and Emergency Services, the Minister for Planning and Public Spaces, the Minister for Agriculture and Western New South Wales, the Minister for Energy and Environment, and the Resilience NSW Commissioner via the Minister for Local Government, advising that:</p> <ul style="list-style-type: none"> ● Recommendation 25 of the NSW Bushfire Inquiry recommended that Government adopt the principle that cultural burning is one component of a broader practice of traditional Aboriginal land management and is an important cultural practice, not simply another technique of hazard reduction burning. ● The NSW Government is providing \$1.3m to the Department of Planning, Industry and Environment's (DPIE) Cultural Fire Management Unit, to develop a community driven, co-designed, long term cultural fire management strategy and business model. ● The strategy and business model will be community driven and co-designed with Aboriginal people to identify and recommend to Government a framework that sets government policy, guidelines and allocates funding for the expansion of cultural fire management in NSW. ● DPIE will also measure the benefits of CFM to conservation, soil properties and community wellbeing, and work with Aboriginal communities to foster and deliver cultural burning. ● The NSW RFS supports different agencies and groups across the State by providing resources to assist with planning and implementing cultural burning programs. Actual implementation of the burn is conducted and/or led by Indigenous practitioners. ● In 2019-20, the NSW RFS assisted with at least 10 cultural burns and provided opportunities for 20 Indigenous community members across the State to participate in bush fire fighter training. ● Additionally, recent amendments to the Rural Fires Act resulted in three Aboriginal representatives appointed to the BFCC, to promote the integrity of cultural burning and indigenous practices. |
| <p>10 Shoalhaven City Council - Coast and estuary grants funding</p> <p>That Local Government NSW lobbies the NSW Government to release the additional unallocated funding from the Coastal and Estuary Grants Program to flood affected local government areas.</p> | <p>Letters to:</p> <ul style="list-style-type: none"> ● Minister for Local Government, the Hon. Shelley Hancock MP ● Minister for Police and Emergency Services, the Hon David Elliott MP <p>Raised with DPIE at January 2021 Energy, Environment and Science (EES) liaison meeting.</p> | |
| <p>12 Tenterfield Shire Council - Funding increase to drought proof Australia</p> <p>That Local Government NSW advocates for the State and Federal Governments to increase funding for agricultural research, including pasture research to assist in drought proofing Australia.</p> | <p>Letters to:</p> <ul style="list-style-type: none"> ● Minister for Agriculture, Drought, and Emergency Management, the Hon David Littleproud MP (federal) ● Minister for Agriculture and Western NSW, the Hon Adam Marshall MP | <p>Response received from Minister Littleproud on 22 March. The response notes the federal government's \$1.1 billion rural research and development investment, and the work funded by the \$5 billion Future Drought Fund which provides continuous funding for drought resilience initiatives.</p> <p>In June 2021 LGNSW received a response from the Minister for Agriculture, Drought and Emergency Management (Federal) and Minister for Agriculture and Western NSW via the Minister for Local Government, advising that:</p> |

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| | | <ul style="list-style-type: none"> • The NSW Government is a strong supporter of research and development and continues to invest millions of dollars each year to consider the best ways to boost primary industry productivity and protect stock, crops and human health. • The Department of Primary Industries (DPI), is the largest provider of research and development services to primary industries in Australia, with more than 1,000 active research projects and a research and development portfolio of \$100 million per year. As world leaders in food and fibre innovation, DPI is ranked in the top 1% of research organisations around the globe and works closely and collaboratively with industry, and public and private organisations. • The above-linked letter further details tens of millions of dollars invested in past and continuing research, noting the need for further research to increase drought resilience. |
| <p>13 Warren Shire Council - Equality of drought and COVID-19 pandemic support</p> <p>That Local Government NSW petitions the Federal Government to ensure equality of financial support for drought impacted individuals, families, producers and service providers on the same basis as that being provided to employees, families, the unemployed and business during the COVID-19 pandemic and that the government:</p> <ol style="list-style-type: none"> 1. Immediately address the inequity that exists between the drought response and that to the COVID-19 crisis. 2. Develop strategies for future droughts that reflect the importance of the regions and that values them accordingly. 3. Focus on primary criteria and actions that relate to loss of income and protecting people in drought when they are most vulnerable. 4. Safeguard and protect our human resources and vital Australian food and fibre production capacity and its security. | <p>Letters to:</p> <ul style="list-style-type: none"> • Minister for Agriculture, Drought, and Emergency Management, the Hon David Littleproud MP (federal) | <p>Response received from Minister Littleproud on 22 March. The response acknowledges drought's impact but states that droughts differ from COVID in that they are neither unexpected nor immediate in their effects. As such, the federal government provides drought support in line with the three pillars of drought response, resilience and preparedness. The response also notes the multibillion-dollar funding to support those affected by drought and the national network of Regional Recovery Officers based in communities across Australia.</p> |
| <p>14 Shoalhaven City Council - Asset Protection Zones</p> <p>That Local Government NSW requests the NSW Government to carry out the following actions to local government areas in NSW with respect to Asset Protection Zones (APZ):</p> <ol style="list-style-type: none"> 1. To exempt hazard reduction burns and the construction of asset protection zones, required as a result of a duly adopted standard, from the provisions of the EPBC Act and the NSW Environmental Legislation, internal Government Agency Policies, or any other limitations within other Acts or Regulations which restrict any authorised authority from constructing and maintaining APZs or undertaking hazard reduction burns. 2. Adopt as a general policy that Urban settlements requiring the provision of an APZ at the interface with natural areas, such APZ be at least 200m and to have such APZs managed as Park Lands. 3. To enact Legislation to require a private land holder (including Aboriginal Land) to create and maintain a parkland like cleared area of generally 200m to act as an APZ between the subject land and the interface with any urban development requiring the provision of an APZ, where a property owner fails to comply with this requirement an authorised authority may carry out the work and charge the land holder for the works, with the exception of | <p>Letters to:</p> <ul style="list-style-type: none"> • Minister for Police and Emergency Services, the Hon David Elliott MP • Minister for Energy and Environment, the Hon. Matt Kean MP • Commissioner, Resilience NSW <p>Provided to DPIE at January 2021 EES liaison meeting, given NPWS references.</p> | <p>In June 2021 LGNSW received a response from the Minister for Energy and Environment via the Minister for Local Government, advising that:</p> <ul style="list-style-type: none"> • 1. The NSW Rural Fires Act 1997 identifies several streamlined approval pathways to allow for private landholders and public land managers to carry out genuine bushfire mitigation activities in areas designated as bushfire prone. These approval processes include the NSW Bush Fire Environmental Assessment Code, the 10/50 Vegetation Clearing Code of Practice for NSW and the NSW Rural Boundary Clearing Code (pending gazettal). In addition, exemptions relating to genuine bushfire mitigation activities are identified under the Commonwealth Environmental Planning and Biodiversity Conservation Act 1999. While streamlined approval pathways can expedite particular bushfire mitigation activities, they should not undermine the NSW legal framework as a blanket means of assessment. It is critical that bushfire mitigation treatments are undertaken appropriately to ensure all assets of value to the community, including natural and cultural values are appropriately considered across the landscape. • At a local level, Bush Fire Risk Management Plans are a statutory document that support the Bush Fire Management Committees in identifying assets at risk from bushfire. Assets can include communities, buildings and infrastructure as well as culturally and environmentally significant assets and locations. Plans are prepared by local Bush Fire Management Committees and approved by the state Bush Fire Coordinating Committee. These plans provide a strategic risk-based approach to managing bushfire risk in NSW and play a significant role in the allocation of state funding. • 2. All new developments on land designated as bushfire prone or are adjacent to bushfire prone lands are legally obliged to apply the requirements of Planning for Bushfire Protection 2019, AS3959:2018 Construction of Buildings in Bushfire-prone Areas and the |

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| <p>Aboriginal Land where the clearing will remain a cost on the authority.</p> <p>4. To require any Government Authority who manages forested areas to properly maintain and improve the construction of fire trails, this is to include the removal of any obstructions other than locked gates.</p> <p>5. To consider the construction of strategic fire breaks through forested areas including National Parks of a similar width to a major electricity easement.</p> | | <p>National Construction Code. This includes consideration of bushfire protection measures including asset protection zones, construction standards, access provisions, water supplies and landscaping on that land. Further information set out in the above-linked letter.</p> <ul style="list-style-type: none"> • 3. NSW Land Use Planning Framework provides an appropriate means to address bushfire protection measures (including Asset Protection Zones) for both new and existing development. The findings of the NSW Independent Bushfire Inquiry did not recommend extensive clearing of land or provide a specific target increase in the size of Asset Protection Zones. • Notwithstanding this, sections 63, 66-74 of the Rural Fires Act 1997 provides the NSW Rural Fire Service Commissioner with the power to enforce bushfire hazard reduction activities to be undertaken where an owner, occupier or public authority has failed to carry out works specified in a Bush Fire Hazard Reduction Notice • 4. National Parks and Wildlife Service (NPWS) manages the most extensive fire trail network in the state. Over the last five years, \$38.5 million was invested in maintenance and upgrade of the NPWS road and trail network. Building on this investment, the NSW Government has committed an additional \$125.9 million over the next four years to further upgrade and maintain the fire trail network in national parks, including \$29.4 million specifically on the fire trail network for 2020-21. • NPWS is working with local Bush Fire Management Committees to finalise 'Fire Access, Fire Trail' Plans across the state to provide a legal mechanism to ensure all registered fire trails comply with NSW Fire Trail Standard as well as providing an avenue for additional funding to construct new trails and to upgrade existing trails to the appropriate standard. • 5. The construction of strategic firebreaks form part of a suite of bushfire mitigation treatments that may be considered by land managers to mitigate bushfire risk. They are not suitable for all locations and the width of these strategic breaks will vary in response to a variety of factors influencing bushfire behaviour. • The requirement to establish and consider asset protection zones (APZs) is set out in different pieces of legislation and policy and this interconnected framework ensures consideration of safety, the environment and equity in land use planning considerations. • Current environmental legislation, including the Biodiversity Offsets Scheme, requires consideration of the impacts of clearing for development, including of APZs. This consideration does not stop APZs being implemented (other than in extremely rare circumstances, such as if the APZ would lead to a serious and irreversible impact), but can lead to better land use design, better biodiversity and safety outcomes, biodiversity offsetting, or financial savings through redesign. Further details in above-linked letter. |
| <p>15 Wollondilly Shire Council - Service Award for Individual First Responders</p> <p>That Local Government NSW advocates for the establishment of a Local Government Service Award for Individual First Responders in the form of a medal or ribbon to be worn on their uniform recognising their conduct or action to protect their community. There is currently no appropriate acknowledgement of first responders at a local government level.</p> <p><i>This issue was also raised by Blacktown City Council.</i></p> | <p>Letter to:</p> <ul style="list-style-type: none"> • Premier, the Hon. Gladys Berejiklian MP | <p>In June 2021 LGNSW received a response from the Premier, the Hon. Gladys Berejiklian MP via the Minister for Local Government, advising that:</p> <ul style="list-style-type: none"> • The Minister appreciates your support of our first responders and your suggestion that they be formally recognised by local government for their tireless work and contribution to serving the community. Australia has a system of honours and awards so its first responders can be recognised for excellence, achievement or meritorious service and contributions to our society. • The NSW emergency services are recognised in the following meritorious award categories: <ul style="list-style-type: none"> ○ The Australian Fire Service Medal ○ (AFSM) recognises distinguished service by a member of an Australian fire service. ○ The Australian Police Medal (APM) recognises distinguished service by a member of an Australian police force. ○ The Emergency Services Medal (ESM) recognises distinguished service as a member of an Australian emergency service. |

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| | | <ul style="list-style-type: none"> ○ The Ambulance Service Medal (ASM) recognises distinguished service as a member of an Australian ambulance service. ● In addition to the above awards the emergency services of New South Wales have established internal awards that recognise the contribution made by their members including acts of bravery and outstanding service. |
| <p>16 Georges River Council - Protecting democracy at the 2021 local government elections</p> <p>That Local Government NSW:</p> <p>(a) Calls for the NSW Government to protect local democracy by ensuring councils and communities retain choice in their method of voting to encourage more people to participate in the electoral process.</p> <p>(b) Calls for the NSW Government to ensure local government elections are conducted in a manner as similar as possible to State elections to make democratic participation simple for voters and support voter turnout.</p> <p>(c) Opposes the introduction of universal postal voting which risks disenfranchising voters through discouraging voter participation and diminishing the status of local government.</p> <p>(d) Calls for the NSW Government to fund any increase in the costs of local government elections beyond the rate peg imposed on councils.</p> <p><i>This issue was also raised by Broken Hill City Council and Lithgow City Council.</i></p> | <p>Letter to:</p> <ul style="list-style-type: none"> ● Minister for Local Government, the Hon. Shelley Hancock MP | <p>In November 2020 the Minister for Local Government announced the NSW Government had ruled out imposing universal postal voting for council elections as part of a NSW Budget announcement and following extensive LGNSW advocacy. The NSW Government also committed to funding any costs required to ensure the local government elections are COVID-safe, allocating \$57 million.</p> <p>The Minister for Local Government confirmed these announcements in a 30 November 2020 letter to the LGNSW President.</p> <p>In June 2021 LGNSW received a response from the Minister for Local Government, advising that:</p> <ul style="list-style-type: none"> ● The 2021 local government elections will be held using attendance voting. ● Amendments will be made to the Local Government (General) Regulation 2005 to allow attendance voting to occur in a COVID-safe way. Technology assisted voting (iVote) will also be available at council elections administered by the NSW Electoral Commission at the 2021 elections. iVote will operate at council elections in the same way it does for State elections. ● The NSW Government has provided additional funding to the NSW Electoral Commission to ensure councils do not incur additional costs as a result of the need to hold COVID-safe elections. Funding will also be made available to the two councils using another provider should they incur additional costs. |
| <p>18 Georges River Council - Electronic signatures on Electoral Commission documents</p> <p>That Local Government NSW lobbies the NSW Electoral Commission and the NSW Government to:</p> <p>(a) Improve compliance outcomes and ensure accessibility for all members of the community, all existing processes (including forms) for candidates and public office holders be reviewed to ensure that they are simple and easy to understand</p> <p>(b) Reduce the administrative burden on citizens seeking to be involved in Local Government by amending all relevant legislation and regulations to permit electoral documents, including periodic disclosures, to be signed and lodged electronically.</p> | <p>Letters to:</p> <ul style="list-style-type: none"> ● Minister for Local Government, the Hon. Shelley Hancock MP ● Special Minister of State, the Hon. Don Harwin MLC ● NSW Electoral Commissioner | <p>In March 2021 the NSW Electoral Commissioner responded to LGNSW confirming that:</p> <ul style="list-style-type: none"> ● it will launch a new Funding and Disclosure Online Portal to enable candidates, councillors, parties, donors and other electoral participants to meet their ongoing compliance obligations via the online lodgement of forms and support information (including electronic signatures), ● parties and candidates will be able to manage and lodge nomination forms, including deposit payments, using an enhanced online portal (in line with the 2019 State election) ● all participants will be able to register how-to-vote cards and other electoral material online. <p>The NSWEC also advised that it has recommended the NSW Government undertake further reform, including legislative amendments, to allow more forms to be signed and lodged electronically.</p> <p>In June 2021 LGNSW received a response from the Minister for Local Government, advising that:</p> <ul style="list-style-type: none"> ● The election provisions of the Local Government (General) Regulation 2005 have been modernised to streamline processes and reduce prescription by giving election managers greater flexibility to approve forms and submission methods. ● The election provisions have also been made “technology neutral” to support greater use of electronic transactions and submissions. |
| <p>20 Narrandera Shire Council - NSW electorate districts redistribution process</p> <p>That Local Government NSW lobbies the NSW Government to undertake a formal review of the redistribution process in NSW, seeking to ensure that regional/rural areas west of the Great Dividing Range are represented adequately into the future</p> <p><i>This issue was also raised by Leeton Shire Council.</i></p> | <p>Letters to:</p> <ul style="list-style-type: none"> ● Special Minister of State, the Hon. Don Harwin MLC | <p>In June 2021 LGNSW received a response from the Special Minister of State, the Hon. Don Harwin MLC via the Minister for Local Government, advising that:</p> <ul style="list-style-type: none"> ● Under the <i>Electoral Act 2017</i>, the Redistribution Panel may determine the boundaries of electoral districts by reference to such matters as it thinks fit, including cadastral, topographical, administrative and other spatial information. ● In carrying out its functions, the Redistribution Panel must have regard to demographic trends within the State. It is also to give due consideration to: <ul style="list-style-type: none"> ○ community interests within each electoral district, including economic, social and regional interests |

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| | | <ul style="list-style-type: none"> ○ means of communication and travel within each electoral district ○ the physical features and area of each electoral district ○ mountain and other natural boundaries ○ the boundaries of existing electoral districts. ● The Redistribution Panel must consider any submissions and comments from the public that are lodged with the Redistribution Panel relating to a draft determination of the names and boundaries of electoral districts before making a final determination. ● The Redistribution Panel is currently undertaking a redistribution of electoral boundaries, as required by the Constitution Act 1902. ● The Redistribution Panel is currently considering comments and suggestions received during consultation on the draft determination in light of the relevant provisions of the <i>Electoral Act 2017</i> to produce the final determination. |
| <p>21 City of Canterbury-Bankstown – Improving recycling systems in NSW</p> <p>To support existing LGNSW Policy that 100% NSW Waste Levy should be returned to councils, Local Government NSW advocates to the NSW Government to increase the proportion of the waste levy reinvested in recycling and waste management. This funding would include but not limited to illegal dumping, the circular economy and the rehabilitation of historic orphan dump sites.</p> <p><i>This issue was also raised by City of Canterbury-Bankstown, Blacktown City, Bourke Shire, Central Coast, Lismore City, Cessnock City, Blacktown City.</i></p> | <p>Letters to:</p> <ul style="list-style-type: none"> ● Minister for Energy and Environment, the Hon. Matt Kean MP <p>Provided to DPIE at January 2021 Energy, Environment and Science (EES) liaison meeting, noting relevance to 20 year waste strategy development.</p> | <p>In June 2021 LGNSW received a response from the Minister for Energy and Environment via the Minister for Local Government, advising that:</p> <ul style="list-style-type: none"> ● The NSW Government is working with local councils and industry to respond to the challenges in the sector. As part of this approach, the Government is developing a 20-Year Waste Strategy that is focused on delivering a sustainable, reliable and affordable waste and resource recovery system. ● The Department received more than 250 submissions on an issues paper for the Strategy, including from the City of Canterbury-Bankstown, which will inform the development of the draft Strategy. ● Recently, the Government announced an extension to Waste Less, Recycle More for the 2021-22 financial year, ahead of the implementation of the 20-Year Waste Strategy. The Environment Protection Authority (EPA) will allocate \$26 million in funding and support for local government for 2021-22, ensuring that over 100 jobs in local councils and regional waste groups are maintained. <p>In June 2021, the NSW Government released the NSW Waste and Sustainable Materials Strategy. The Strategy notes 1/3 of the waste levy revenue collected is returned to the environment portfolio, with 16% collected levy going to waste and circular economy programs and activities. The NSW Government recognises the need for regular, transparent reviews of the levy but there is no commitment to increase the waste levy reinvestment into waste and recycling activities. Major initiatives of this stage of the strategy include:</p> <ul style="list-style-type: none"> ● Mandating food and garden organics collection from all NSW households by 2030 and food waste from select businesses by 2025 (NSW Government to invest \$65 million over five years from FY2023 to assist) ● \$16 million investment in a new joint procurement facilitation service for local government for household waste services ● A series of feasibility assessments and engagement about the suite of infrastructure investment needed ● \$37 million Carbon Recycling and Abatement Fund to support circular design to reduce carbon-intensive materials and increase recycling ● Require landfill gas capture for landfills over a certain size as well as all expanded or new landfills supported by \$7.5 million investment, and require net zero emissions from licenced landfills by a prescribed timeframe. |
| <p>21a Federation Council - Waste to Energy</p> <p>That Local Government NSW requests the NSW Government to more urgently progress concrete actions and strategy to enable projects to develop including a strategic pathway towards funding regional waste</p> | <p>Letters to:</p> <ul style="list-style-type: none"> ● Minister for Energy and Environment, the Hon. Matt Kean MP | <p>In June 2021 LGNSW received a response from the Minister for Energy and Environment via the Minister for Local Government, advising that:</p> <ul style="list-style-type: none"> ● The EPA will continue to support the 14 regional waste groups across NSW with funding of \$3.125 million for 2021-22. The EPA values the work of the regional waste groups and sees the groups as key delivery partners for the 20-Year Waste Strategy. |

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| <p>management solutions also involving Joint Organisations, and the Federal Government.</p> | <p>Provided to DPIE at January 2021 EES liaison meeting, noting relevance to 20 year waste strategy development.</p> <p>29 April 2021 – submission to the NSW EPA on the draft revised NSW Energy from waste policy statement calling for strategic funding pathways for regional energy from waste facilities</p> | <ul style="list-style-type: none"> • The Riverina and Murray Joint Organisation (RAMJO) manages two regional waste groups and is funded \$345,777 through the EPA's regional coordination support program for 2020-21. The RAMJO Regional Waste Strategy 2017- 2021 identifies the priorities for the region, which covers 13 local government areas including Federation Council. • We encourage Federation Council to work with the Riverina and Murray Joint Organisation on the development of the new RAMJO regional waste strategy. • Remanufacture NSW is also offering funding of up to \$35 million to support the resource recovery sector's response to changes brought about by the decision to ban the export of unprocessed waste plastic, paper, glass and tyres. Remanufacture NSW ensures NSW is leading by example and maximising recycling and reuse activities and keeping materials within the productive economy. <p>In June 2021, the NSW Government released the NSW Waste and Sustainable Materials Strategy, accompanied by the Guide to Future Infrastructure Needs. The NSW Government will support a pipeline of waste and circular economy infrastructure by:</p> <ul style="list-style-type: none"> • facilitating waste and circular economy infrastructure by targeting investment attraction, funding, environmental licensing and planning activities to the highest priority areas of need • investing in high priority projects, including through our \$35 million Remanufacture NSW fund, which will be topped up with an additional \$24 million over five years. |
| <p>23 Randwick City Council - Proposals for incineration of waste in urban Sydney That the conference opposes partnerships between the waste disposal industry and other industries for cogeneration plants (or "Energy Recovery Plants") similar to the Matraville proposal between Opal Paper Mill and the waste company Suez Group on the grounds that they are essentially repackaged waste incineration plants. In doing so the association notes that emissions from such plants are a health danger to local communities and an obstacle to achieving the infrastructure and circular economy solutions advocated for under clause 12.1.a) of the Waste and Recycling Position Statement of our adopted Local Government NSW Platform Policy.</p> | <p>Letters to:</p> <ul style="list-style-type: none"> • Minister for Energy and Environment, the Hon. Matt Kean MP <p>Provided to DPIE at January 2021 EES liaison meeting, noting relevance to 20 year waste strategy development.</p> <p>29 April 2021 – submission to the NSW EPA on the draft revised NSW Energy from waste policy statement.</p> | <p>In June 2021 LGNSW received a response from the Minister for Energy and Environment via the Minister for Local Government, advising that:</p> <ul style="list-style-type: none"> • Of the Energy from Waste Policy Statement review to ensure it remains best practice and sets high standards for controlling air emissions. • The NSW Government 20-Year Waste Strategy would include supporting the development of a statewide integrated resource recovery infrastructure network, with tailored solutions for regional areas. The Strategy also considers what actions need to be considered for energy from waste to ensure the protection of air quality and human health. <p>On the 31 March 2021, the NSW Government released a draft revised Energy from Waste Policy Statement, that proposes tightened restrictions on air emission limits in line with recommendations by the NSW Chief Scientist and Engineer.</p> |
| <p>24 Federation Council - COVID-19 recovery That Local Government NSW lobbies the NSW Government to develop a comprehensive COVID-19 recovery package to assist communities and businesses recover from the economic impacts of COVID-19.</p> | <p>Letters to:</p> <ul style="list-style-type: none"> • Premier, the Hon. Gladys Berejiklian MP • NSW Treasurer <p>In June 2021 LGNSW wrote to the Premier in a letter co-signed by a significant number of Mayors calling for urgent support for businesses and individuals put at financial risk during the COVID stay at home orders.</p> | <p>Councils have secured a total of \$5.3 billion in Federal and State recovery and resilience funding, in the wake of the Black Summer bushfires, floods and the economic havoc wreaked by the COVID pandemic. This is the largest quantum of funding ever for councils, especially in the areas of infrastructure programs and drought and bushfire assistance. LGNSW advocacy has helped deliver:</p> <ul style="list-style-type: none"> • \$395 million COVID-19 economic stimulus package – the only one handed down by a State Government • \$170 million for local government amid sustained drought • \$225 million in new and accelerated funding under the Fixing Local Roads program • \$130 million for council early childhood education and pre-school services hard hit by emergency health orders • Funding for public spaces projects, including local roads, footpaths, cycleways, and other community infrastructure under the \$250 million Public Spaces Legacy Program. <p>In June 2021 LGNSW received a response from the NSW Treasurer via the Minister for Local Government, advising that:</p> <ul style="list-style-type: none"> • The NSW Government has committed a significant amount of funding to local councils to aid recovery from the COVID-19 pandemic. NSW Government grants to local councils are forecast to increase in 2020-21 to \$3 billion. These payments include grants under Restart NSW to |

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| | | <p>support the delivery of local council infrastructure and services. Other targeted grants to local councils include allocations for repairing and upgrading local roads and airports, and for new and upgraded sporting facilities and parks.</p> <ul style="list-style-type: none"> • In the 2020-21 Budget, a total of \$2.2 billion was committed from the Restart NSW fund to local government and non-government organisations. Of these projects, 685 have Restart NSW funding deeds in place worth \$1.9 billion, allowing these projects to proceed. This represents an increase of \$635.5 million (41%) in commitments since 2019-20. • In addition to this significant investment, the NSW Government has delivered a range of direct measures to support local councils over the past 12 months in response to COVID-19. These measures have included allowing councils to apply the Independent Pricing and Regulatory Tribunal's (IPART) annual rate peg more flexibly in response to short-term changes in communities' ability to pay, as well as a range of direct financial assistance, including: <ul style="list-style-type: none"> ○ \$112.5 million for the Council Job Retention Allowance to protect jobs and retain skills in the sector by providing a payment to eligible councils of \$1,500 per fortnight per employee for up to three months to limit local government job losses ○ \$82 million to bridge gaps in Commonwealth JobKeeper assistance, which helped retain jobs and ensure more than 260 local council childcare services could remain open in last year's lockdowns ○ Meeting the cost of increases in the emergency services levy for all NSW councils for 2020-21 (LGNSW note: now extended to include 2021-22); and ○ \$250 million in additional funding under the TCorp local government lending facility to enable local councils to access low-interest loans for new and upgraded infrastructure and local economic stimulus projects. |
| <p>25 Liverpool City Council - COVID-19 impacts and Fit for the Future guidelines That the LGNSW conference:</p> <ol style="list-style-type: none"> Notes the collapse in revenues and seek a rates guarantee to ensure financial liquidity, financial assistance to maintain existing employment levels and explicit inclusion of local government in any future stimulus packages; Support Local Government NSW's campaign to suspend Fit for the Future (FFF) guidelines given current circumstances, including writing to the Minister for Local Government as appropriate; and Note that councils believe FFF targets and benchmarks are now outdated and should be reviewed as councils will be increasingly unable to meet targets and benchmarks during the pandemic. | <p>Letter to:</p> <ul style="list-style-type: none"> • Minister for Local Government, the Hon. Shelley Hancock MP | <p>In June 2021 LGNSW received a response from the Minister for Local Government, advising:</p> <ul style="list-style-type: none"> • The Government acknowledges the impact of COVID-19 on communities throughout NSW and understands that many councils will face difficulties in balancing their budgets and achieving their financial targets. • In a message to all councils on 8 April 2020 and reiterated on 13 August 2020, the Office of Local Government advised councils that <i>“these are unprecedented times for councils and OLG will work to ensure that the audit process acknowledges the challenges councils face and that financial performance will inevitably be affected. OLG understands that councils are facing additional expenses, significant reductions in revenue, and challenges in ensuring the ongoing delivery of important community services. Financial management strategies will need to be flexible and adaptable and OLG will take a pragmatic approach to council performance this year. No council should be considering reducing services or staffing just to demonstrate compliance with financial benchmarks. In the coming months, as councils respond to the COVID-19 pandemic they should continue to make sound financial decisions which includes continuing to meet ongoing financial obligations.”</i> |
| <p>26 Blue Mountains City Council - Active Transport Infrastructure</p> <ol style="list-style-type: none"> That Local Government NSW advocates to the State and Federal Governments to create clear and dedicated funding programs to support the building of active transport infrastructure, such as footpaths and shared paths/cycleways; That these programs should be considered as part of the economic stimulus packages that are critical in keeping the economy going in response to the COVID-19 pandemic as well as the impacts of the Black Summer bushfires; and That this program provides full grant funding rather than 50/50 shared cost arrangements, to enable councils to deliver on their Pedestrian Access and Mobility Plans. | <p>Letters to:</p> <ul style="list-style-type: none"> • Minister for Regional Transport and Roads, the Hon. Paul Toole MP • Minister for Transport and Roads, the Hon. Andrew Constance MP | <p>In June 2021 LGNSW received a response from the Minister for Transport and Roads via the Minister for Local Government, advising:</p> <ul style="list-style-type: none"> • \$710 million will be invested into walking and cycling infrastructure over the next four years - this will bring the NSW Government's total investment to around \$1.1 billion - the largest commitment in the State's history. • In response to the COVID-19 pandemic, Transport for NSW in partnership with councils has delivered a series of popup cycleways throughout NSW. The NSW Government will contribute \$35 million in economic stimulus funding to connect cycleways in Oxford Street Bondi Junction, and Doncaster Avenue in Randwick. The NSW Government will continue to look at ways to provide further economic stimulus to communities through our \$107.1 billion infrastructure pipeline. • Councils can apply for funding to deliver walking and cycling infrastructure as part of the NSW Government's Walking and Cycling Program. |

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| | | <ul style="list-style-type: none"> The NSW Budget for 2021-22 allocated an additional \$40 million for active transport measures. |
| <p>27 Goldenfields Water County Council - Water County Council grant funding</p> <p>That Local Government NSW advocates on behalf of Water County Councils to be included in, and receive an equitable share of grant funding provided by Federal and NSW Governments.</p> | <p>Letters to:</p> <ul style="list-style-type: none"> Minister for Regional Services, Decentralisation and Local Government, the Hon Mark Coulton MP (federal) Minister for Local Government, the Hon. Shelley Hancock MP | <p>In June 2021 LGNSW received a response from the Minister for Local Government, advising: Under the Local Government Act 1993, County Councils can seek and apply for grant funding. Eligibility of county councils for the purpose of grant programs are a matter for each Minister to determine. This is dependent on the policy objectives being sought and local community needs for particular strategies and programs at the time they are implemented.</p> <p>On 23 June 2021 LGNSW received a response from Minister Coulton, noting that the federal government is committed to working with all levels of government to ensure equitable levels of service by local governing bodies, and detailing funding programs to the federal government that contributes to water infrastructure.</p> |
| <p>28 Tweed Shire Council - Economic stimulus for regenerative landscape management</p> <p>The Local Government NSW lobbies the Federal and NSW Governments to request a specific and significant funding stream be made available for regenerative landscape management as an economic stimulus to be administered at local government level.</p> | <p>Letters to:</p> <ul style="list-style-type: none"> Minister for the Environment, the Hon. Sussan Ley (federal) Minister for Energy and Environment, the Hon. Matt Kean MP <p>Provided to DPIE at January 2021 EES liaison meeting.</p> | <p>Response received from Minister Ley on 12 April. Minister Ley noted the Australian Government's \$2B Bushfire Recovery Fund and \$1B Relief and Recovery Fund, in addition to its existing Regional Land Partnerships Program, Environment Restoration Fund, Communities Environment Program and National Landcare Program.</p> <p>In June 2021 LGNSW received a response from the Minister for Energy and Environment via the Minister for Local Government, advising:</p> <ul style="list-style-type: none"> The NSW Government recognises the importance of investment in regenerative landscape management and the environmental, economic and social benefits it brings. The NSW Environmental Trust Restoration and Rehabilitation program provides grants, including to councils, to contribute to sustainable management and stewardship of significant environmental assets and services. Under the 2019-20 Restoration and Rehabilitation program, 35 grants totalling \$3,167,208 were awarded for a range of projects. The 2021-20 round will open for applications in the second half of 2021. The Environmental Trust has also invested \$385,000 into an investigative grant that will support regenerative landscape management in the long-term. The Healthy Seeds project is led by the Australian Network for Plant Conservation and will produce an evidence-based roadmap outlining actions required to support a sustainable seed supply for restoration in NSW. The roadmap, along with key stakeholders, will guide future Environmental Trust investment in projects to support the long-term viability of the native seed sector, which is a crucial step in ensuring environmental, economic and social outcomes of any investment in sustainable land management. The NSW Government is continuing to strengthen its conservation efforts on private land. Since its inception, the Biodiversity Conservation Trust has invested over \$125 million, and 226 landholders have signed or plan to sign a conservation agreement, creating conservation areas across 59,300 hectares. The Government is investing more than \$350 million in the Biodiversity Conservation Trust over five years for this program, creating opportunities for rural landholders to manage their land for conservation. Landholders may be eligible for conservation partners grants, which provide financial assistance to landholders in managing their conservation area, allowing them to improve the biodiversity value of their properties. Assisted regeneration is one of the management activities eligible for funding. |
| <p>29 Gilgandra Shire Council - First generation dying swimming pools in regional NSW</p> | <p>Letters to:</p> <ul style="list-style-type: none"> Minister for Local Government, the Hon. Shelley Hancock MP | <p>Response received from Minister Lee on 1 March. Minister Lee noted that the NSW Government is aware of the needs of regional communities for repair of sports infrastructure. The Minister encourages all regional NSW councils to apply for the second round of the Regional Sport Facility Fund which will open later in 2021, for grants between \$100,000 and \$1 million.</p> |

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| <p>That Local Government NSW pursue designated funding from the NSW Government for the urgent replacement of first generation dying swimming pools in regional NSW.</p> | <ul style="list-style-type: none"> • A/ Minister for Sport, Multiculturalism, Seniors & Veterans, the Hon. Geoff Lee MP | |
| <p>30 Snowy Valleys Council - Eligibility criteria for Job Retention Allowance That Local Government NSW lobbies the NSW Government to amend the eligibility criteria for the Job Retention Allowance funds to allow a fairer distribution to impacted councils who have not had to ‘stand down’ staff as a result of the pandemic.</p> | <p>Letter to:</p> <ul style="list-style-type: none"> • Minister for Local Government, the Hon. Shelley Hancock MP <p>After it emerged that there was very little draw down on the Job Retention Allowance funding as most councils did not meet criteria, LGNSW’s April 2021 NSW Budget Submission called on the Government to repurpose the remaining funds to support councils in other ways rather than have the funds returned to Consolidated Revenue.</p> | <p>In June 2021 LGNSW received a response from the Minister for Local Government, advising:</p> <ul style="list-style-type: none"> • Job Retention Allowance has provided a safeguard for jobs and skills retention within the local government sector during the COVID-19 pandemic. Any council that meets the financial stimulus eligibility criteria can submit claims for the Job Retention Allowance (JRA). Eligibility criteria includes that the council: <ul style="list-style-type: none"> ○ can demonstrate financial distress through an actual or potential loss of at least 30 per cent in revenue (rates and annual charges, user fees and charges or other revenue) for the current or previous quarter ○ is a party to the Splinter Award or equivalent agreement ○ has paid the eligible employee four weeks paid COVID-19 Special Leave under the Splinter Award or equivalent agreement, and ○ has entered into a funding agreement with the Office for Local Government. • The claims assessment process for the Job Retention Allowance is ongoing. |
| <p>31 Cabonne Council - Stronger Country Communities funding - additional round That Local Government NSW:</p> <ol style="list-style-type: none"> 1. Thanks the NSW Government for providing \$400 million towards local infrastructure projects across regional NSW via the Stronger Country Communities fund. 2. Acknowledges that the NSW Government’s Stronger Country Communities fund has enhanced regional communities and stimulated regional economies that have been hit hard by drought and bushfires. 3. Lobbies the NSW Government to commit to an additional round of Stronger Country Communities funding, due to the economic impacts of COVID-19. This would allow the previous 93 eligible regional councils as well as incorporated and not-for-profit organisations in those local government areas to access \$1 million in funding for community infrastructure projects. 4. Calls on the NSW Government to include in the criteria that infrastructure projects must stimulate regional economies by employing local tradespeople and buying local supplies. 5. Notes that all state Government funding should be administered in a fair, transparent and competent manner. In the last round some Councils who meet the guidelines to qualified for a grant from the NSW Government’s Stronger Communities Fund were excluded from applying. We also note the decision making process for the allocation of funds in now a matter before the NSW Auditor General. <p><i>This issue was also raised by Bourke Shire Council.</i></p> | <p>Letters to:</p> <ul style="list-style-type: none"> • Minister for Local Government, the Hon. Shelley Hancock MP • Deputy Premier and Minister for Regional NSW Industry and Trade, the Hon John Barilaro MP | <p>In June 2021 LGNSW received a response from the Deputy Premier via the Minister for Local Government, advising: The NSW Government has committed an additional \$100 million to Round Four of the Stronger Country Communities Fund which opened 1 May 2021, with up to \$50 million towards increasing female participation in sport. Applicants will be asked how their projects will create local jobs and how funding will be spent in their Local Government Area.</p> |
| <p>32 Newcastle City Council - Gateway City classification That Local Government NSW:</p> <ol style="list-style-type: none"> 1. Calls on the NSW Government to establish a consistent geography and classification across all NSW Government funding sources that enables equitable access for all local government areas (LGAs). This would provide more integrity to the process and enable new | <p>Letter to:</p> <ul style="list-style-type: none"> • Minister for Local Government, the Hon. Shelley Hancock MP | <p>In June 2021 LGNSW received a response from the Minister for Local Government, advising: Classification of councils for the purpose of grant programs are a matter for each Minister to determine. The classification of councils is dependent on the policy objectives being sought and local community needs for particular strategies and programs at the time they are implemented.</p> |

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| <p>opportunities for LGAs like Newcastle and Wollongong, who have been effectively shut out from a range of funding sources; and</p> <p>2. Asks the NSW Government to create a Gateway City classification to recognise that LGAs like Newcastle and Wollongong are major regional economic centres that sit between a metropolitan and regional classification. Gateway Cities will play a critical role in the future economic resilience and competitive opportunities of the state, particularly with the ongoing impacts of COVID-19. This would improve the efficiency and value for money of NSW Government grants.</p> <p><i>This issue was also raised by Wollongong City Council.</i></p> | | |
| <p>33 Lane Cove Council - Post-COVID-19 stimulus funding to promote the arts</p> <p>That Local Government NSW lobbies the NSW Government for post-COVID-19 stimulus funding to promote the arts (art galleries, performances, exhibitions, festivals) in our communities.</p> <p><i>This issue was also raised by Bega Valley Shire, Wagga Wagga City and Lismore City Councils.</i></p> | <p>Letter to:</p> <ul style="list-style-type: none"> Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts, the Hon. Don Harwin MLC | <p>Following LGNSW advocacy, in January 2021 the NSW Government confirmed that council-run venues will be eligible to participate in the Dine and Discover NSW voucher scheme, which will provide each NSW resident aged 18 and over with four \$25 vouchers. Two of the four vouchers can be used for entertainment and recreation at cultural institutions, live music, and arts venues. With councils running so many of NSW's theatres, galleries and arts and cultural venues, this is terrific news for councils and their communities and will support artists, performers, and creatives across the state.</p> <p>In May 2021, the eligibility conditions for Create NSW's Rescue and Restart were altered to address that there were some unintentionally excluded groups and organisations legislated under Section 355 of the Local Government Act. This restriction has now been removed for those community groups. The grant will close June 30 or when funding is fully committed.</p> <p>The federal government's RISE funding for arts organisations to recover after COVID also received a change in eligibility requirements, and as of May 2021 is now open to local government following LGNSW, ALGA and sector advocacy.</p> <p>Funding for Create NSW's 2021 Regional Arts Touring Round was \$1.9 million, an increase of 70% on the previous year.</p> <p>In June 2021 LGNSW received a response from the Minister for the Arts via the Minister for Local Government, advising:</p> <ul style="list-style-type: none"> Support under the \$50 million Arts Rescue and Restart package is available for eligible NSW not-for-profit arts companies in financial distress due to COVID-19. Funding is prioritised to companies in financial distress with no alternative reserves to draw on. Local government galleries, museums and arts centres are eligible to apply, however due to their operational budgets being the responsibility of local councils, these types of organisations generally have access to alternative sources of support. Through Stage 2 of Arts Restart, Create NSW is working with organisations in regional NSW to deliver arts and cultural activities. These organisations, including Regional Arts Development Organisations, will be working with local councils to provide these opportunities to their local communities. |
| <p>34 Georges River Council - Inquiry into the Local Government Rating System in NSW</p> <p>That Local Government NSW calls on members of the NSW Legislative Council to immediately establish an Inquiry into the NSW Local</p> | <p>Letters to:</p> <ul style="list-style-type: none"> Minister for Local Government, the Hon. Shelley Hancock MP NSW Treasurer | <p>LGNSW supported the rate reforms contained in Local Government Amendment Bill 2021 that was passed through Parliament on 13 May 2021. However, LGNSW argued that Bill did not go far enough and advocated for further amendments to the Bill to remove rate pegging and as an</p> |

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| <p>Government Rating and Revenue System to ensure that the long term financial sustainability of councils can be guaranteed and to address:</p> <ol style="list-style-type: none"> 1. The response of the NSW Government to the IPART Review of the NSW Rating System (2016) that found ‘the current system undermines council incentives to pursue growth and urban renewal, because they do not receive a commensurate increase in rates revenue to service new developments’; 2. The findings of the August 2020 NSW Productivity Commission Green Paper that found ‘the rate peg system does not currently compensate councils for having to service a larger pool of ratepayers, this leaves local governments with insufficient revenue to meet demand and an incentive to avoid housing growth’; 3. The lack of action arising from the findings of the Henry Review of Taxation, the NSW Treasury Corporation’s assessment of the financial sustainability of NSW councils and the NSW Independent Local Government Review Panel’s Final Report; 4. The financial impact on the 2016 amalgamated councils and their communities, of the ‘rates path protection freeze’ that prevented the introduction of fair and equitable rating systems within 20 amalgamated local government areas until 2020; 5. The intergenerational inequity arising from the lack of rating reform in NSW; 6. Whether the century-old rating system and the NSW Local Government Act 1993 remains fit for purpose; 7. The demand from communities that councils take on the increasing financial responsibilities of population growth, infrastructure requirements and provide an increasingly large and diverse range of services, and the impact that the rate peg has on those responsibilities; and 8. The impact of cost shifting from Federal and NSW Governments onto NSW councils without financial compensation. <p><i>This issue was also raised by Lake Macquarie City Council.</i></p> | | <p>interim measure to decouple the Emergency Services Levy (ESL) from rate pegging. LGNSW also continues to advocate for reform of rate exemptions.</p> <p>While an amendment to decouple rates from the rate peg was passed it proved ineffective and the government has refused to accept the intent and objectives of the amendment. LGNSW is supporting further amendments to decouple the ESL from rates.</p> <p>With the passing of the Bill, merged councils will now be able to phase in rate harmonisation, with the period for doing so now extended by a LGNSW supported amendment from 4 years to 8 years. The passage of the Bill also provides all councils with increased flexibility through new rating categories to allow for more efficient and equitable allocation of rates. LGNSW will continue to advocate for further reform of the rating system.</p> <p>In June 2021 LGNSW received a response from the Minister for Local Government:</p> <ul style="list-style-type: none"> • Advising that IPART has undertaken a significant, comprehensive inquiry into the local government rating system. On 18 June 2020, a Final Response was issued that acknowledged that local government and the communities they serve need to have a more flexible rating system, whilst ensuring rates are applied fairly and more equitably to local communities. The Government remains committed to strengthening the performance and sustainability of local government. • Noting the abovementioned Local Government Amendment Act 2021 was passed, which will ensure that NSW’s local government rating system continues to be fair and equitable, and responsive to changing community needs. The changes provide greater flexibility to make rates fairer in local communities, and help councils cater for population growth and infrastructure costs while protecting ratepayers from unfair rate rises. • Noting that the Minister for Local Government, with the approval of the Premier, has asked IPART to deliver a report recommending a rate peg methodology that allows the general income of councils to be varied annually in a way that accounts for population growth. • Further detail in the above linked letter. <p>On 29 June 2021 IPART released its draft report on the review of the rate peg to include population growth. LGNSW is making a submission to IPART on the draft report and is involved in consultation with IPART and councils.</p> |
| <p>35 Blue Mountains City Council Fixing the Unfair Rating Systems in NSW That Local Government NSW:</p> <ol style="list-style-type: none"> 1. Notes: <ol style="list-style-type: none"> a. annual increases in overall rates charged by local councils are set each year by the NSW Government’s Independent Pricing and Regulatory Tribunal (IPART) through the rate peg system. In 2020-2021 the rate peg increase was 2.6% to take account of costing of living/CPI increases; b. at the same time, the NSW Valuer General’s three yearly cycle of reassessment of land valuations to determine individual household rates means that individual rate payers may experience wildly different variations in their rates when compared to anticipated and published IPART rate peg increase. For example, in the Blue Mountains LGA, the NSW | <p>Letter to:</p> <ul style="list-style-type: none"> • Minister for Local Government, the Hon. Shelley Hancock MP <p>In January 2021 LGNSW made a submission on the Exposure Draft of the Local Government Amendment (Rates) Bill 2021.</p> | <p>LGNSW supported the rate reforms contained in Local Government Amendment Bill 2021 that was passed through Parliament on 13 May 2021. However, LGNSW argued that Bill did not go far enough and advocated for further amendments to the Bill to remove rate pegging and as an interim measure to decouple the Emergency Services Levy (ESL) from rate pegging. LGNSW also continues to advocate for reform of rate exemptions.</p> <p>While an amendment to decouple rates from the rate peg was passed it proved ineffective and the government has refused to accept the intent and objectives of the amendment. LGNSW is supporting further amendments to decouple the ESL from rates.</p> <p>With the passing of the Bill, merged councils will now be able to phase in rate harmonisation, with the period for doing so now extended by an LGNSW supported amendment from 4 years to 8 years. The passage of the Bill also provides all councils with increased flexibility through new rating</p> |

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| <p>Valuer General's wholesale reassessment of land values meant that some individual households experienced rate increases of up to 40% (15 times more than the rate peg), while other households' ratings charges stayed the same and some households rates went down. Meanwhile, the overall ratings amount levied by the Council did not increase beyond the IPART rate peg of 2.6%;</p> <p>c. the NSW Government directed IPART to undertake a review of the NSW Ratings System in 2016 and it has taken four years for the NSW Government to respond and the Government is yet to implement any changes to improve the ratings system across NSW.</p> <p>2. Calls on the NSW Government to fix the broken and unfair ratings system in NSW to make the ratings system fairer and predictable for all property owners across NSW.</p> <p>3. Calls on the NSW Government to fully fund the excessive rate increases caused by the NSW Valuer General's reassessment of land values in local government areas, due to the economic impacts of the Black Summer bushfires, February floods and the COVID-19 pandemic.</p> | | <p>categories to allow for more efficient and equitable allocation of rates. LGNSW will continue to advocate for further reform of the rating system.</p> <p>In June 2021 LGNSW received a response from the Minister for Local Government, which refers to the response to resolution 34 for this matter.</p> |
| <p>36 Bland Shire Council - IPART Review of the Local Government Rating System That Local Government NSW lobbies the NSW Government, in the strongest possible terms, to ensure that Recommendation 34 of the 2016 IPART Review of the NSW Local Government Rating System does not become legislation because of the severe and adverse financial impact this will have on all mining affected communities in NSW. <i>This issue was also raised by Broken Hill City, Lachlan Shire and Blayney Shire Councils.</i></p> | <p>Letter to:</p> <ul style="list-style-type: none"> Minister for Local Government, the Hon. Shelley Hancock MP <p>In January 2021 LGNSW made a submission on the Exposure Draft of the Local Government Amendment (Rates) Bill 2021.</p> | <p>In December 2020 the Minister for Local Government responded to LGNSW advising that an exposure draft Bill regarding rating reform would be published imminently.</p> <p>LGNSW was successful in having the IPART recommendation to align mining rates with business rates removed from the Bill prior to the Bill being introduced to Parliament (and passed in May 2021). The OLG will produce Guidelines instead of legislation.</p> <p>In June 2021 LGNSW received a response from the Minister for Local Government, which refers to the response to resolution 34 for this matter.</p> |
| <p>37 Lachlan Shire Council - Re-ascertainment of mining land That Local Government NSW lobbies the NSW Government and the NSW Valuer General to limit or prohibit the retrospective revaluation or re-ascertainment of land values, for mining properties, beyond the current base valuation year.</p> | <p>Letters to:</p> <ul style="list-style-type: none"> Minister for Local Government, the Hon. Shelley Hancock MP NSW Valuer General | |
| <p>38 Forbes Shire Council - Consideration of land value by the Valuer General That Local Government NSW lobbies the Valuer General to not take into account the approvals for water use and water supply works when determining rural land values.</p> | <p>Letters to:</p> <ul style="list-style-type: none"> Minister for Local Government, the Hon. Shelley Hancock MP NSW Valuer General | |
| <p>39 Blue Mountains City Council - Crown Lands and Plans of Management That councils at the Local Government NSW Annual Conference:</p> <ol style="list-style-type: none"> Seek the NSW Government fully fund the costs associated with transfer of management of Crown Lands to local councils, including the costs of developing and implementing Plans of Management for Crown Land Reserves; Seek the NSW Government recognise the difficulties being encountered by local government of NSW in meeting the | <p>Letters to:</p> <ul style="list-style-type: none"> Minister for Water, Property and Housing, the Hon. Melinda Pavey MP NSW Crown Land Commissioner | <p>Letter received from NSW Crown Land Commissioner, Professor Richard Bush on 13 April. The Commissioner noted his office has met a large range of councils across NSW in recent months, to increase our understanding of their issues with Crown land management. The Commissioner also noted:</p> <ul style="list-style-type: none"> that a Councils Executive Advisory Group has been established. (LGNSW note: A Crown Lands Local Government Operational Working Group has subsequently been formed). that the NSW Government is considering a potential extension of the deadline for plans of management (beyond 30 June 2021) in response to council concerns over timeframes and workload |

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| <p>requirements of the Crown Lands Management Act 2016 and extend the timeframe for adoption of Plans of Management for public reserves for which councils are appointed as Crown Land Manager; and</p> <p>3. Seek the NSW Government improve training and support provided for appointed Native Title Managers within local government of NSW.</p> <p><i>This issue was also raised by Greater Hume and Shoalhaven City Councils.</i></p> | | <ul style="list-style-type: none"> information on the Crown Lands Native title training resources. <p>In June 2021 LGNSW received a response from the Minister for Water, Property and Housing via the Minister for Local Government, advising:</p> <ul style="list-style-type: none"> 1) As part of improving Crown Lands' engagement and support to councils, a Councils Executive Advisory Group has been formed comprising senior executives from the NSW Government, the Crown Land Commissioner, the CEO of Local Government NSW, and General Managers from six representative councils to ensure executive level stakeholder feedback and direction is incorporated in program priorities and outcomes. Crown Lands has also released updated guidance material and detailed templates to assist councils in the preparation of plans of management and is enhancing its engagement with councils where they require more assistance. 2) Crown Lands has heard from many councils raising concerns about meeting the Plans of Management timeframe and the workload required to prepare these plans. This along with the significant challenges from 2020 such as bushfires, floods and COVID- 19 are impacting their ability to achieve this outcome. Responding to this feedback, the NSW Government has removed the deadline. 3) The second edition of the Crown Lands Native Title Workbook is a valuable resource for councils and is available online. Based on councils' feedback, Crown Lands is developing a new training program for 2021 to provide a more extensive training resource for new native title managers. For existing native title managers refresher training sessions will also be provided. |
| <p>41 Cootamundra-Gundagai Regional Council - Financial Assistance Grants</p> <p>That, if the Federal Government commits significant additional funding to Federal Assistance Grants to ensure no council is worse off, Local Government NSW calls on the NSW Government to reconsider the factors that determine the allocation of Financial Assistance Grants, being road distance and other terrain issues, so that local government areas with difficult terrain receive a fairer distribution of Financial Assistance Grants. This is for the reason that the cost to build a kilometre of road in undulating and mountainous country is substantially more expensive than in the tablelands.</p> | <p>Letters to:</p> <ul style="list-style-type: none"> Minister for Regional Services, Decentralisation and Local Government, the Hon Mark Coulton MP (federal) Minister for Local Government, the Hon. Shelley Hancock MP | <p>On 23 June 2021 LGNSW received a response from Minister Coulton, noting that:</p> <ul style="list-style-type: none"> the Financial Assistance Grant program is one of the few untied financial grants to local governments, and allows local governments to support local priorities. The remaining 2021-22 allocation to states and territories will be determined early in 2021-22. The Australian Government has also committed \$2.5 billion for the highly successful Local Roads and Community Infrastructure Program. This will enable local councils to deliver on priority projects, with a focus on priority upgrades and maintenance of local roads and community infrastructure. This funding is estimated to support around 3,500 jobs, taking the total jobs supported across the nation by the Local Roads and Community Infrastructure program to around 9,000. This program is in addition to the \$6.2 billion Roads to Recovery program that provides annual funding to councils to aid in maintaining local road networks. Financial Assistance Grant funding is allocated to NSW local governing bodies as recommended by the NSW Local Government Grants Commission (the Commission). The Commission has an existing methodology to assess the needs of local governing bodies and is required to recommend the distribution of the funding under the Financial Assistance grant program to local governing bodies in accordance with the Act and the National Principles for allocating grants. <p>In June 2021 LGNSW received a response from the Minister for Local Government, advising:</p> <ul style="list-style-type: none"> While the National Principles set out in the Financial Assistance Grants Act 1995 (Cwlth) do not protect an individual council's level of grant not to be reduced from that of a prior year, the Minister, supports the stand that the local government sector would greatly benefit from the Federal Government retaining a level of stability of the Financial Assistance Grants, by guaranteeing that no state or territory will receive less than the prior year, being 2020- 21 levels. |

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| | | <ul style="list-style-type: none"> • The NSW financial assistance grants distribution model has recently been subject of an extensive independent review. Following this review, no recommendations were made to the Commission to change the methodology for the local roads component. • Following the review of the grant distribution methodology, transitional arrangements to a revised, improved model began in 2018-19. In the third year of transition, no NSW council's General Purpose Component (GPC) of the grant was less than the previous year's GPC. Recommendations regarding the grants are the responsibility of the Commission and are made in accordance with the National Principles set out in the Financial Assistance Grants Act 1995 (Cth) • In particular, the Commission reviewed more closely a proposal from Ernst and Young (EY) to modernise and refine elements of the current model in the allocation of the GPC of the grants. EY recommended refinements to the model that enable the Commission to direct more funding to councils with greatest relative need and to improve other areas of the model consistent with recommendations by the 2015 KPMG report into the grants methodology. This approach is also consistent with the recommendations made by the Independent Local Government Review Panel in 2014. • In July 2018, the Commission made recommendations for the allocation of the 2018-19 grants beginning the transition phase to the revised model. The Commission used the previous year's allocations to councils with a 0% floor on the GPC so that no council would be worse off during the transition period. The Commission's recommendations were adopted by the then NSW Minister for Local Government and the Federal Government. The same approach to the transition (0% floor on the GPC) was adopted in 2019 and 2020. • The Commission is consulting further with the sector during the transition. The impacts of COVID 19 on the economy and NSW councils was a consideration to the Commission when determining the lower floor for the GPC for the 2020- 21 FAGs. |
| <p>42 Cootamundra-Gundagai Regional Council - Capital Improved Value The NSW Government introduce a Capital Improved Value (CIV) to the NSW rating system as an option available to all councils. This is so that growth and rates and revenue outside the rate peg percentage be calculated on changes to the CIV as this would enable growth in the rate base to keep pace with real growth and associated increases in demand for council infrastructure and services. In light of such support increasing the income of city councils, then a redistribution of Financial Assistance Grants to rural councils be considered at the same time, to enhance financial sustainability for the sector.</p> | <p>Letters to:</p> <ul style="list-style-type: none"> • Minister for Local Government, the Hon. Shelley Hancock MP • NSW Valuer General <p>LGNSW made a January 2021 submission on the Exposure Draft of the Local Government Amendment (Rates) Bill 2021 calling on the NSW Government to provide councils with the option to use CIV for rating purposes.</p> | <p>In June 2021 LGNSW received a response from the Minister for Local Government, advising:</p> <ul style="list-style-type: none"> • IPART undertook a significant, comprehensive inquiry into the local government rating system. The Terms of Reference for that independent review requested that IPART provide recommendations to Government on, in part, enhancing the ability of councils to implement sustainable and equitable fiscal policy. • On 18 June 2020, the NSW Government issued its Final Response to IPART's review report. In part, the response states that the Government remains unconvinced of the merits of moving to a system of valuation based on Capital Improved Value (CIV) at this time, given the significant potential impact to local residents, substantial implementation costs and the inconclusiveness of extensive public consultation. • Feedback received indicates both support and opposition to such a change. Additionally, it is unclear how the introduction of CIV may unfairly impact particular groups of ratepayers or result in unintended, real-life consequences for families and businesses. • The Government will focus on providing greater flexibility in the current rating system through the creation of additional rating categories and sub-categories, and ensuring councils can align income growth with population growth, in order to improve the distribution of the rating burden at significantly less cost, and low impact to the community. • The Minister for Local Government, with the approval of the Premier, has asked IPART to deliver a report recommending a rate peg methodology that allows the general income of councils to be varied annually in a way that accounts for population growth. [LGNSW note: IPART released its draft report on 29 June 2021. LGNSW is making a submission to IPART on the draft report and is involved in consultation with IPART and councils.] |

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| | | <ul style="list-style-type: none"> The NSW Local Government Grants Commission determinations are based on Federal grant funding guidelines and frameworks. Allocation of Financial Assistance Grants are matter for the federal government. |
| <p>43 Lismore City Council - Australian made workwear That Local Government NSW encourages councils to purchase Australian made workwear (and Personal Protective Equipment (PPE) to bolster the national manufacturing industry.</p> | Ongoing position of LGNSW. | |
| <p>44 North Sydney Council - Rates paid by educational institutions That Local Government NSW calls for the NSW Government to ensure educational institutions acquiring additional land pay council rates on new acquisitions.</p> | <p>Letter to:</p> <ul style="list-style-type: none"> Minister for Local Government, the Hon. Shelley Hancock MP | <p>In June 2021 LGNSW received a response from the Minister for Local Government, advising:</p> <ul style="list-style-type: none"> In its interim and final Government response to IPART's review of the rating system, the Government has ruled out implementing exemption eligibility recommendations that would adversely impact vulnerable members of the community, such as pensioners or charities, or have a substantial financial impact upon taxpayers or the broader community. The Government will continue to examine exemptions over time to address clear anomalies and inequities. |
| <p>45 Lismore City Council - Maintenance payments in funding for construction projects That Local Government NSW strongly advocates for:</p> <ol style="list-style-type: none"> A change to State and Federal Government funding regimes to include acceptance of a strong case for part funding of maintenance on construction projects over \$100 million for city councils and \$20 million for rural and regional councils. The establishment of a 'means test' or equivalent to apply maintenance funding. | <p>Letters to:</p> <ul style="list-style-type: none"> Minister for Regional Services, Decentralisation and Local Government, the Hon Mark Coulton MP (federal) Minister for Local Government, the Hon. Shelley Hancock MP | <p>In June 2021 LGNSW received a response from the Minister for Local Government, advising:</p> <ul style="list-style-type: none"> The allocation of funding regimes is a matter for each relevant State and Federal Minister to determine. The following response is provided to the resolution in relation to the NSW Government. IPART undertook a significant, comprehensive inquiry into the local government rating system. In part, this recommended introducing a new type of special rate for joint delivery of infrastructure projects. Income raised from this special rate would be on top of general income within the rate peg and would not require IPART approval. This would make it clear that councils could co-fund infrastructure or services that are the responsibility of state or federal government, as long as the projects benefit the local community. On 18 June 2020, a Final Response to IPART's review report was issued. In part, the response supported IPART's recommendation for a new special rate for joint infrastructure projects. It also states, in part, that the Government will focus on ensuring councils can align income growth with population growth, in order to improve the distribution of the rating burden at significantly less cost, and low impact to the community. This would assist those councils experiencing population growth to provide the local infrastructure and services needed by the communities they serve. The Minister for Local Government, with the approval of the Premier, has asked IPART to deliver a report recommending a rate peg methodology that allows the general income of councils to be varied annually in a way that accounts for population growth. <p>IPART released its draft report on 29 June 2021. LGNSW is making a submission to IPART on the draft report and is involved in consultation with IPART and councils.</p> |
| <p>46 Lismore City Council - Insurance for residents undertaking roadside maintenance That Local Government NSW make representations to StateCover to offer an option for councils to provide insurance coverage for residents who undertake maintenance on roadside verges.</p> | <p>Letters to:</p> <ul style="list-style-type: none"> Statewide Mutual CivicRisk Mutual | <p>Email response received from CivicRisk Mutual on 24 February advising the matter will be raised at the next Risk Management Committee for consideration, scheduled 9 April.</p> |
| <p>47 Blacktown City Council - Change how a council's borrowing limit is calculated That Local Government NSW urgently calls on the NSW Government to amend how the Debt Coverage Ratio for local government is calculated,</p> | <p>Letter to:</p> <ul style="list-style-type: none"> Minister for Local Government, the Hon. Shelley Hancock MP | <p>In June 2021 LGNSW received a response from the Minister for Local Government, advising: OLG will review current performance indicators as part of the Performance Measurement Framework project that will also involve consultation with stakeholders.</p> |

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| <p>so external borrowings to forward fund Section 7.11 infrastructure do not limit other borrowings funded from general funds.</p> | | |
| <p>48 Blacktown City Council - Removing restrictions on power purchase agreements That Local Government NSW requests the Minister for Local Government to make a formal determination that entry into a renewable energy power purchase agreement structured as a contract for difference does not constitute an “investment” for the purposes of Section 625 of the Local Government Act 1993 (NSW) and the Ministerial Investment Order 2011, and to take the steps required to clarify this for NSW councils and enable their ability to enter such agreements.</p> | <p>Letter to:</p> <ul style="list-style-type: none"> Minister for Local Government, the Hon. Shelley Hancock MP. | <p>In June 2021 LGNSW received a response from the Minister for Local Government, advising: OLG has been requested to work with Treasury NSW and TCorp to review the extent to which the Ministerial Investment Order continues to reflect a contemporary understanding of prudent risk management for councils while at the same time appropriately protecting the residual risk to the NSW Government.</p> |
| <p>49 Narromine Shire Council - Statewide water security That Local Government NSW lobbies the NSW Government and Federal Government to expediate the lifting of flood mitigation zones to ensure state-wide water security, including at Burrendong Dam.</p> | <p>Letter to:</p> <ul style="list-style-type: none"> Minister for Water, Property and Housing, the Hon. Melinda Pavey MP | <p>In June 2021 LGNSW received a response from the Minister for Water, Property and Housing via the Minister for Local Government, advising:</p> <ul style="list-style-type: none"> The state-wide NSW Water Strategy is part of a suite of long-term strategies being developed by the NSW Government to maintain the resilience of the State’s water services and resources over the coming decades. This state-wide, high-level strategy works in tandem with 12 regional water strategies and two metropolitan water strategies. Examining Burrendong dam’s full supply level is an option being considered in the draft Macquarie-Castlereagh Regional Water Strategy. |
| <p>50 Federation Council - Funding for critical water and sewer infrastructure That Local Government NSW requests the NSW Government to provide improved funding pathways for councils to be able to gain 60% + funding for replacement of critical water and sewer plants/major enabling infrastructure.</p> | <p>Letter to:</p> <ul style="list-style-type: none"> Minister for Water, Property and Housing, the Hon. Melinda Pavey MP | <p>In June 2021 LGNSW received a response from the Minister for Water, Property and Housing via the Minister for Local Government, advising:</p> <ul style="list-style-type: none"> The Safe and Secure Water Program (SSWP) is the NSW Government’s flagship water infrastructure program for councils and other water utilities. SSWP co-funds water and sewerage projects that will improve public health, water security and environmental outcomes for communities in regional NSW. SSWP targets funding based on the comprehensive risk-based prioritisation of water service risks in regional NSW. SSWP will work closely with councils to develop the best-value whole-of-life risk responses that meet regulatory requirements and agreed community levels of service obligations. Integrated Water Cycle Management planning is one way that Councils may influence the update of the SSWP prioritisation framework. However, a completed Integrated Water Cycle Management plan is not a prerequisite for funding of prioritised risk. The SSWP will work with councils at any stage of their risk reduction. Since 2018, more than 60 eligible applicants have expressed an interest in SSWP funding. When complete this important planning will put councils on the front foot to appropriately respond to the water service needs of their communities. In addition to the response from the Minister, the NSW Government has also initiated the Town Water Risk Reduction Program (TWRRP) and has two positions on its Steering Committee (one elected member and one staff member). The TWRRP will help identify and better understand the issues faced by councils and LWUs which will help shape policy, regulatory and infrastructure solutions. |
| <p>51 Bourke Shire Council - Murray Darling Basin Plan That Local Government lobbies the Federal Government to expedite the finalisation of the Murray Darling Basin Plan to allow individuals and communities to plan for the future with an increased level of certainty.</p> | <p>Letter to:</p> <ul style="list-style-type: none"> Minister for Resources, Water and Northern Australia, the Hon Keith Pitt MP (federal) | |
| <p>52 City of Sydney - Woronora reservoir 1. That Local Government NSW notes:</p> | <p>Letter to:</p> <ul style="list-style-type: none"> Minister for Water, Property and Housing, the Hon. Melinda Pavey MP | <p>In February 2021 the Independent Planning Commission rejected the South 32 Dendrobium mine extension on grounds that the proposed mine design risks long-term and irreversible damage to Greater Sydney and the Illawarra’s drinking water catchment.</p> |

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| <p>i. the NSW Government has recently granted planning approvals for an expansion of coal mining operations under Woronora reservoir, one of Sydney's key drinking water catchments;</p> <p>ii. the new expansion will see new coal faces established under the Woronora Dam, which supplies drinking water to Sydney. Up to three new underground coal faces will be established at the mine, with two of them running below the dam's water storage;</p> <p>iii. this decision to allow coal mining under the Woronora reservoir poses a direct threat to the drinking water of hundreds of thousands of Sydneysiders;</p> <p>iv. mining activities under the reservoir could compromise the integrity of the water storages, potentially leading to leakages, and flow on environmental damage to the surrounding water table and the quality of drinking water supplies; and</p> <p>v. the full impacts of the underground mining operations will not be known for several decades, and changes in the geological structures below the dam could continue well after the final coal has been extracted from the site; and</p> <p>2. That Local Government NSW:</p> <p>vi. opposes the approval of long-wall coal mines under Sydney's drinking catchments;</p> <p>vii. lobbies the NSW Government against the issue of long-wall mining approvals under Woronora reservoir, and other mines which have the potential to risk contaminating Sydney's drinking water supply; and</p> <p>viii. opposes the approval of any mines which have the potential to contaminate drinking water supply of any community in NSW.</p> | <p>Submission to the Independent Planning Commission on the Dendrobium Mining Extension Project.</p> | <p>In June 2021 LGNSW received a response from the Minister for Planning and Public Spaces via the Minister for Local Government, outlining the history of planning approvals, reviews and assessments for the proposal.</p> |
| <p>53 Bourke Shire Council - Water security That Local Government NSW lobbies the NSW Government to provide the required resources to expedite the planning and consultation period for the proposed Western Weirs Program.</p> | <p>Letter to:</p> <ul style="list-style-type: none"> Minister for Water, Property and Housing, the Hon. Melinda Pavey MP | <p>In June 2021 LGNSW received a response from the Minister for Water, Property and Housing via the Minister for Local Government, advising:</p> <ul style="list-style-type: none"> The Western Weirs Program is currently proceeding on schedule despite the complexity and scale of the project, as well as the unprecedented challenges due to the COVID-19 pandemic. Details of the program and its progress. In terms of expediting the process, the scope of the Western Weirs Program is very complex, covering a significant area of Western NSW, taking 28 weirs into account. The SBC is scheduled to be finalised in the fourth quarter of 2021. Undertaking the Strategic Business Case is important for understanding the feasibility of the Program and must follow the gateway process set out by Infrastructure NSW. It includes hydrological, environmental, social and economic analysis and also requires community and stakeholder consultation to ensure that adequate feedback is included in its development. WaterNSW is continuing to consult with Far West Councils. COVID-19 has caused some consultation delays with for Aboriginal and community groups. More information online. |
| <p>54 Tamworth Regional Council - Water recycling opportunities</p> | <p>Letter to:</p> | <p>In June 2021 LGNSW received a response from the Minister for Water, Property and Housing via the Minister for Local Government, advising:</p> |

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| <p>That Local Government NSW requests the NSW Government to review the approval process to allow more rapid delivery of recycled water options; fund research into how water is recycled and treatment processes available for handling by-products from those processes and to commence a community education campaign across the State in relation to direct and in direct potable reuse.</p> | <ul style="list-style-type: none"> Minister for Water, Property and Housing, the Hon. Melinda Pavey MP | <ul style="list-style-type: none"> Under section 60 of the Local Government Act, councils are required to obtain approval for water recycling schemes. This approval provides an independent assessment of the proposed works and management systems to protect public health and meet environmental requirements. As a part of the approval process, councils undertake a comprehensive health-based risk assessment (that includes a risk assessment workshop) and develop a recycled water management plan. More information about the approval process is online. |
| <p>55 Murray River Council - Mandatory monitoring of sewerage/waste water That Local Government NSW lobbies the NSW Government to:</p> <ol style="list-style-type: none"> Provide financial support to local government in meeting the requirements of sewerage/waste water monitoring for the detection of pandemic related disease and illegal drugs; and Lobby the Federal Government for a national adoption of the scheme. | <p>Letter to:</p> <ul style="list-style-type: none"> Minister for Water, Property and Housing, the Hon. Melinda Pavey MP Minister for Health and Medical Research, the Hon. Brad Hazzard MP | <p>In June 2021 LGNSW received a response from the Minister for Health and Medical Research via the Minister for Local Government, advising:</p> <ul style="list-style-type: none"> NSW Health and its laboratory partner, Sydney Water, are part of the national Water Research Australia Collaboration on Sewage Surveillance of SARS-CoV-2 (ColoSSoS Project). Representatives from state and territory health departments, water utilities and laboratories are participating in this project to coordinate, collaborate and share knowledge on sewage surveillance in Australia and New Zealand. The NSW Sewage Surveillance Program tests sewage from over 100 sewage treatment plants across NSW for fragments of SARS-CoV-2 to support the NSW Government pandemic response. There are more than 30 regional councils participating in the program, sampling from over 50 sewage treatment plants. Analysis costs, courier costs to deliver samples and the return eskies and ice bricks are paid for by NSW Health. This is a matter for the Minister for Planning and Public Spaces and the Minister for Water, Property and Housing. |
| <p>56 Tamworth Regional Council - Independent Water Commission That Local Government NSW petition the NSW Government to reinstate the role of Water Commissioner and establish an Independent Water Commission in order to provide an open and transparent process for the negotiation of water sharing plans that will deliver sustainable water security solutions for local communities.</p> | <p>Letter to:</p> <ul style="list-style-type: none"> Minister for Water, Property and Housing, the Hon. Melinda Pavey MP | <p>In June 2021 LGNSW received a response from the Minister for Water, Property and Housing via the Minister for Local Government, advising:</p> <ul style="list-style-type: none"> The Department of Planning, Industry and Environment – Water (DPIE Water) is now led by the Deputy Secretary, Water within a broader agency Cluster. The former Water Commissioner was similarly embedded within a Cluster agency. The current role is also responsible for CEO functions across the water sector in NSW. The current governance arrangements have increased independent oversight compared with what was in place when there was a Water Commissioner. In addition, the Minister and DPIE Water have commissioned and completed a number of independent reviews over the last few years. Independent peer reviews of models have also been undertaken and published. The NSW Government is developing a state-wide NSW Water Strategy that will be released as a draft for public exhibition and consultation in February 2021. One of the central priorities in this strategy is to build community confidence through engagement, transparency and accountability. We will be seeking local government and community feedback on the types of actions that will support increased confidence and trust in water management when the draft strategy is released for consultation. DPIE Water has, to date, undertaken a range of consultation as part of water sharing plan development. Approval for the making or amendment of any water sharing plan requires the concurrence of the Minister for Energy and Environment. This provides a planning process that balances water user and environmental outcomes. The Natural Resources Commission (NRC) has a role under section 43A of the Water Management Act 2000 to review water sharing plans approaching expiry and report on them to the Minister. Depending on its review findings, the NRC may recommend a plan is extended, or replaced with a new water sharing plan. To allow appropriate time to develop a replacement plan, an existing plan can be extended for up to two years. When developing |

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| | | <p>a replacement plan, DPIE Water undertakes public consultation on any proposed changes to the existing plan.</p> <ul style="list-style-type: none"> In addition to the response from the Minister, LGNSW made a submission in response to the Draft NSW Water Strategy advocating on behalf of member concerns in relation to water management in NSW. |
| <p>57 Lachlan Shire Council - Community water allocations That Local Government NSW lobbies the NSW Government, WaterNSW and DPIE Water to review existing water allocation rules, for the purpose of providing community water allocations for regional and rural communities, where local economies and community wellness are adversely impacted by reduced water allocations.</p> | <p>Letters to:</p> <ul style="list-style-type: none"> Minister for Water, Property and Housing, the Hon. Melinda Pavey MP CEO, Water NSW Secretary, Department of Planning, Industry and Environment. | <p>Response received from Water NSW on 17 May 2021 noting that DPIE (who have also been written to) are best placed to respond.</p> <p>In June 2021 LGNSW received a response from the Minister for Water, Property and Housing via the Minister for Local Government, advising:</p> <ul style="list-style-type: none"> The NSW Government is preparing regional water strategies across regional NSW, including for the Lachlan region. Community involvement throughout the process, including with local governments, is critical to the strategies. DPIE Water has worked with local councils, joint organisations, Aboriginal communities, and Aboriginal peak groups to develop the draft strategies before commencing the formal public consultation period. Under the Water Management Act 2000 (the Act), local water utility, major utility and domestic and stock access licences have priority over all other categories of licence. As a result, water sharing plans include rules that provide local water utility access licences with annual water allocations that meet 100 per cent of their licence entitlement. Regulated river water sharing plans require sufficient water be set aside to guarantee supply of these water allocations in all but the most extreme drought years. Further, the Act includes provisions that allow me as Minister to suspend a water sharing plan within the Murray Darling Basin during these extreme drought years and then allocate any available water for critical human water needs as a priority. The Act defines critical human water needs as: core human consumption requirements in urban and rural areas; and those non-human consumption requirements that a failure to meet would cause prohibitively high social, economic or national security costs. |
| <p>58 Randwick City Council - Overreach of NSW Government planning powers That Local Government NSW:</p> <ol style="list-style-type: none"> 1. Calls on the NSW Government to: <ul style="list-style-type: none"> implement policies that ensure that planning decisions are community led and which recognise that local councils are best placed to make decisions about planning that is appropriate for their local area and constituents; and review the Accelerated Planning Program, the Planning Reform Action Plan, and 2020 changes to the Environmental Planning and Assessment Act, the Independent Planning Commission, and Local and Regional Planning Panels and take immediate steps to ensure that even in times of crisis, planning approvals consider the impact of development on the environment, local communities and neighbouring residents. 2. Expresses its opposition to: <ol style="list-style-type: none"> a. the 2020 changes to the Environmental Planning and Assessment Act which grant the Minister unprecedented powers to override planning decisions made by local councils, Planning Panels and the Independent Planning Commission; | <p>Letters to:</p> <ul style="list-style-type: none"> Minister for Planning and Public Spaces, the Hon. Rob Stokes MP Minister for Local Government, the Hon. Shelley Hancock MP <p>Letter to Minister for Planning & Public Spaces 4 November 2020 - specifically indicated the sector's strong opposition to reforms allowing a new class of appeals for rezoning applications.</p> <p>LGNSW has expressed opposition and asked DPIE for details on how the new appeals process would assist councils, in the following forums:</p> <ul style="list-style-type: none"> 26 Oct 2020 - Participation in DPIE Working Group with councils 16 Nov 2020 - Participation in DPIE Working Group with councils 2 December 2020 – LGNSW raised concerns at fortnightly LGNSW/SDPIE meeting 9 December 2020 - Participation in DPIE Working Group with councils – | <p>In December 2020 the Minister for Planning and Public Spaces responded to LGNSW's 4 November 2020 letter, acknowledging LGNSW's 'active participation' in DPIE working groups on proposed reforms allowing a new class of appeals and separate engagement with LGNSW CE.</p> <p>As at May 2021, DPIE has undertaken to engage with LGNSW on the proposed LEC appeals prior to taking further steps towards the mid-2021 target commencement date.</p> <p>In June 2021 LGNSW received a response from the Minister for Planning and Public Spaces via the Minister for Local Government, advising:</p> <ul style="list-style-type: none"> 1A) Councils continue to set planning controls for their local areas. Local planning panels ensure development complies with local controls allowing councillors to focus on listening to their community. Councils appoint experts and community representatives to their panels based on their knowledge and understanding of local concerns. Councils also continue to have representation on the regional planning panels. 1B) The Independent Planning Commission, regional and local planning panels must still have regard to the objects of the Environmental Planning and Assessment Act 1979 and must take into consideration environmental, social and economic impacts of the development, the suitability of the site and the public interest in making decisions. The Government's COVID response measures and planning reforms have not changed these fundamental requirements. Increasing confidence in the planning system by improving consistency in approach between the Independent Planning Commission (IPC), Regional Planning Panel and Local Planning Panel has been a key part of the planning reforms. |

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| <p>a. the increase in the referral threshold of the Independent Planning Commission which significantly reduces the ability of communities to object to contentious developments;</p> <p>a. reforms that will allow a new class of appeals for rezoning applications making it easier for developers to significantly change the character of local areas;</p> <p>i. the NSW Government’s Planning Acceleration Program which may deprive communities of the opportunity to have reasonable input into major developments; and</p> <p>ii. changes to Local Planning Panels that require panels to hold meetings in public only where a development application has attracted 10 or more unique submissions.</p> <p><i>This issue was also raised by Wollongong City and Wingecarribee Shire Councils.</i></p> | <ul style="list-style-type: none"> 14 December 2020 - LGNSW Chief Executive met with DPIE. <p>April 2021 – Submission to DPIE in response to proposed NSW agritourism and small-scale agriculture development planning changes.</p> | <ul style="list-style-type: none"> 2A) The COVID-19 Legislation Amendment (Emergency Measures) Act 2020 commenced on 25 March 2020. It includes new powers to issue orders to allow development that protects the health, welfare and safety of the community during the COVID-19 pandemic, and whilst it is a significant change to planning legislation, the Department advises that it is a temporary one and one that is limited in its scope. 2B) The Department advises that the increase in the number of referrals to the IPC does not remove the rights of any objectors who collectively did not reach the threshold of 50 submissions, to have their submissions considered by the Department in assessing the development or alter their rights of appeal to the Land and Environment Court. The Department confirms that State significant development proposals that receive an objection from the relevant council will still automatically be referred to the IPC. 2C) The Department is currently exploring options for appeal pathways and engaging with relevant stakeholders to help inform and shape the proposal – including targeted stakeholder engagement with councils and LGNSW. Allowing a statutory path to the Land and Environment Court will give an opportunity to review the merits of some rezoning decisions at arms -length from the Government, where needed. It is also consistent with the appeal right for proponents that already exists for development applications. The new class of appeals in the Land and Environment Court for rezonings are intended to be used only as a last resort. They are aimed at providing a recourse for rezoning applications that, despite being consistent with strategic plans, are taking too long to finalise or are being rejected by council. Councils will be incentivised to make high quality decisions on strategically consistent rezonings in a reasonable timeframe. 2D) There is no change to the planning system rules that applied to the assessment of projects under the Planning System Acceleration Program. There were six tranches under the Program and all projects are assessed in accordance with the existing rules and policies under the Environmental Planning and Assessment Act 1979. To note is that the Program accelerated projects that have already been submitted to councils and the Department for consideration, or that are already close to final determination. The aim was to get to the point of decision on a project more quickly. 2E) Panel determinations of development applications that are not contentious continue to be subject to expert scrutiny and require consideration of all written submissions made during the exhibition period, with the panel required to provide reasons for its decisions that set out how community views have been taken in to account. These changes have proven to be effective in promoting efficient and timely merit-based decision-making. |
| <p>59 Penrith City Council - Review the diminishing powers of Councillors</p> <p>That Local Government NSW advocates for all planning powers to be returned to councils, and also specifically advocates the return of the power of determination of development applications with a dollar value of less than \$5 million, to local councils in the Sydney and Wollongong areas.</p> | <p>Letters to:</p> <ul style="list-style-type: none"> Minister for Planning and Public Spaces, the Hon. Rob Stokes MP Minister for Local Government, the Hon. Shelley Hancock MP | <p>In June 2021 LGNSW received a response from the Minister for Planning and Public Spaces via the Minister for Local Government, advising:</p> <ul style="list-style-type: none"> Councils continue to set the planning controls for their local areas. Local planning panels ensure development complies with local controls allowing councillors to focus on listening to their community. Low value (>\$5million) non-contentious developments are most appropriately dealt with by staff under delegation. |
| <p>60 Mosman Municipal Council - Changes to Local Planning Assessment Panels</p> <p>That Local Government NSW continues to oppose mandatory planning panels, but while they exist, advocate for the NSW Government to allow for councils to establish their own thresholds for matters to be referred to the Panel, and processes for public determination of matters and remove the expectation that panel chairs can direct council on development applications timing.</p> | <p>Letters to:</p> <ul style="list-style-type: none"> Minister for Planning and Public Spaces, the Hon. Rob Stokes MP Minister for Local Government, the Hon. Shelley Hancock MP | <p>In June 2021 LGNSW received a response from the Minister for Planning and Public Spaces via the Minister for Local Government, advising:</p> <ul style="list-style-type: none"> A consistent approach to the function of local planning panels is necessary to ensure fairness and certainty for the community and applicants. The local planning panel model is based on independent hearing and assessment panels that had been successful in their operation. The model achieves a balance between those applications requiring expert oversight and those straightforward applications that can be more appropriately and efficiently be dealt with under staff delegation. |

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| | | <ul style="list-style-type: none"> Flexibility is provided for council to set the criteria in relation to the number of objections requiring referral to the panel. |
| <p>61 Central Coast Council - Local Planning Panels That Local Government NSW:</p> <ol style="list-style-type: none"> Reaffirms its position that “the establishment and role of Local Planning Panels (LPPs) to remain a decision of the council – adoption of such independent panels by councils should be voluntary not mandatory”. Makes representation to the NSW Minister for Planning and Public Spaces and the Premier of NSW, to express its concern in relation to the change to the operations of NSW Planning Panels for the reasons noted below: <ol style="list-style-type: none"> requiring Panels to make determinations within 2 weeks of being provided an assessment report provides no flexibility in scheduling where a Panel has a significant number of proposals for determination. this could reduce the Panel’s ability to apply proper due diligence to each case or obtain expert opinion. changes to the system of referrals of matters to LPPs may increase the risk of corruption allowing, at the Chair’s discretion, applicants to attend a briefing, along with council staff, could remove the Panel’s independence. The Panels were set up to be independent of the internal workings of councils, not working with them and applicants the setting of timeframes to finalise determinations may impose undue pressure on councils. removing the requirement for modification to go back to the Panel will encourage ongoing modification instead of the community getting what is exhibited in the first place. the inclusions of “targets” will put an emphasis on pushing approvals through rather than due diligence in assessment. the changes impose unreasonable and unrealistic demands on councils that require additional resourcing that is not funded. the changes weaken planning processes, the integrity of the planning system and community confidence in planning. | <p>Letters to:</p> <ul style="list-style-type: none"> Minister for Planning and Public Spaces, the Hon. Rob Stokes MP Minister for Local Government, the Hon. Shelley Hancock MP Premier, the Hon. Gladys Berejiklian MP | <p>In June 2021 LGNSW received a response from the Minister for Planning and Public Spaces via the Minister for Local Government, advising:</p> <ul style="list-style-type: none"> i. Panel scheduling is a matter for the panel and council. The panel has a chair and two alternate chairs and can appoint any number of alternate expert members to ensure that there is always a panel available to determine applications without unnecessary delays. ii. the requirement to determine an application within two weeks does not fetter the panel’s ability to determine to defer a final determination until it has adequate information before it. iii. The Minister has every confidence that the oversight of the panel and its chair reduces the risk of corruption. iv. Applicant briefings have been a feature of the regional planning panels operations for over 10 years with no impact on panel independence. Applicant briefings provide an opportunity for the local planning panel to gain an understanding of particularly complex or confidential matters. This understanding can minimise the need for a deferral for further information at determination stage. v. Timeframes and key performance indicators are necessary to measure efficiency. Efficient processes save time and money providing a benefit to the council, the community and applicants. vi. The ability to modify a development consent is a longstanding feature of the planning system. Expert panel oversight is not necessary for minor or non-contentious modifications. vii. Ensuring quality due diligence in development assessment is a matter for council. The expert local planning panel will continue to be able to defer determination of an application if the assessment is not up to standard. Timeframes and key performance indicators are necessary to measure efficiency. Efficient processes save time and money providing a benefit to the council, the community and applicants. viii and ix. The experience of local planning panels operating successfully across the Sydney metropolitan area and Wollongong for almost three years provides the Government with confidence of the benefits for the Central Coast of its panel. |
| <p>62 Randwick City Council - Review of housing supply targets That Local Government NSW makes an urgent request to the NSW Planning Minister to consider the findings of the Federal Government's National Housing Finance and Investment Corporation (NHFIC) report and consider the projected decreases in population growth and housing demand brought about the COVID-19 pandemic when planning for housing growth in NSW.</p> | <p>Letters to:</p> <ul style="list-style-type: none"> Minister for Planning and Public Spaces, the Hon. Rob Stokes MP Minister for Local Government, the Hon. Shelley Hancock MP <p>April 2021- Letter to Minister Stokes re housing targets.</p> | <p>In June 2021 LGNSW received a response from the Minister for Planning and Public Spaces via the Minister for Local Government, advising:</p> <ul style="list-style-type: none"> The Covid-19 pandemic is likely to impact on population and housing growth in NSW, however this does not obviate the need for continuous strategic planning to supply the volume and diversity of housing a growing state needs. The potential impacts on housing markets may be marked by a confluence of reduced demand from lower population growth with a need for greater housing choice brought about through increased workplace flexibility. While this may be the case, recent evidence is that the demand and recent development approvals for new housing remains strong. The 6-10-year housing targets are an important tool to guide strategic planning across Greater Sydney, including each council’s Local Housing Strategy. These strategies provide an important framework to assist in the coordination of necessary state and local |

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| | | <p>infrastructure such as transport, open space, schools and hospitals to provide capacity for future housing in appropriate locations.</p> <ul style="list-style-type: none"> • Despite COVID-19 most councils have identified opportunities for housing supply and diversity through their local housing strategy as these strategies plan for not just the short term, but also the long term for the next 20 years. • By being clear about Greater Sydney's future housing requirements, local housing strategies and targets help councils and State agencies consider the opportunities for housing in the right places and progress the amendments to planning controls that will support development opportunities for new housing when the market is ready. |
| <p>63 Bayside Council - Proposed State Environmental Planning Policy - Housing Diversity That Local Government NSW:</p> <ol style="list-style-type: none"> 1. Welcomes the proposed State Environmental Planning Policy (SEPP) - Housing Diversity that is being considered by NSW Government as set out in the Explanation of Intended Effects (EIE); and 2. Advocates for the following: <ol style="list-style-type: none"> a. support be provided for the introduction of new definitions as set out in the EIE for build to-rent, co-living and student housing. b. support be provided to remove the requirement for boarding houses to be mandated within the R2 Low Density Residential Zone, to amend the floor space ratio (FSR) bonus for boarding house development to a standard 20% and to include a requirement that boarding house developments are affordable. c. that build-to-rent not be permissible in the B3 Business Core and that strata subdivision of build-to-rent be prohibited in perpetuity in all zones. d. that the development standards in a Local Environmental Plan prevail to the extent of any inconsistency with the SEPP. e. that the Apartment Design Guide (ADG) apply to build-to-rent, co-living, boarding houses and student housing. 3. Advocates to the NSW Government to remove the provisions from the proposed Housing Diversity SEPP, as outlined in the Explanation of Intended Effect (EIE), that seek to increase the Land and Housing Corporation's powers to self-assess their development applications, and those that seek to amend the current requirements for designating a Land and Housing Corporation major project as state significant development (SSD). <p><i>This issue was also raised by City of Parramatta Council.</i></p> | <p>Letters to:</p> <ul style="list-style-type: none"> • Minister for Planning and Public Spaces, the Hon. Rob Stokes MP • Minister for Local Government, the Hon. Shelley Hancock MP <p>LGNSW submission on Housing Diversity EIE.</p> <p>4 November 2020 - Letter to Minister for Planning & Public Spaces re build-to-rent policy.</p> | <p>In June 2021 LGNSW received a response from the Minister for Planning and Public Spaces via the Minister for Local Government, advising:</p> <ul style="list-style-type: none"> • The Department of Planning, Industry and Environment acknowledges LGNSW support for the proposed Housing SEPP, including the introduction of new definitions for build-to-rent, co-living and student housing. The proposed Housing SEPP is being implemented in three phases. • Phase 1 (December 2020) amendments were made to social housing provisions, to help facilitate NSW Land and Housing Corporation (LAHC) deliver a mixture of affordable, social and private market housing on a single site. Changes were also made to engage private sector partners, and retain existing affordable housing in rural zones. • Phase 2 (February 2021) has focussed on build-to-rent housing. • Further details are set out in the above linked letter. • The Department is currently working with stakeholders to finalise the proposed planning provisions for co-living, student housing and boarding houses. It is proposed that these provisions will be included in the Housing SEPP. |
| <p>64 Mosman Municipal Council – Payments to council Contribution Plans by developers That Local Government NSW lobbies the NSW Government to urgently review the decision to allow the deferral of payments for local council Contributions Plans by developers. <i>This issue was also raised by Lane Cove Council.</i></p> | <p>Letters to:</p> <ul style="list-style-type: none"> • Minister for Planning and Public Spaces, the Hon. Rob Stokes MP • Minister for Local Government, the Hon. Shelley Hancock MP <p>LGNSW's letter to Minister for Planning & Public Spaces on 24 December 2020 responding to NSW Productivity Commissioner's recommendations for Review of Infrastructure Contributions to ensure that the views of local government inform the Government's response.</p> | <p>In June 2021 LGNSW received a response from the Minister for Planning and Public Spaces via the Minister for Local Government, advising:</p> <ul style="list-style-type: none"> • The deferral of payment of contributions to Occupation Certificate is a measure that was introduced to support the NSW economy as it dealt with the impacts of the COVID19 pandemic. • The NSW Productivity Commissioner has specifically recommended that the deferral of payment to Occupation Certificate is a practice that should be continued as it removes barriers to construction and improves project feasibility. The Commissioner has included recommendations to address the concerns expressed by local government related to ensuring payment is received. |

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| | | <ul style="list-style-type: none"> The NSW Government is considering the recommendations of the NSW Productivity Commissioner. [LGNSW notes that the NSW Government has now accepted the 29 recommendations made by the NSW Productivity Commissioner.] |
| <p>65 Willoughby City Council - Developer contributions</p> <p>That Local Government NSW calls on the NSW Government to:</p> <ol style="list-style-type: none"> Support the use of “value capture” as a means of allowing councils to apply a portion of the value uplift gained from changes in planning controls to the provision of public infrastructure for the benefit of the wider local community. Support the removal of the cap on Developer Contributions as specified in 6.8 of LGNSW Policy Platform. Advise DPIE that if a cap on Developer Contributions is to be applied and restricted to the options outlined in Improving the review of Local Infrastructure Contributions Plans – Discussion Paper (April 2020), Option 3 is the supported approach being: <ul style="list-style-type: none"> implement one single threshold of \$45,000 for all Section 7.11 contributions before the IPART review comes into play. | <p>Letters to:</p> <ul style="list-style-type: none"> Minister for Planning and Public Spaces, the Hon. Rob Stokes MP Minister for Local Government, the Hon. Shelley Hancock MP <p>LGNSW’s letter to Minister for Planning & Public Spaces on 24 December 2020 responding to NSW Productivity Commissioner’s recommendations for Review of Infrastructure Contributions to ensure that the views of local government inform the Government’s response.</p> | <p>In June 2021 LGNSW received a response from the Minister for Planning and Public Spaces via the Minister for Local Government, advising:</p> <ul style="list-style-type: none"> The NSW Productivity Commissioner has undertaken a review of the development contributions system and made recommendations for reform. The Productivity Commissioner has outlined the principles to underpin local infrastructure contributions, specifically that they are to relate to ‘development contingent’ infrastructure costs. The recommendations include proposed changes to triggers for IPART review that are ‘by exception’ rather than by a monetary threshold. The NSW Government is considering the recommendations of the NSW Productivity Commissioner. [LGNSW notes that the NSW Government has now accepted the 29 recommendations made by the NSW Productivity Commissioner.] |
| <p>66 Blacktown City Council - Time taken to review Section 7.11 contribution plans</p> <p>That Local Government NSW urgently calls on the NSW Government to reduce the process time taken to review Section 7.11 contributions plans.</p> | <p>Letters to:</p> <ul style="list-style-type: none"> Minister for Planning and Public Spaces, the Hon. Rob Stokes MP Minister for Local Government, the Hon. Shelley Hancock MP <p>LGNSW submission to Productivity Commissioner Review.</p> <p>LGNSW’s letter to Minister for Planning & Public Spaces on 24 December 2020 responding to NSW Productivity Commissioner’s recommendations for Review of Infrastructure Contributions to ensure that the views of local government inform the Government’s response.</p> | <p>In June 2021 LGNSW received a response from the Minister for Planning and Public Spaces via the Minister for Local Government, advising:</p> <ul style="list-style-type: none"> The Department has been working with IPART and Blacktown Council to identify ‘system improvements’ to streamline the process. A measure that came from this work was implementation of a ‘Minister’s Nominee’, which has improved the overall timeframes. The NSW Productivity Commissioner has undertaken a review of the development contributions system and made recommendations for reform. The Productivity Commissioner has made recommendations that include proposed changes to triggers for IPART review that are ‘by exception’ rather than by a monetary threshold. The NSW Government is considering the recommendations of the NSW Productivity Commissioner. [LGNSW notes that the NSW Government has now accepted the 29 recommendations made by the NSW Productivity Commissioner.] |
| <p>67 Lismore City Council - Local Activation Precincts</p> <p>That Local Government NSW:</p> <ol style="list-style-type: none"> Supports the establishment of: <ol style="list-style-type: none"> a \$10 million (minimum) to be allocated to a ‘Business Ready Fund’ to support the development of the Local Activation Precincts (LAP) initiative across regional NSW; strong planning agency involvement through undertaking detailed land use, master and infrastructure planning within an LGA, with the possibility of joint procurement of studies in collocated sites; and an LAP Project Control Group that must include local government representatives to ensure collective decision-making. Requests the NSW Government to: <ol style="list-style-type: none"> commit to 2 rounds of the LAP program (total of 8 LAPs); commit to the establishment of LAPs in regional cities only for the first 2 rounds; | <p>Letter to:</p> <ul style="list-style-type: none"> Minister for Planning and Public Spaces, the Hon. Rob Stokes MP | <p>In June 2021 LGNSW received a response from the Deputy Premier via the Minister for Local Government, advising:</p> <ul style="list-style-type: none"> The NSW Government established the Regional Job Precincts (RJPs) initiative as an extension of the Special Activation Precincts program. RJPs are focussed on providing local councils with planning support to help fasttrack approvals to drive investment and create new jobs in regional NSW. Locations were selected through an assessment process that considers a diverse range of locations and regional investment opportunities. Each RJP also has a Project Control Group that includes councils and local representatives from key government agencies. |

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| <ul style="list-style-type: none"> a. round one being an ongoing transparent assessment, at key milestones suggest communiqué (for every part of the implementation process); a. round two being initiated again at implementation Stage 7 (approvals stage of the Government’s process) of first round; a. establish LAPs based on a local government area’s endowments to attract major employers, drive local economies and create a diverse range of local jobs by working with local council; a. ensure any LAP sites selected have a process to identify if the connecting road will need reclassification (as per regional roads panel); and a. ensure that adequate engagement is undertaken across agencies to facilitate delivery of outcomes as quickly as possible. | | |
| <p>68 Federation Council - Funding for strategic land use planning That Local Government NSW requests the NSW Government to develop a strategy that would create a smaller scale version of the Special Activation Precincts to enable smaller towns to attract infrastructure funding to enable larger scale industrial subdivisions to occur to generate further employment/business.</p> | <p>Letter to:</p> <ul style="list-style-type: none"> • Minister for Planning and Public Spaces, the Hon. Rob Stokes MP <p>LGNSW’s submission on the proposed Employment Zones Reform in June 2021.</p> | <p>In June 2021 LGNSW received a response from the Minister for Planning and Public Spaces via the Minister for Local Government, advising:</p> <ul style="list-style-type: none"> • Regional Plan Reviews – The Department of Planning, Industry and Environment has commenced the 5-year review and update of Regional Plans. The Regional Plans will align outcomes and initiatives of council Local Strategic Planning Statements, Regional Economic Development statements and Future Transport Plans to maximise the benefit to our towns and communities in regional NSW. The review of Regional Plans provides opportunities to identify a variety of locations suitable for a range of new industrial or employment uses. • Employment Zones Review – The Department’s planning reform program also includes the delivery of a simplified employment zone framework that suits the future of work, is fit for purpose, supports productivity and jobs growth while facilitating delivery of strategic plans and planning priorities. The reform of employment zones aims to support long term economic recovery through job creation and encourage increased productivity in NSW. A key outcome of the reform will be to ensure employment zones provide clear strategic intent, include clarity around their application and increase flexibility around land uses. Wider consultation activities on the reform program will take place in early 2021. • Regional Job Precincts – The NSW Government has recently announced the Regional Job Precincts (RJP) pilot program, which aims to drive priority place-based or industry-based improvements in the planning system to support economic development and job creation in regional NSW. Four locations across regional NSW have been selected as part of the pilot program. The first two RJPs have been announced in Albury and Richmond Valley. Two other locations for the pilot program will be announced in coming months. RJPs are an opportunity to adopt more flexible place based planning mechanisms such as tailored zones or alternate assessment pathways to support the activation of economic precincts where the upfront strategic planning is primarily led by local government. This new approach is based on simplified Special Activation Precincts approach. |
| <p>69 City of Canterbury-Bankstown - Liveable Housing Design Guidelines That Local Government NSW advocates for the NSW Government and Federal Government to:</p> <ul style="list-style-type: none"> a. Support the inclusion of the Liveable Housing Design Guidelines in planning and building rules. b. Develop a search engine for dwellings certified as complying with the Liveable Housing Design Guidelines, and to make this information available at the point of sale. | <p>Letters to:</p> <ul style="list-style-type: none"> • Minister for Aged Care and Senior Australians, Senator the Hon. Richard Colbeck (federal) • Minister for Planning and Public Spaces, the Hon. Rob Stokes MP | <p>Response received from Minister Hunt on 25 February, referring to the Australian Building Codes Board (ABCB) with regards to adaptable housing and that the ABCB is responsible for the development of the National Construction Code. The response also mentioned Home Care Packages and that they could be used for minor maintenance and modifications. The Minister did not respond to the development of a search engine for certified dwellings.</p> <p>On 30 May Commonwealth, state and territory Building Ministers met to consider options to increase Australia’s stock of accessible housing. A majority of Ministers agreed to include minimum</p> |

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| | <ul style="list-style-type: none"> Minister for Families, Communities and Disability Services, the Hon. Gareth Ward MP Minister for Water, Property and Housing, the Hon. Melinda Pavey MP | <p>accessibility provisions for residential housing and apartments in the National Construction Code (NCC) 2022 based on the Livable Housing Design Guidelines (LHDG) silver standards. Ministers also agreed the ABCB will publish a voluntary gold technical standard for accessible housing. Each state and territory will be free to determine whether and how the new provisions will be applied in their jurisdiction.</p> <p>In June 2021 LGNSW received a response from the Minister for Planning and Public Spaces via the Minister for Local Government, advising: As part of the consolidation of the Housing SEPP, provisions of the Liveable Housing Design Guidelines could be incorporated into the Government Architect's proposed 'Unified Housing Design Guide'.</p> |
| <p>70 Nambucca Valley Council - Unlawful Development That Local Government NSW lobbies the NSW Government to amend:</p> <ol style="list-style-type: none"> Part 15 of the Environmental Planning and Assessment Regulation 2000 to include a provision which enables a fee to be charged for a development application which seeks approval for the use of an unauthorised development that is at least the combined development application and certification work fees that would be payable for the same development if it had been commenced lawfully. Section 7.12 of the Environmental Planning and Assessment Act 1979 to enable a condition to be imposed within a development consent that requires the applicant to pay a levy of the percentage of the value of the unauthorised development which the consent permits the continued use of. | <p>Letter to:</p> <ul style="list-style-type: none"> Minister for Planning and Public Spaces, the Hon. Rob Stokes MP | <p>In June 2021 LGNSW received a response from the Minister for Planning and Public Spaces via the Minister for Local Government, advising: The Government is considering options to support councils' compliance activities that are proportionate and help to further disincentivise unauthorised works.</p> |
| <p>71 Wollongong City Council - Reclassifications of council owned land Local Government NSW writes to the NSW Minister for Local Government to request that the reclassification of council owned land be delegated to council for determination and finalisation except when seven or more objections have been received during the exhibition of the proposed reclassification.</p> | <p>Letter to:</p> <ul style="list-style-type: none"> Minister for Local Government, the Hon. Shelley Hancock MP | <p>In June 2021 LGNSW received a response from the Minister for Local Government, advising:</p> <ul style="list-style-type: none"> It is important to ensure that any proposed change of use or classification of community land is always subject to consultation and public scrutiny as any changes are made. The current requirement to include the classification and reclassification of public land within a Local Environmental Plan ensure the local community can view and understand the strategic land use settings in place within a local government area at any given point in time. |
| <p>72 Shoalhaven City Council - Public housing redevelopment as economic stimulus That Local Government calls upon the NSW Government to redevelop old existing public housing stock to address current housing shortages and to act as economic stimulus for the regions.</p> | <p>Letter to:</p> <ul style="list-style-type: none"> Minister for Water, Property and Housing, the Hon. Melinda Pavey MP <p>LGNSW called for investment in social and affordable housing in its November 2020 NSW Budget submission.</p> <p>April 2021 – Letters to Minister Pavey and Minister Stokes re regional housing shortages.</p> <p>LGNSW called for investment in social and affordable housing in its April 2021 NSW Budget submission.</p> | <p>In June 2021 LGNSW received a response from the Minister for Water, Property and Housing via the Minister for Local Government, advising:</p> <ul style="list-style-type: none"> Land and Housing Corporation (LAHC) has been working to redevelop social housing in the Shoalhaven LGA LAHC is analysing its portfolio for redevelopment opportunities and partnerships. Increasingly, LAHC is looking to partner with councils who support social housing renewal and growth and community housing providers who would take on debt through the National Housing Finance and Investment Corporation (NHFIC) to support housing projects which deliver private and social rental housing on LAHC land. There are opportunities for local councils to access grants when borrowing from NHFIC's National Housing Infrastructure Facility for housing -enabling infrastructure. LAHC would welcome Council considering if it is willing to explore this. The NSW Government has provided \$250 million across the next two financial years for LAHC to deliver social housing across NSW to accelerate the building of around 550 new social housing dwellings and create over 1,000 jobs. Over 40% of the package is allocated to areas outside the Sydney metropolitan LGAs. |

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| <p>73 Liverpool City Council - Sustainable housing development That Local Government NSW advocates to the NSW Government to amend the State Environmental Planning Policy (Exempt and Complying Development Codes) to provide more discretion for Councils to amend a SEPP when applying it in their Local Government Area.</p> | <p>Letter to:</p> <ul style="list-style-type: none"> Minister for Planning and Public Spaces, the Hon. Rob Stokes MP | <p>In June 2021 LGNSW received a response from the Minister for Planning and Public Spaces via the Minister for Local Government, advising:</p> <ul style="list-style-type: none"> The Codes SEPP is state-wide planning legislation, and is therefore available to be used by all residents in NSW who can comply with the development standards. The Codes SEPP itself does not allow for specific variations to these standards, either for individuals or specific councils, as the intent of the policy is to provide the same access for everyone to these types of development, and provide certainty to home owners, applicants and the community about the size and scale of the development that can be expected across NSW. Council's additional recommendations that the maximum site coverage control be limited to 40% of the lot area under the housing Codes, stating that the existing setback and site coverage controls do not provide adequate area for vegetation and outdoor living. This can be considered as part of forthcoming reviews of the Housing Code. Note that the Part 3 Housing Code, Part 3B Low Rise Housing Diversity Code, Part 3C Greenfield Housing Code and Part 3D Inland Code do not contain a site coverage provision. These codes use a combination of maximum gross floor area, minimum setbacks, minimum landscaped area and other site controls to regulate site coverage. Only Part3A Rural Housing Code sets out a site coverage provision for all development on a site, which is limited to 30% on a site zoned R5 Large Lot Residential that has a lot area of less than 4000m2. |
| <p>74 Wollondilly Shire Council - SEPP amendments to address farm shed loophole That Local Government NSW requests the NSW Government to amend the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 to ensure that large scale earthworks on rural properties cannot be undertaken without a full development assessment process to properly consider and condition potential environmental, social and traffic impacts.</p> | <p>Letter to:</p> <ul style="list-style-type: none"> Minister for Planning and Public Spaces, the Hon. Rob Stokes MP <p>Raised in submission in response to the proposed NSW agritourism and small-scale agriculture development planning changes.</p> | <p>In June 2021 LGNSW received a response from the Minister for Planning and Public Spaces via the Minister for Local Government, advising: The Department of Planning, Industry and Environment is working with Wollondilly Shire Council to identify policy options that would help address concerns in relation to this matter.</p> |
| <p>75 City of Parramatta - Statewide Planning Portal That Local Government NSW advocates for the NSW Government to consider and implement new options for NSW councils to notify the public, enhancing efficiency and ensuring consistency across councils.</p> <p>Further, that this include advocating for the introduction of a state-wide notification website to ensure all information that is required to be advertised by councils, local and state planning panels, including information formerly required to be advertised in print media, can be found in one centralised location.</p> | <p>Letters to:</p> <ul style="list-style-type: none"> Minister for Planning and Public Spaces, the Hon. Rob Stokes MP Minister for Customer Service, the Hon Victor Dominello MP <p>LGNSW meeting with DPIE (Gino Cavallaro) 17 March 2021 to discuss issues.</p> | <p>February 2021 – Response received from Minister Dominello acknowledging LGNSW's concerns and supporting better information systems but noting that responsibility for the Planning Portal sits with Minister Stokes. Minister Dominello has asked his Department to contact DPIE to see if they can provide support on this matter.</p> <p>In June 2021 LGNSW received a response from the Minister for Planning and Public Spaces via the Minister for Local Government, advising:</p> <ul style="list-style-type: none"> The way in which councils consult with their communities is guided by the commitments made within their respective Community Participation Plans, and as a minimum guided by the relevant regulations. It is noted that in March 2020, the COVID-19 Legislation Amendment (Emergency Measures) Bill 2020 removed the requirement for councils and other consent authorities to display physical copies of some documents so long as they are displayed on the NSW Planning Portal or an approved website. Councils can proactively use their digital dashboards on the NSW Planning Portal to upload a range of documents, such as DAs, Planning Proposals and Development Control Plans. A full list of accepted documents is available in the relevant Quick Reference Guide that is accessible via the Knowledge Management section of the digital dashboard. Once uploaded, the documents are publicly displayed on the Exhibitions and Publications page of the NSW Planning Portal for the period specified by the council. The search and filtering functions allows users to quickly obtain results for the location or type of documents they are seeking. This service is available to all councils across the State but is not mandatory. |

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| | | <ul style="list-style-type: none"> The Department encourages all councils to consider using this service as it provides a standardised, central location that is easy for the public to search for relevant documents. If councils would like training in how to upload documents, they can contact the ePlanning Training team at eplanningtraining@planning.nsw.gov.au. |
| <p>76 Lake Macquarie City Council - Integration platform for Planning Portal</p> <p>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.</p> | <p>Letters to:</p> <ul style="list-style-type: none"> Minister for Planning and Public Spaces, the Hon. Rob Stokes MP Minister for Customer Service, the Hon Victor Dominello MP <p>LGNSW meets regularly with DPIE (Gino Cavallaro) to alert them to issues councils encounter and ensure that councils are properly supported in the mandatory transition to e-Planning.</p> | <p>February 2021 – Response received from Minister Dominello acknowledging LGNSW’s concerns and supporting better information systems but noting that responsibility for the Planning Portal sits with Minister Stokes. Minister Dominello has asked his Department to contact DPIE to see if they can provide support on this matter.</p> <p>April 2021 – Government announces \$4.8 million to help regional councils with e-planning – up to \$50,000 for each council to assist regional councils with integrating their systems with ePlanning.</p> <p>In June 2021 LGNSW received a response from the Minister for Planning and Public Spaces via the Minister for Local Government, advising:</p> <ul style="list-style-type: none"> The Department is committed to the ongoing development of APIs in support of ePlanning Digital Services. It has followed industry best practice to build ePlanning APIs that enable councils to work with their IT vendors to complete the connection from the council end with APIs of their own that meet their individual needs. To date, the Department has released ePlanning APIs for the following services: Online DA, Online Certificate Registration, Online Post-Consent Certificate, Online CDC Service. The commitment to develop the ePlanning APIs does not extend to building the APIs from the council end nor to funding the building of the APIs from the council end. That responsibility lies with each individual council. The Department has, however, provided the Technical Specifications to assist with its completion, and will continue to provide technical support to councils wishing to utilise the Department APIs. There are currently 44 councils across NSW that are in varying stages of integration with the Portal (either in development, testing or in production). The ePlanning team has engaged with all major vendors to support successful integration. For more information about the ePlanning APIs, please visit APIs for ePlanning Digital Services. This resource on the NSW Planning Portal provides updates on the rollout of new APIs, important reference documents, such as Technical Specifications, and Frequently Asked Questions. |
| <p>77 Hornsby Shire Council - Amendment to Clause 263 of the EP&A Regulation 2000</p> <p>That clause 263 of the Environmental Planning and Assessment Regulation 2000 be amended to include the following additional clause (7) - A council may impose a compliance levy of 0.2% of the Capital Investment Value of a proposed development with a minimum levy of \$75 payable on all development and complying development applications upon lodgement of an application in the NSW planning portal.</p> | <p>Letter to:</p> <ul style="list-style-type: none"> Minister for Planning and Public Spaces, the Hon. Rob Stokes MP | <p>In June 2021 LGNSW received a response from the Minister for Planning and Public Spaces via the Minister for Local Government, advising:</p> <ul style="list-style-type: none"> The Department is considering a clear and consistent framework to support councils’ compliance activities. This work will be informed by economic analysis and seek to signal a council’s responsibilities to monitor and enforce compliance. Consultation with stakeholders including councils and the development sector will be undertaken to assist with setting an appropriate framework. |
| <p>78 MidCoast Council - Manufactured Homes Estate definition</p> <p>That Local Government NSW lobbies the NSW Government to add the definition of a “Manufactured Home Estate” in the Standard Instrument – Principal Local Environmental Plan.</p> | <p>Letter to:</p> <ul style="list-style-type: none"> Minister for Planning and Public Spaces, the Hon. Rob Stokes MP | <p>In June 2021 LGNSW received a response from the Minister for Planning and Public Spaces via the Minister for Local Government, advising:</p> <ul style="list-style-type: none"> Council’s request for the inclusion of a new land use definition for manufacture home estates in the Standard Instrument LEP is acknowledged. Housing Policy notes that the current approval pathways associated with the development of manufacture home estates is quite complex, usually requiring separate approval under both Planning and Local Government legislation. |

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| | | <ul style="list-style-type: none"> Housing Policy is aware of requests from local councils and the industry for reforms to the existing policy framework and continues to explore the most appropriate planning pathway to ensure a suitable outcome is achieved. Timing for the completion of this review and the introduction of a new legislative planning framework is not known. |
| <p>79 Singleton Council - SSD and/or SSI assessment process That Local Government NSW lobbies the Department of Planning, Industry and Environment to support local councils in the provision of advice into the State Significant Development (SSD) and/or State Significant Infrastructure (SSI) assessment process through the:</p> <ol style="list-style-type: none"> Inclusion of fees for the reasonable costs incurred by a council for the review of SSD and SSI in the schedule of fees listed in Part 15, Division 1AA and/or Division 2 of the Environmental Planning and Assessment Regulation 2000; and Establishment of a council inter-agency committee to assist and support local councils in the provision of advice into the assessment process. | <p>Letter to:</p> <ul style="list-style-type: none"> Minister for Planning and Public Spaces, the Hon. Rob Stokes MP <p>In February 2021 LGNSW made a submission to the Rapid Assessment Framework discussion paper.</p> | <p>SSD approval process is being reviewed by DPIE as part of its Rapid Assessment Framework.</p> <p>In June 2021 LGNSW received a response from the Minister for Planning and Public Spaces via the Minister for Local Government, advising: The Department does not have plans to implement an amendment of the schedule of fees for this purpose in the EP&A Regulation 2000 at this point in time.</p> |
| <p>80 Federation Council - Essential Energy and Origin Energy That Local Government NSW requests the NSW Government to intervene and ensure more effective mechanisms exist to achieve more timely approvals and works from both Origin and Essential Energy to support developments.</p> | <p>Letter to:</p> <ul style="list-style-type: none"> Minister for Planning and Public Spaces, the Hon. Rob Stokes MP | <p>In June 2021 LGNSW received a response from the Minister for Planning and Public Spaces via the Minister for Local Government, advising:</p> <ul style="list-style-type: none"> The Department of Planning, Industry and Environment is currently undertaking a comprehensive review of concurrence and referral provisions in environmental planning instruments. Consultation with all energy network providers is underway to identify potential reductions in the matters referred, collation of technical advice on requirements to enable applicants to better address issues early in the DA process and to identify systems improvements to enable DAs to be more efficiently processed. |
| <p>81 Shellharbour City Council - Ability for councils to mandate BASIX provisions That Local Government NSW asks for the NSW Government to enact changes to BASIX which would allow councils to increase certain BASIX provisions, determined by the council, in new developments. Such provisions may include shading over west-facing windows, solar panels and full in-wall and ceiling insulation. <i>This issue was also raised by Rous County Council.</i></p> | <p>Letter to:</p> <ul style="list-style-type: none"> Minister for Planning and Public Spaces, the Hon. Rob Stokes MP <p>Provided to DPIE at January 2021 Energy, Environment and Science (EES) liaison meeting.</p> <p>April 2021 – submission to the Design and Place SEPP EIE including a calling for mechanisms to allow councils some flexibility to set their own targets</p> | <p>In June 2021 LGNSW received a response from the Minister for Planning and Public Spaces via the Minister for Local Government, advising:</p> <ul style="list-style-type: none"> To promote consistency across the State, councils are currently not able to set their own higher or lower BASIX targets. This provision will continue to apply and is proposed to be transferred to the Design and Place SEPP. However, mechanisms to allow councils some flexibility in this area will be explored during development of the Design and Place SEPP. <p>The Design and Place SEPP Explanation of Intended Effect notes that mechanisms to allow councils some flexibility in this area will be explored during development of the Design and Place SEPP.</p> |
| <p>82 City of Parramatta - Inclusive community engagement for development applications</p> <ol style="list-style-type: none"> That Local Government NSW calls upon the NSW Government to take an inclusive consultation and engagement approach with the community, particularly when seeking submissions on Development Applications which currently requires a written submission be made. Further, that Local Government NSW calls on the NSW Government to encourage councils to investigate technological options to receive submissions to proposals and plans placed on public exhibition from people with disability by way of audio recording or transcription recording. | <p>Letters to:</p> <ul style="list-style-type: none"> Minister for Planning and Public Spaces, the Hon. Rob Stokes MP Minister for Families, Communities and Disability Services, the Hon. Gareth Ward MP | <p>In June 2021 LGNSW received a response from the Minister for Planning and Public Spaces via the Minister for Local Government, advising:</p> <ul style="list-style-type: none"> The Department notes these are resolutions that are perhaps best considered as part of a whole of government approach to improving access for people with disabilities. The Department further notes that the Minister for Families, Communities and Disability Services has been consulted on this as well. |
| <p>83 Leeton Shire Council - Health services in rural, regional and remote NSW That Local Government NSW:</p> | <p>Letters to:</p> | <p>16 March 2021 - Minister Coulton announced expansion of federal government's Remote Vocational Training Scheme (RVTS) targeted recruitment pilot to new locations around the</p> |

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| <p>1. Advocates for the Local Health Advisory Committee (LHAC) model to be revised to give local residents a far greater say in the scope and delivery of health services in their local communities.</p> <p>2. Pursues a formal MOU with NSW Health and Primary Health Networks which provides the basis for collaboration between councils and NSW Health and Primary Health Networks.</p> <p>3. Makes a submission to the Inquiry into health outcomes and access to health and hospital services in rural, regional and remote NSW. <i>This issue was also raised by Gilgandra Shire Council.</i></p> | <ul style="list-style-type: none"> Minister for Regional Health, Regional Communications and Local Government, the Hon Mark Coulton MP (federal) Minister for Health and Medical Research, the Hon. Brad Hazzard MP <p>LGNSW made a submission to the Parliamentary inquiry into health outcomes and access to health and hospital services in rural, regional and remote NSW.</p> <p>Feedback was received from more than 20 councils in developing this submission, building on existing LGNSW policy positions.</p> <p>Following the Board's request, LGNSW wrote to all regional councils seeking input on the direct costs incurred by councils to attract and retain healthcare professionals to their region (feedback due 7 May).</p> <p>Improving rural and regional health services was identified as a key LGNSW 2021 advocacy priority. LGNSW is developing an Advocacy Plan, noting future actions of the organisation and key stakeholders to engage.</p> <p>In April, ALGA wrote a letter of support to the Australian College of Rural and Remote Medicine and the Royal Australian College of General Practitioners for a proposal to recognise rural generalist as a specialist field within general practice and the opportunity for future consultation.</p> <p>In April and May 2021 LGNSW sought feedback from rural and regional councils on their direct costs to encourage healthcare professionals to serve their communities. This feedback will bolster LGNSW's advocacy.</p> | <p>country. The aim of the RVTS is to support medical practitioners to access education and training while continuing to provide medical services to their community. The three locations for NSW are Cobar, Lake Cargelligo and Dareton (Aboriginal Medical Service).</p> <p>The May 2021 federal Budget committed \$123m for rural health workforce and training, including \$65.8m to increase the Rural Bulk Billing Incentive for doctors working in rural towns and remote areas, introducing for the first time a progressive bulk billing incentive schedule for doctors based on remoteness. This initiative is intended to better recognise that doctors in rural and remote areas face higher operating costs, smaller patient populations, increased complexity in patient care, and carry a greater burden of responsibility for the healthcare needs of people living in these communities.</p> <p>In June 2021 LGNSW received a response from the Minister for Health and Medical Research via the Minister for Local Government, advising:</p> <ul style="list-style-type: none"> The health system relies on strong partnerships with patients, carers, staff and the broader community to achieve positive health outcomes. Local health districts in rural and regional areas work with the Australian Government's primary health care networks to support workforce recruitment and retention to their communities. NSW Health's 2019 Premier's award-winning Patient Experience Program benefited from an additional investment of \$8.6 million to expand the program. An additional 86 Patient Experience Managers have been recruited to 50 hospitals across NSW, with 42 of these roles located in rural and regional hospitals. Later this year, NSW Health and the Australian Government Department of Health will sign a joint statement between NSW Primary Health Networks and NSW Health. The aim of the joint statement is to better guide integrated health efforts by all levels of government so that healthcare can be funded and delivered to communities in a more holistic way. <p>On 23 June 2021 LGNSW received a response from Minister Coulton, noting that:</p> <ul style="list-style-type: none"> LHACs were a matter for the NSW Government. Primary Health Networks, although funded by the federal government, are operated by independent not-for-profit companies and so the government cannot compel them to be a party to an MOU Councils are encouraged to contact PHNs that cover their regions to discuss opportunities for ongoing collaboration. |
| <p>84 Leeton Shire Council - NSW Health to retain public ownership of aged care facilities</p> <p>That Local Government NSW calls for NSW Health to retain ownership of its National Disability Insurance Scheme (NDIS) and State owned aged care facilities.</p> | <p>Letters to:</p> <ul style="list-style-type: none"> Minister for Health and Medical Research, the Hon. Brad Hazzard MP <p>LGNSW included this matter in its submission to the Parliamentary inquiry into health outcomes and access to health and hospital services in rural, regional and remote NSW.</p> | <p>In June 2021 LGNSW received a response from the Minister for Health and Medical Research via the Minister for Local Government, advising:</p> <ul style="list-style-type: none"> The Australian Government is responsible for the NDIS. The NSW Government is the approved provider of seven out of a total of 885 aged care facilities in NSW. NSW Health supports a policy of divestment of government residential aged care facilities and bed licences to the non-government sector. There are currently no transfer plans in place for these seven facilities. The NSW Government operates 63 Multipurpose Services. The Final Report of the Royal Commission into Aged Care Quality and Safety recommends that the successful Multipurpose Service program should be maintained and extended into the future. The |

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| | | NSW Government looks forward to the Australian Government's response to the Royal Commission recommendations, released in May 2021. |
| <p>85 Lake Macquarie City Council - COVID-19 recovery: investing in night-time economy</p> <p>That Local Government NSW calls on the NSW Government to:</p> <ol style="list-style-type: none"> 1. Accelerate the delivery of the Greater Sydney 24-hour Strategy, 2. Develop a Regional NSW Night-Time Economy Strategy, including toolkits and resources to support councils, 3. Establish a new role of Parliamentary Secretary for the night-time economy, and 4. Create a Night-Time Economy Advisory Panel with membership from local government and industries to support the work of the Parliamentary Secretary. | <p>Letters to:</p> <ul style="list-style-type: none"> • Minister for Jobs, Investment, Tourism and Western Sydney, the Hon Stuart Ayres MP <p>Following the release of the Greater Sydney 24 Hour Strategy, the Government appointed a 24 Hour Economy Commissioner. The Commissioner attended the February meeting of the NSW Night Time Economy Committee where LGNSW and councils re-iterated that a focus beyond Greater Sydney is needed.</p> | <p>In February 2021 the NSW Government appointed a 24 Hour Economy Commissioner to coordinate and champion the Night Time Economy Strategy.</p> <p>In June 2021 LGNSW received a response from the Minister for Jobs, Investment, Tourism and Western Sydney via the Minister for Local Government, advising:</p> <ul style="list-style-type: none"> • In September 2020, the NSW Government launched the 24-Hour Economy Strategy, providing a unified vision that aims to bring together key players from across government, industry and communities to transform Greater Sydney. • The NSW Government recognises that building vibrant and strong 24-hour economy centres will need to be a collaborative and coordinated effort between state government, local councils, industry and communities. • The 24-Hour Economy Commissioner will be central to this coordination function, ensuring activities are delivered in line with the objectives of the Strategy. In addition to this, working groups with government and industry will be established to advise on the delivery of initiatives, identify synergies across stakeholders, explore opportunities and help measure the impact of the Strategy. • As outlined in the Strategy, playbooks and toolkits will be developed for industry that will provide information on activating and contributing to 24-hour economies. These guides will include information on issues such as navigating grant and license applications, best practice advice and tips for partnering and networking. This will again be a collaborative effort between government, councils and industry. |
| <p>86 Wagga Wagga City Council - Accessible athletics fields</p> <p>That Local Government NSW advocates to State and Federal Governments to improve athletics facilities to increase accessibility and involvement for participants with a disability.</p> | <p>Letters to:</p> <ul style="list-style-type: none"> • Minister for Sport, Senator the Hon. Richard Colbeck (federal) • A/ Minister for Sport, Multiculturalism, Seniors & Veterans, the Hon. Geoff Lee MP | <p>Response received from Minister Lee on 1 March. The Minister notes he is aware of the needs of councils and encourages them to seek project funding through the Regional Sports Facility Fund which includes a focus on universally designed facilities for all. A second round of the funding will open later in 2021.</p> <p>Response received from Minister Colbeck on 19 February. Minister Colbeck advised of the financial investment by the federal government in several sports facility developments, including a number of community facilities that provide greater access for all. The Minister advised he will continue to examine a more collaborative model of sports infrastructure funding alongside other spheres of government.</p> |
| <p>87 Willoughby City Council - Disabled parking permits</p> <p>That Local Government NSW advocates to NSW Government seeking a reform of the eligibility criteria used by medical professionals to issue disabled parking permits.</p> | <p>Letter to:</p> <ul style="list-style-type: none"> • The Minister for Transport and Roads, the Hon. Andrew Constance MP | <p>In June 2021 LGNSW received a response from the Minister for Transport and Roads via the Minister for Local Government, advising:</p> <ul style="list-style-type: none"> • Eligibility criteria for the Mobility Parking Scheme were developed in consultation with a wide variety of stakeholders, including representative organisations of people with disability and local governments. • There are currently no plans to revise the criteria, however TfNSW is seeking to make improvements to the application and assessment process. Once this is complete, General Practitioners will be educated about the eligibility criteria to ensure they are applying them correctly. • This will ensure more consistent application of the existing eligibility criteria and reduce the number of incorrectly awarded passes. |
| <p>88 Gwydir Shire Council - Amendment to Aboriginal Land Rights Act 1983</p> <p>That Local Government NSW lobbies the NSW Government to amend the Aboriginal Land Rights Act 1983 to:</p> <ol style="list-style-type: none"> 1. Permit land vested in an Aboriginal Land Council (ALC) to be appropriated or resumed with the approval of the ALC and where | <p>Letter to:</p> <ul style="list-style-type: none"> • Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts, the Hon. Don Harwin MLC | <p>In June 2021 LGNSW received a response from the Minister for Aboriginal Affairs via the Minister for Local Government, advising:</p> <ul style="list-style-type: none"> • Any amendment of the existing native title and/or land dealing provisions of the Aboriginal Land Rights Act 1983 will require wide support from key stakeholders, including the NSW Aboriginal Land Council (NSWALC), NTSCORP, Local Aboriginal Land Councils and their members, persons and organisations with interests in native title, and the wider Aboriginal community. |

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| <p>the Chief Executive Officer of the NSW ALC has issued a dealing approval certificate.</p> <p>2. Lower the voting threshold in section 42G (5) for Local Aboriginal Land Councils to approve a land dealing for public projects proposed by the NSW Government or a local council, from “not less than 80%” to “not less than 50%” of the voting members of the ALC present at the meeting.</p> <p>3. Consider alternatives to Native Title restrictions on certificates of title on land granted under the Aboriginal Land Rights Act 1983 where there is evidence that native title over the land has been extinguished.</p> | <p>Raised in a meeting with the NSW Audit Office (preparing for review of Land Claims) in March 2021.</p> | <ul style="list-style-type: none"> The proposals made by LGNSW have been provided to NSWALC for its consideration, and to advise the NSW Government on these matters. |
| <p>89 Tenterfield Shire Council - Increased migration to regional areas That Local Government NSW supports Regional Development Australia (RDA) Committees in lobbying the NSW Government and others to develop a funded business case for measures to increase migration from metropolitan and overseas locations to inland regional communities, where latent infrastructure capacities, employment opportunities, quality of life and reduced costs of living remain undervalued in target markets.</p> | <p>Letters to:</p> <ul style="list-style-type: none"> Deputy Premier and Minister for Regional NSW Industry and Trade, the Hon John Barilaro MP | <p>In June 2021 LGNSW received a response from the Deputy Premier via the Minister for Local Government, advising:</p> <ul style="list-style-type: none"> Department of Regional NSW (DRNSW) would welcome the opportunity to work with Regional Development Australia on increasing skilled migration to regional NSW. Skilled regional migration is a NSW Government priority, and the recent refresh of the 20 Year Economic Vision for Regional NSW includes Principle 5: A skilled labour force for current and future needs of the regions (p.45). We have committed to ‘advocating the benefits and attractions of relocating to regional NSW including campaign and targeted initiatives for skilled workers.’ DRNSW has a number of existing initiatives to support skilled migration, primarily the \$10 million Regional Skills Relocation Grant and the \$100 million Regional Job Creation Fund. |
| <p>90 Shoalhaven City Council - Long walking tourism in NSW National Parks That Local Government NSW advocates for the NSW State Government to establish and fund low-impact long walks as tourist attractions in our NSW National Parks.</p> | <p>Letters to:</p> <ul style="list-style-type: none"> Minister for Jobs, Investment, Tourism and Western Sydney, the Hon Stuart Ayres MP Minister for Energy and Environment, the Hon. Matt Kean MP | <p>January 2021 – The NSW Government announced \$257 million to deliver 170 new and improved community infrastructure projects across the national parks in NSW. This includes more than 750 kilometres of new and upgraded walking tracks, upgrades to 33 campgrounds and 61 new and improved picnic areas. LGNSW will continue advocating for funding for new long walks in particular.</p> <p>In June 2021 the NSW Government announced \$80 million in funding to establish new multiday walks across NSW. The first walk – The Great Southern Walk – will stretch 59-kilometres and showcase the natural and cultural beauty of the Illawarra Escarpment, Royal and Kamay Botany Bay national parks. The walk is expected to be complete in 2024, boosting the local tourism economy and creating local jobs both during construction and as the walk welcomes national and international visitors. Details on a second iconic multi-day walk will be released in coming months.</p> <p>In June 2021 LGNSW received a response from the Minister for Energy and Environment via the Minister for Local Government, highlighting the January 2021 announcement.</p> |
| <p>91 Liverpool City Council - Gaming and liquor licence applications That Local Government NSW:</p> <p>1. Advocates to the NSW Government for increased local government decision making in gaming machine provisions, including the changed Local Impact Assessment Band that allows moving of or increase of poker machines within the respective local government areas;</p> <p>2. Advocates to the NSW Government for local government's Social Impact Assessments to be prioritised in considerations relating to gaming machine provisions and determination of the band assessment's allocations; and</p> | <p>Letter to:</p> <ul style="list-style-type: none"> Minister for Customer Service, the Hon Victor Dominello MP | <p>February 2021 – Response received from Minister Dominello recognising the impact gambling can have on communities and notes NSW Government past actions to:</p> <ul style="list-style-type: none"> Review the local impact assessment scheme Issue guidelines for late night gaming applications Make gaming machine data more accessible. <p>Minister Dominello’s response also welcomes local government contributions to gaming machine decisions “through consistent, detailed and evidence-based submissions”, noting the valuable insight and data provided by councils about their communities are critical for good decision making.</p> |

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| <p>3. Considers a policy position, where public interest is in the forefront of all such decisions, including investigating measures of non-association with alcohol and gaming industries.</p> | | |
| <p>92 Hawkesbury City Council - Coercive control That Local Government NSW:</p> <ol style="list-style-type: none"> Notes the alarming increase in the prevalence of domestic abuse in NSW, including as a result of the COVID-19 pandemic, and the devastating impact this has on individuals and communities. Recognises that coercive control is a form of domestic abuse but that it is not currently a criminal offence under NSW law. Contacts the NSW Premier and NSW Attorney General calling for the criminalisation of coercive control in NSW, in line with The Domestic Abuse (Scotland) Act, currently considered the best-practice example of criminalising psychological, emotional and financial abuse as forms of domestic abuse. | <p>Letters to:</p> <ul style="list-style-type: none"> Premier, the Hon. Gladys Berejiklian MP Minister for the Prevention of Domestic Violence, the Hon. Mark Speakman MP | <p>The Joint Select Committee on Coercive Control was established on 21 October 2020. The Inquiry received 145 submissions and held 3 hearings in February 2021. As part of its terms of reference, the Committee considered the discussion paper released by the Government on 13 October 2020.</p> <p>The Committee released their report on 20 June 2021. The report answers the 15 questions posed by the Discussion Paper. The report includes 23 recommendations and 6 findings. LGNSW is reviewing the report, to see where it aligns with our position, and will advocate to the Government to adopt the relevant recommendations.</p> <p>Separate to the Inquiry, two proposed Bills have been introduced to the NSW Parliament:</p> <ul style="list-style-type: none"> The Crimes (Domestic and Personal Violence) Amendment (Coercive Control—Preethi’s Law) Bill 2020 was introduced on the 22 September 2020 but on 18 March 2021 was negated in a vote of parliament, while the parliamentary inquiry is ongoing. The Crimes (Domestic and Personal Violence) Amendment (Coercive and Controlling Behaviour) Bill 2020 was introduced to the upper house of NSW Parliament on 18 November 2020 and has its first and second reading that day. The Bill has been adjourned and is now awaiting debate after the 2nd reading speech. LGNSW will monitor the progress of this Bill and update members on legislative changes. <p>In June 2021 LGNSW received a response from the Minister for the Prevention of Domestic Violence via the Minister for Local Government:</p> <ul style="list-style-type: none"> Outlining forms of coercive control and its severity Noting that on 21 October 2020, the NSW Parliament established the Joint Select Committee. |
| <p>93 City of Parramatta - Family and domestic violence prevention resources That Local Government NSW supports the current advocacy of the Australian Local Government Association and Domestic Violence NSW by seeking:</p> <ol style="list-style-type: none"> A State or Federal funded Domestic Violence Officer, a role which currently exists in the local government associations in Victoria and Queensland; and Funding and resources to assist councils with prevention of violence initiatives and the implementation of the newly released national Local Government Domestic and Family Violence Prevention Toolkit. <p><i>This issue was also raised by Cumberland City Council.</i></p> | <p>Letters to:</p> <ul style="list-style-type: none"> Minister for the Families and Social Services, Senator the Hon. Anne Ruston (federal) Minister for the Prevention of Domestic Violence, the Hon. Mark Speakman MP <p>LGNSW, with ALGA, and the other local government associations in the states and territories met with Our Watch in January 2021, and will meet every 2 months. Our Watch is the national policy organisation for the primary prevention of violence against women and their children.</p> <p>At meetings with Our Watch, LGNSW has reiterated the need for resources and dedicated domestic violence prevention officers in the LG associations. Our Watch will continue meeting with the LG associations as it implements its Workforce Development Plan between September 2020 and June 2022. The aim of the plan is to create workforces in Australian that</p> | <p>Response received from Minister Ruston on 19 March. She notes that the Government is currently developing the next 10 year National Plan to reduce violence against women and their children, and she advises that interested organisations take up opportunities that will arise to help shape the direction of that Plan. She also advises that State Governments are best placed to respond to domestic violence proposals at the local level and that on 29 March 2020, the Federal Government announced a Domestic Violence Support Package, of which nearly \$40 million went to the NSW Government.</p> <p>On 1 April the federal parliamentary inquiry into family, domestic and sexual violence tabled its report, making a number of recommendations in line with recommendations put forward by ALGA with input from LGNSW and other state and territory associations. The recommendations include:</p> <ul style="list-style-type: none"> An ALGA representative on the National Federation Reform Council Taskforce on Women’s Safety Direct involvement of local government in developing and implementing the next National Plan. The Australian and State Governments to co-fund a dedicated family and domestic violence policy officer in each state and territory local government association for an initial period of 5 years. <p>In June 2021 LGNSW received a response from the Minister for the Prevention of Domestic Violence via the Minister for Local Government, advising that:</p> <ul style="list-style-type: none"> \$538 million over four years (2017-2021) is being invested in NSW to reduce domestic and family violence reoffending and support victim safety through the continuation of early intervention initiatives, victim support and perpetrator interventions. This investment |

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| | <p>undertake prevention activities to prevent violence against women.</p> | <p>includes the \$30.8 million of one-off Commonwealth COVID-19 stimulus funding for FY 2020-21.</p> <ul style="list-style-type: none"> NSW initiatives include: NSW Domestic and Family Violence Blueprint for Reform 2016-2021, the NSW Domestic and Family Violence Prevention and Early Intervention Strategy 2017– 2021, investing in primary prevention projects through the NSW Domestic and Family Violence Innovation Fund, supporting the National Plan to Reduce Violence Against Women & Their Children 2010-2022, and integrating violence prevention into NSW Government workplaces. <p>As many of these initiatives are ending in 2021, LGNSW will monitor the development of new plans and seek for local government consultation.</p> |
| <p>94 Hawkesbury City Council - Sex work That Local Government NSW:</p> <ol style="list-style-type: none"> Notes that NSW decriminalised sex work 25 years ago. Decriminalisation in 1995 resulted in improved work safety, extremely low rates of HIV/STIs, increased transparency and better access to justice, health and services for sex workers. Notes that sex workers still face discrimination and harassment on the basis of their occupation. Acknowledges that the 2015 NSW Select Committee on the Regulation of Brothels recommended that NSW Health consult with Local Government NSW about any additional assistance, such as educational briefings, that it could give councils to assist them to make sound development assessment decisions around sex services premises from a public health perspective, and that the NSW Government supported that recommendation. Local Government NSW therefore requests that NSW Health provides these education briefings to Councillors in both the current and each subsequent council term. | <p>Letter to:</p> <ul style="list-style-type: none"> Minister for Health and Medical Research, the Hon. Brad Hazzard MP | <p>In March 2021, the NSW Ministry of Health contacted LGNSW to seek further information on how it could best assist councils in response to this conference resolution. LGNSW advocated for the Ministry of Health to release a council specific briefing document that could be shared with our members regarding development assessment decisions around sex services, and suggested that Ministry of Health officers could be made available to brief council decision makers when required. LGNSW also contacted planning staff from Hawkesbury Council in April 2021, for input on areas of focus that would be useful for briefings, and to provide any examples of cases in the past which have been problematic.</p> <p>In June 2021 LGNSW received a response from the Minister for Health and Medical Research via the Minister for Local Government, advising that: NSW Health will continue to work with local government and other NSW Government agencies to provide information to support councillors to make sound development assessment decisions around sex services premises.</p> |
| <p>95 Snowy Valleys Council - Local government's role in children's & youth services Following the much-welcomed April funding package from the NSW Government of \$82 million for 260 council-run early childhood education and care (ECEC) services in response to the COVID-19 pandemic; that Local Government NSW:</p> <ol style="list-style-type: none"> Advocates to the NSW Government to continue to recognise the essential role of local government in early childhood education and care, and fund it accordingly, particularly as council-run services often cater to vulnerable, low-income families, regional and rural communities and children with disability; and Enhances Local Government NSW's Strong and Inclusive Communities Position Statement, and the Services in Rural Communities Position Statement, by including the recognition that local government is an essential provider of services to young people 0–24 years old. <p><i>This issue was also raised by Fairfield City Council.</i></p> | <p>Letter to:</p> <ul style="list-style-type: none"> Minister for Education and Early Childhood Learning, the Hon. Sarah Mitchell MLC | <p>In June 2021 LGNSW received a response from the Minister for Education and Early Childhood Learning via the Minister for Local Government, advising that:</p> <ul style="list-style-type: none"> The NSW Government acknowledges the crucial role local government plays in the lives of children and families in NSW. The NSW Government also recognises the role of local government as an essential provider of services to children and young people 0-24 years old. This dedication is particularly appreciated given the challenges faced during the unprecedented situation of the COVID-19 pandemic. Local council early childhood education services and early childhood educators are vital to the community, and it was important for the NSW Government to ensure that families continued to have access to childcare during the early stages of the COVID-19 pandemic, particularly those working in essential roles. In response, the NSW Government committed up to \$82 million to provide temporary support to 260 council childcare centres which were not eligible for the Australian Government's JobKeeper payments. Since 20 July 2020, local government run services have therefore had access to the same financial relief as all other Child Care Subsidy approved services. Given the equitable treatment of local council services under the new Australian Government arrangements, a final payment was made by the State Government to local councils for the period 4 to 19 July 2020 and NSW ceased its temporary Local Government COVID-19 program. This funding provided financial certainty to early childhood services operated by local government, allowing them to continue to provide essential services to local |

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| | | communities, and ensuring they remained viable during the COVID-19 pandemic and into the future. |
| <p>96 Lake Macquarie City Council - Partnership with Headspace That Local Government NSW calls on the State and Federal Governments to investigate and explore a partnership between local government and Headspace National Youth Mental Health Foundation to ensure young people in rural, remote, isolated and public transport-deprived areas gain access to appropriate and relevant youth mental health services.</p> | <p>Letters to:</p> <ul style="list-style-type: none"> Minister for Health, the Hon. Greg Hunt MP (federal) Minister for Mental Health, Regional Youth and Women, the Hon. Bronwyn Taylor MP | <p>Response received from Minister Hunt on 25 February, noting Headspace as a trusted model of care, and that Primary Health Networks (PHN) are funded by the Federal Dept of Health to commission lead agencies to operate the Headspace network of services. Minister Hunt notes the establishment of the new Headspace satellite service in Wyong, expected to open later in 2021, through the Hunter New England and Central Coast (HNECC) PHN.</p> <p>In May 2021, the federal Budget provided for \$2.3 billion over four years for the National Mental Health and Suicide Prevention Plan, including:</p> <ul style="list-style-type: none"> \$278m on 10 new Headspace clinics for 12 to 25-year olds, growing that program's footprint to 164 centres across Australia. \$487m for Head to Health centres which will initially comprise 40 mental health treatment clinics for people who have outgrown the youth-focussed Headspace. \$11 million to boost the psychiatrist workforce by making available 30 additional training posts by 2023 including through supporting regional and remote training pathways. <p>In June 2021 LGNSW received a response from the Minister for Mental Health, Regional Youth and Women via the Minister for Local Government, advising that:</p> <ul style="list-style-type: none"> NSW Health and headspace National acknowledge the specific challenges of supporting young people in rural, regional and isolated areas. headspace National is unlikely to have capacity to link with individual councils but actively supports headspace centres to build these partnerships at the local level. This model promotes tailored responses to the needs of local young people at the community level, and utilises the strengths and capacity of local services, agencies and community members, including local council. headspace centres are Commonwealth funded via the Primary Health Networks. The Primary Health Network commissions a lead agency to implement and operate the headspace service with support from a consortium of local services. Local councils are often an integral member of the consortium and may provide in-kind support through low-cost accommodation and transportation options for young people etc. Two key roles facilitate strong partnerships with local government. The Centre Manager is responsible managing the headspace service and has a key role in developing strategic partnerships with local stakeholders including local government, while Community Engagement Officers promote the services of headspace and help young people gain early access to health and other services. headspace National has well established working relationship with the NSW Ministry of Health's Mental Health Branch through the School-link and other child and youth mental health programs. NSW Health has funded headspace National in partnership with Lifeline, with \$6 million over the to establish 12 Wellbeing Coordinators in communities at high risk of suicides as part of Towards Zero Suicides. These Coordinators will work with young people and adults with a lived experience of mental illness and suicide and with local support services to develop local 'grassroot' approaches to suicide prevention. NSW Health has also funded headspace National \$1.168 million over two years for headspace to deliver parent and carer information sessions on youth suicide risk and how to access local services in communities at high risk of youth suicide. |
| <p>97 Tamworth Regional Council - Medicare provider numbers That Local Government NSW makes appropriate representations to the State and Federal Government Health Ministers to ensure the current review of the National Medical Workforce Strategy, and in particular</p> | <p>Letters to:</p> <ul style="list-style-type: none"> Minister for Health, the Hon. Greg Hunt MP (federal) | <p>Response received from Minister Hunt on 25 February. Minister Hunt notes areas with District Workforce Shortages (DWS) are determined by Australian Bureau of Statistics (ABS) population data to determine where medical specialists with location restrictions can work, and whether an</p> |

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| <p>how a “District of Workforce Shortage” is determined when allocating Medicare provider numbers, provides flexibility and opportunities for medical practitioners and specialists to relocate to regional and rural communities so that they are not disadvantaged in the delivery of adequate and essential medical services.</p> | <ul style="list-style-type: none"> Minister for Regional Health, Regional Communications and Local Government, the Hon Mark Coulton MP (federal) Minister for Health and Medical Research, the Hon. Brad Hazzard MP <p>LGNSW made a submission to the Parliamentary inquiry into health outcomes and access to health and hospital services in rural, regional and remote NSW.</p> <p>Feedback was received from more than 20 councils in developing this submission, building on existing LGNSW policy positions.</p> <p>Following the Board’s request, LGNSW wrote to all regional councils seeking input on the direct costs incurred by councils to attract and retain healthcare professionals to their region (feedback due 7 May).</p> <p>Improving rural and regional health services was identified as a key LGNSW 2021 advocacy priority. LGNSW is developing an Advocacy Plan, noting future actions of the organisation and key stakeholders to engage.</p> | <p>area is serviced by more or less than the national average of doctors from a particular speciality. Minister Hunt notes the DWS is updated annually and the next update is scheduled for 1 July 2021.</p> <p>On 23 June 2021 LGNSW received a response from Minister Coulton, noting:</p> <ul style="list-style-type: none"> The ongoing development of a National Medical Workforce Strategy to guide long term collaborative medical workforce planning across Australia. Specialist programs funded by the federal government to support communities with lower than average access to specialists. The establishment of a Distribution Working Group to oversee and ensure appropriate distribution of the health workforce across Australia. |
| <p>98 Liverpool City Council - Fast track major rail projects That Local Government NSW advocates to the State Government to provide funding and fast track major rail projects to support job creation, economic growth and stimulate urban renewal in key areas across the State.</p> | <p>Letters to:</p> <ul style="list-style-type: none"> Minister for Regional Transport and Roads, the Hon. Paul Toole MP Minister for Transport and Roads, the Hon. Andrew Constance MP | <p>In June 2021 LGNSW received a response from the Minister for Transport and Roads via the Minister for Local Government, advising that:</p> <ul style="list-style-type: none"> Greater Sydney is expanding and the NSW Government is working hard to deliver an integrated transport system that meets the needs of customers now and in the future. Having opened the Metro North West Line in 2019, construction is already underway to deliver: Sydney Metro City and Southwest, Sydney Metro West, Sydney Metro – Western Sydney Airport, a new metro line from Westmead to Western Sydney Airport, a new metro line from Western Sydney Airport to Macarthur, and a new metro line from Bankstown to Liverpool. |
| <p>99 Liverpool City Council - Tolls in NSW That Local Government NSW advocates to the State Government for a toll-free period on all new toll roads, and the removal of tolls, or a cash back scheme or other measures on other key toll roads such as the M5 East, to alleviate the financial burden on residents and other road users that use these roads.</p> | <p>Letter to:</p> <ul style="list-style-type: none"> Minister for Transport and Roads, the Hon. Andrew Constance MP | <p>In June 2021 LGNSW received a response from the Minister for Transport and Roads via the Minister for Local Government, advising that:</p> <ul style="list-style-type: none"> The NSW Government has no plans to alter tolling arrangements for WestConnex or the M5 East. The NSW Government introduced the Toll Relief program to reduce the cost of living for owners of privately-registered vehicles who are frequent toll road users. Toll Relief provides free vehicle registration for drivers who spent \$1,352 or more on tolls in the previous financial year (an average of \$26 a week). Drivers who spent \$811 or more during the previous financial year (an average of \$16 a week) are eligible for half-price registration. Trips on the M5 East and WestConnex are eligible for toll relief if the other eligibility criteria are met. |
| <p>100 Blacktown City Council - Public road dedication free of cost That Local Government NSW urgently calls on the NSW Government to amend the Environmental Planning and Assessment Act 1979 to allow for the requirement of public road dedication free of cost as a condition of consent.</p> | <p>Letter to:</p> <ul style="list-style-type: none"> Minister for Planning and Public Spaces, the Hon. Rob Stokes MP | <p>In June 2021 LGNSW received a response from the Minister for Planning and Public Spaces via the Minister for Local Government, advising that: The NSW Productivity Commissioner has undertaken a review of development contributions and released a recommendations report. The NSW Government is considering the recommendations. The issue raised by Blacktown City Council will be considered in this context.</p> |

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| <p>103 Bayside Council - Cashless metered parking schemes That Local Government NSW advocates for the NSW Government to enable councils to establish and operate metered parking schemes for any road within its area of operations without the need to facilitate the payment of fees for parking in cash (notes or coins, or both).</p> | <p>Letters to:</p> <ul style="list-style-type: none"> Minister for Transport and Roads, the Hon. Andrew Constance MP Minister for Customer Service, the Hon Victor Dominello MP | <p>February 2021 - Response from Minister Dominello noting his support for digital solutions including those that aim to gradually shift customers to digital payment methods, but advising he understands there are no plans to remove cash payments for parking at this time and that the relevant legislation sits within the portfolio of Minister Constance.</p> <p>In June 2021 LGNSW received a response from the Minister for Transport and Roads via the Minister for Local Government, advising that:</p> <ul style="list-style-type: none"> The Road Transport (General) Regulation 2013 and the Pay Parking Guidelines provide for parking authorities to implement cashless pay parking on a trial basis. Parking authorities are expected to monitor parking behaviours and respond appropriately if there are community concerns about the cashless pay parking scheme's implementation. The Road Transport (General) Regulation 2013 is currently under review. Parking regulations are a significant part of the review, which includes consulting and seeking feedback from the community and stakeholders such as Local Government NSW, representative parking authorities, and industry. Bayside Council is encouraged to contact its TfNSW representative to discuss cashless pay parking. |
| <p>104 Tenterfield Shire Council - Funding to correct historical errors in road mapping That Local Government NSW advocates to the State and Federal Governments for grant funding to assist councils deal with the costs incurred in correcting historical errors in mapping of actual roads so that ratepayers do not have to meet these costs.</p> | <p>Letters to:</p> <ul style="list-style-type: none"> Minister for Regional Transport and Roads, the Hon. Paul Toole MP Minister for Transport and Roads, the Hon. Andrew Constance MP | <p>In June 2021 LGNSW received a response from the Minister for Transport and Roads via the Minister for Local Government, advising that:</p> <ul style="list-style-type: none"> TfNSW acknowledges there are legacy issues with roads constructed in the past that physically sit outside of the cadastral boundaries. This is the case with some of the State Road network which traverse National Parks and State forestry areas. There is no funding allocation currently available for this surveying of road corridors across the State. However, TfNSW would welcome working with councils, sharing lessons learnt about managing Native Title and environmental approvals, and beginning a conversation about how this can be addressed in the future. It is acknowledged this will be a costly exercise for all levels of government, with changes made incrementally as road upgrades and development take place. |
| <p>105 Blue Mountains City Council - Road safety: use of speed zones That Local Government NSW advocates to the NSW Government and Transport for NSW to review the criteria for speed zones of less than 50km to include a category for local roads that are shared by pedestrians and other vulnerable road users due to design and topography of these roads. <i>This issue was also raised by Liverpool City Council.</i></p> | <p>Letters to:</p> <ul style="list-style-type: none"> Minister for Regional Transport and Roads, the Hon. Paul Toole MP Minister for Transport and Roads, the Hon. Andrew Constance MP | <p>In June 2021 LGNSW received a response from the Minister for Transport and Roads via the Minister for Local Government, advising that:</p> <ul style="list-style-type: none"> 10 km/h Shared Zones can be implemented where the road needs to be shared safely by vehicles and pedestrians. The Technical Direction 'Design and implementation of shared zones including provision for parking' outlines criteria for implementing Shared Zones. This includes roads where there are comparatively high pedestrian volumes compared to motor vehicles, where the road is narrow and where the provision of footpaths is substandard or limited. TfNSW is reviewing the NSW Speed Zoning Guidelines. As part of this review, TfNSW intends to provide more guidance for the implementation of speed zones under 50 km/h (including 20 km/h and 30 km/h zones). Councils can use 30km/h and 40km/h speed zones on their local roads, if they want to establish a self-enforcing road environment, upon TfNSW approval. TfNSW continues to assess councils' speed zone proposals in their local government areas, adhering to the NSW Speed Zoning guidelines. |
| <p>108 Albury City Council - Personal accident insurance cover for elected representatives That: 1. Local Government NSW lobbies the Minister for Local Government to amend the Local Government Act 1993 (NSW) to require all councils, county councils and joint organisations to have personal</p> | <p>Letter to:</p> <ul style="list-style-type: none"> Minister for Local Government, the Hon. Shelley Hancock MP | <p>In June 2021 LGNSW received a response from the Minister for Local Government, advising that: It is a matter for each council to determine what insurance coverage is required to support their activities and operations and to ensure that they have appropriate coverage.</p> |

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| <p>accident insurance cover for their elected representatives whilst performing their functions and responsibilities as a councillor in good faith and in accordance with the Local Government Act 1993 (NSW); and</p> <p>2. The insurance cover referred to in 1 above be equivalent to the level of insurance cover that employees receive under the NSW workers' compensation legislation.</p> <p><i>This issue was also raised by Lismore City Council.</i></p> | | |
| <p>109 Gunnedah Shire Council - Rural apprenticeships</p> <p>That Local Government NSW calls upon the Federal Government to mandate that:</p> <p>a. A percentage no less than 20% of funds committed to NSW TAFE support rural Institutes to allow apprenticeship courses to be run with no minimum student requirements; and</p> <p>b. NSW TAFE allows composite classes within apprenticeship courses to be run in rural institutes.</p> <p><i>This issue was also raised by Waverley Council.</i></p> | <p>Letters to:</p> <ul style="list-style-type: none"> • Federal Minister for Decentralisation and Regional Education, the Hon Andrew Gee MP • Minister for Skills and Tertiary Education, the Hon. Geoff Lee MP | <p>In June 2021 LGNSW received a response from the Minister for Skills and Tertiary Education via the Minister for Local Government, advising that:</p> <ul style="list-style-type: none"> • TAFE delivers training in over 130 locations across NSW including regional and remote locations. Connected Learning Centres allow students to access training in regional locations. • The total 20/21 TAFE NSW budget is \$2.2 billion- 76% of total Skills budget in NSW. • Of all the apprenticeship and traineeships approved by the Department of Education in 2020, 52 per cent were in regional NSW. • TAFE NSW will always endeavour to accommodate as many students as possible, however, some apprenticeships have prerequisites as prescribed in National Training Packages. TAFE NSW is not legally authorised to waive these requirements. • TAFE NSW is continuing to explore and grow different delivery options. The TAFE component of trade apprenticeships are typically designed to complement the progression of the apprentice's skills gained through on-the-job training. • This means that apprentices at different stages of their apprenticeship will have very different levels of experience and competency. • Many apprenticeship courses are deemed high risk. Composite classes that include students of different skill levels may pose a Work Health and Safety risk to young and inexperienced workers. TAFE NSW takes safety seriously, assesses risk and applies mitigating strategies. • TAFE NSW is required to comply with training and assessment standards set by the Australian Skills Quality Authority (ASQA), Vocational Training Orders, and the Apprenticeship and Traineeship Act 2001. The training and assessment standards and legislative requirements may not permit significant modification that would be required to accommodate cross-stage (composite class) delivery. |
| <p>110 Bourke Shire Council - Continuing Professional Development</p> <p>That Local Government NSW make representations to the various professional bodies relating to local government employees who are required to obtain Continuing Professional Development (CPD) points, to consider the difficulties encountered by rural and remote council employees in attending accreditation courses and make provision for an allowance for travelling when allocating points.</p> | <p>Letters to:</p> <ul style="list-style-type: none"> • Engineers Australia • Association of Professional Engineers Australia • NSW Fair Trading (for Building Surveyors) • Planning Institute of Australia | |
| <p>111 Bourke Shire Council - Risk and Internal Audit Committees for councils</p> <p>In order to support regional councils, that Local Government NSW calls on the Office of Local Government to review the guidelines to reduce the period of exclusion for both former elected members and staff from participating in Risk and Internal Audit Committees for councils.</p> | <p>Letter to:</p> <ul style="list-style-type: none"> • Minister for Local Government, the Hon. Shelley Hancock MP | <p>In June 2021 LGNSW received a response from the Minister for Local Government, advising that: The Office of Local Government has consulted extensively on the proposed new internal audit and risk management framework for councils. A discussion paper was issued in September 2019 for a four-month consultation period. 150 submissions were received including from regional and rural councils. All submissions have been considered and refinements will be made to the proposed framework in response to the submissions received.</p> |
| <p>112 City of Ryde - LGNSW - Armidale Council</p> <p>A. That this Local Government NSW conference calls on the Minister to:</p> <p>i. reinstate the elected Councillors of Armidale Regional Council (ARC) at the end of their six month suspension and let the</p> | <p>Letter to:</p> <ul style="list-style-type: none"> • Minister for Local Government, the Hon. Shelley Hancock MP | <p>Armidale Regional Council councillors were re-instated on 12 December.</p> <p>In June 2021 LGNSW received a response from the Minister for Local Government, outlining the suspension of Armidale Regional Council and that the councillors are now reinstated.</p> |

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| <p>community decide at the September 2021 elections who should represent them;</p> <p>ii. recognise that, as happens in Ryde, Councillors must have access to information to enable them to perform their functions as elected members of the governing body, and calls on the Minister to strengthen the requirement in the Act for General Managers to provide information to Councillors and so avoid the problems that allegedly happened in Armidale; and</p> <p>iii. to ensure that the Office of Local Government has adequate resources to assist local councils if they encounter serious problems and respond to complaints in a timely manner.</p> <p>B. That the conference acknowledges and thanks the Minister for her announcement this morning to reinstate the Armidale councillors before Christmas 2020.</p> | | |
| <p>113 Central Coast Council - NSW ICAC and Federal anti-corruption body</p> <p>That Local Government NSW: a</p> <p>A. Campaigns for the NSW Government to restore funding and ensure the independence of the NSW Independent Commission Against Corruption (ICAC). The campaign would include, but not be limited to:</p> <p>I. building alliances with key stakeholders and peak bodies to develop a position statement and build a public campaign</p> <p>II. providing resources to local councils to build grassroots support for the campaign.</p> <p>B. Advocates through the Australian Local Government Association for the Federal Government to establish an independent anti-corruption body with powers similar to those of the NSW ICAC.</p> | <p>LGNSW to develop a campaign.</p> <p>Letters to:</p> <ul style="list-style-type: none"> • Australian Local Government Association • Premier, the Hon. Gladys Berejiklian MP | <p>Response received from Parliamentary Secretary to the Premier the Hon Gabrielle Upton MP on 12 April. The Parliamentary Secretary's response is that the Government is confident that it has allocated appropriate resources to the ICAC for to fulfil its statutory functions and will continue to ensure it remains the case. In addition, the Government is considering the recommendations made by the Legislative Council's Public Accountability Committee; the Auditor-General's Special Report and two special reports of the ICAC in relation to the funding model for integrity agencies. The Government intends to finalise its position in relation to those reports in 2021.</p> <p>In June 2021 LGNSW received a response from the Special Minister of State via the Minister for Local Government, advising that:</p> <ul style="list-style-type: none"> • Following concerns raised by integrity bodies, the Government requested the Auditor-General to undertake a review of the effectiveness of the financial arrangements and management practices of integrity bodies, including the ICAC. Her report was tabled in Parliament in October 2020. • That report formed part of a series of reports relating to funding arrangements for integrity bodies, including reports by the ICAC and the Public Accountability Committee of the Legislative Council. • The Government is carefully considering the reports of the Auditor-General, the ICAC and the Public Accountability Committee in determining its position in relation to all the issues raised. • In doing so, the Government is fully committed to ensuring that the integrity agencies are properly resourced to fulfil their legislative mandates. • The Government takes the issues raised by the integrity bodies seriously, and their concerns – together with the recommendations of the various reports – are under active consideration. • The 2020-21 Budget for the ICAC is \$32.3M, comprised of \$30.9M in recurrent expenses plus \$1.4M in capital expenses. The \$30.9M in recurrent funding represents an increase to the ICAC of 7.5% from the estimated total of \$28.7M of recurrent and supplementary funding that it spent in 2019-20. • The ICAC has been granted supplementary funding outside the annual budget process every time it has requested it for at least the last ten years. |
| <p>114 The Hills Shire Council - Privacy protection of Councillors</p> <p>That Local Government NSW makes representations to the Local Government Minister and Office of Local Government on behalf of</p> | <p>Letters to:</p> <ul style="list-style-type: none"> • Minister for Local Government, the Hon. Shelley Hancock MP | <p>In June 2021 LGNSW received a response from the Minister for Local Government, advising that: There are existing privacy safeguards under the Privacy and Personal Information Protection Act 1998. As elected officials, councillors are accountable to the community for the performance of</p> |

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| <p>Councillors concerning protection in Councillors' employment, businesses and private lives. Disclosure requirements need to be reviewed to support appropriate privacy protections, balanced with transparency requirements. The minister and department should defend the reputation of Councillors' profession, and stand for the interests of Councillors, rather than against them.</p> | <ul style="list-style-type: none"> Office of Local Government | <p>their duties and it is appropriate that they be required to disclose private interests they have that may potentially give rise to conflicts of interest in the performance of their official functions.</p> |
| <p>115 Kyogle Council - Rural Ministerial Advisory Committee That Local Government lobbies the NSW Government to establish a rural Ministerial Advisory Committee to provide policy advice on, and make representations on behalf of, rural communities and the impacts of government decision making on those communities and that the committee be made up of representatives from rural regions across the State.</p> | <p>Letter to:</p> <ul style="list-style-type: none"> Deputy Premier and Minister for Regional NSW Industry and Trade, the Hon John Barilaro MP | <p>In June 2021 LGNSW received a response from the Deputy Premier via the Minister for Local Government, advising that:</p> <ul style="list-style-type: none"> The Department of Regional NSW (DRNSW) consults extensively with regional and rural stakeholders through its network of Regional Development staff who are embedded in regional areas and cover all of regional NSW. DRNSW Regional Development Directors chair the NSW Government's Regional Leadership Executives (representing the most senior regional representatives of NSW Government clusters) and use that forum as well as consultation with Joint Organisations of Councils and other local government groups, such as Local Government NSW to provide input into policy and program design as well as service delivery. |
| <p>116 Wagga Wagga City Council - Code of Conduct complaints That Local Government NSW advocates to the Minister for Local Government and the Office of Local Government to conduct a review into the operation of investigation of Code of Conduct complaints including allocation of more resources from the NSW Government to address code of conduct complaints.</p> | <p>Letters to:</p> <ul style="list-style-type: none"> Minister for Local Government, the Hon. Shelley Hancock MP Office of Local Government | <p>In June 2021 LGNSW received a response from the Minister for Local Government, advising that:</p> <ul style="list-style-type: none"> Under the Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW, councils are responsible for the management and investigation of complaints about their staff and councillors and meeting the cost of doing so, unless the complaint is one required to be referred to the Office of Local Government or another agency. If the NSW Government were to meet all or part of this cost, it would effectively amount to the Government being required to subsidise councils for the cost of their councillors' and staff misconduct. It is within each council's power to minimise these costs by each councillor and staff member ensuring that they comply with their council's code of conduct and demonstrating the high ethical and behavioural standards the community rightly expects of council officials. <p>On 11 June 2021, the Minister for Local Government, announced an independent review of the statutory framework surrounding councillor conduct. The review is to examine the effectiveness of penalties available to councils, the OLG and the NSW Civil and Administrative Tribunal. It will also look at the processes for making code of conduct complaints, the timeliness of disciplinary action, and misconduct frameworks implemented in other jurisdictions.</p> <p>Further information on how to participate in review is expected in July 2021. The terms of reference are available here.</p> |
| <p>117 Shoalhaven City Council - Local government improvement summit That the NSW Government holds a summit on local government to discuss and formulate solutions to issues which stakeholders see as a hindrance to good functions of local government.</p> | <p>Letter to:</p> <ul style="list-style-type: none"> Minister for Local Government, the Hon. Shelley Hancock MP | <p>In June 2021 LGNSW received a response from the Minister for Local Government, advising that:</p> <ul style="list-style-type: none"> The NSW Government will continue to respond to issues raised by the sector as resolutions at the annual LGNSW Conference. The Office of Local Government engages widely with councils and considers all feedback provided. The Office of Local Government also seeks sector feedback on specific issues raised by councils and responds to that feedback. Issues raised are considered in the context of NSW Government policy and legislative settings as well as impacts to the sector more broadly. Councils are encouraged to continue to raise issues of concern and to participate in opportunities to provide more detailed input. Councils are encouraged to communicate with their Council Engagement Managers who are able to bring any issues raised back into the organisation for response. |

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| <p>118 Central Coast Council - Legislative Reform That Local Government NSW actively campaigns for legislative reform that would:</p> <p>a. Make it an offence for a person to intentionally or recklessly threaten or incite violence towards any persons listed in (b) (i) below, in the exercise of any function under the Local Government Act or any other Act or any regulation conferring functions on a council.</p> <p>b. Make it an offence for a person to publish content that reasonable persons would regard as being, in all the circumstances, intimidating, menacing, harassing or offensive towards any of the following in the exercise of any function under the Local Government Act or any other Act or any regulation conferring functions on a council:</p> <ul style="list-style-type: none"> • the Minister • the Departmental Chief Executive • a person authorised under section 746 • an auditor appointed under Part 3 of Chapter 13 • a council • a councillor • an administrator of a council appointed under this Act • an employee of a council • a police officer • a person duly authorised to perform the function for the purposes of the Act or regulation concerned. <p>c. Impose, in addition to maximum penalties as provided in similar legislation e.g. Crimes (Domestic and Personal Violence) Act 2007, a further penalty to the effect that anyone convicted of such an offence be disqualified from holding public office as per s 275 of the Local Government Act 1993.</p> | <p>Letters to:</p> <ul style="list-style-type: none"> • Minister for Local Government, the Hon. Shelley Hancock MP • Attorney General, the Hon. Mark Speakman MP | <p>In June 2021 LGNSW received a response from the Attorney General via the Minister for Local Government, advising that:</p> <ul style="list-style-type: none"> • There are several existing offences under NSW and Commonwealth legislation which could already apply to the conduct described in the proposal, and which apply regardless of the profession or duties of the victim. • Most of the offences referred to below carry a maximum penalty of 1-10 years' imprisonment, depending on the seriousness of the offence. For example, publishing an indecent article carries a maximum penalty of 12 months' imprisonment, whilst sending a document containing a serious threat carries 10 years' imprisonment. • Specifically, various offences under the Crimes Act 1900 may be relevant to the conduct described in the proposal, depending on the circumstances of the case. (Further details in above linked letter). • Section 275 of the Local Government Act 1993 (NSW) makes provision for the disqualification of a person from holding civic office, including where a person has been convicted of an offence that is punishable by imprisonment for 5 years or more while holding office, or has been within 7 years before nomination for election, election or appointment to the office. |
| <p>119 Georges River Council - Council meeting minutes That Local Government NSW lobbies the NSW Office of Local Government and the Minister for Local Government to amend the provisions of the Local Government Act 1993 and the Model Code of Meeting Practice for Local Councils in NSW to require councils to publish unconfirmed minutes of council and committee meetings to provide suitable legal protection to councils to act on decisions without breaching other legislation and to allow the public to view the decisions of council in writing in a timely manner.</p> | <p>Letters to:</p> <ul style="list-style-type: none"> • Minister for Local Government, the Hon. Shelley Hancock MP • Office of Local Government | <p>In June 2021 LGNSW received a response from the Minister for Local Government, advising that: The Model Code of Meeting Practice for Local Councils in NSW already allows the publication of unconfirmed minutes (see clause 19.7) and there is nothing in the Model Meeting Code that would prevent councils from requiring this in their adopted codes of meeting practice.</p> |
| <p>120 Orange City Council - Working With Children and Police checks for elected members</p> <ol style="list-style-type: none"> 1. That Local Government NSW advocates for the NSW Government to introduce Working with Children and Police checks for elected members. 2. That reference is made to the National Principles for Child Safe Organisations developed by the Australian Human Rights Commission which provide a nationally consistent approach to embedding child safe cultures within organisations that engage with children. | <p>Letters to:</p> <ul style="list-style-type: none"> • Minister for Local Government, the Hon. Shelley Hancock MP • Office of Local Government | <p>In June 2021 LGNSW received a response from the Minister for Local Government, advising that: It is currently open to all councils to require their elected members to be subject to working with children and police checks.</p> |

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| <p>121 Albury City Council - Attendance at Council meetings by audio-visual link That Local Government NSW calls on the NSW Government to amend the Model Code of Meeting practice for Local Councils in NSW to permit attendance and participation of councillors at council meetings and at meetings of committees of council by audio-visual link. <i>This issue was also raised by Wagga Wagga City, Waverley and Orange City Councils.</i></p> | <p>Letters to:</p> <ul style="list-style-type: none"> Minister for Local Government, the Hon. Shelley Hancock MP Office of Local Government <p>LGNSW lodged a May 2021 submission in response to OLG's consultation paper.</p> | <p>In March 2021 OLG released a consultation paper proposing a continuation of arrangements to allow for remote attendance by councillors at council meetings. While OLG is consulting on the proposed amendments to the Model Meeting Code, March 2021 amendments to the Local Government (General) Regulation 2005 allow councils to continue to permit councillors to attend meetings by audio-visual link.</p> <p>In June 2021 LGNSW received a response from the Minister for Local Government, advising that:</p> <ul style="list-style-type: none"> The Government recognises that most councils have been able to successfully hold meetings remotely during the COVID-19 pandemic and is currently considering whether to alter the meeting rules prescribed under the Model Code of Meeting Practice for Local Councils in NSW to allow councillors to attend meetings remotely in certain circumstances. The new rules will be optional, and councils will be able to choose whether to adopt them. The Government recognises the importance of ensuring that rules governing remote attendance at meetings are workable. |
| <p>123 Lane Cove Council - Noise complaints generated from park activities That Local Government NSW lobbies the NSW Government for the inclusion of specific provisions in the Protection of the Environment Operations (Noise Control) Regulation 2008 which stipulates that general activities within a park cannot be deemed 'intrusive' or 'offensive' during certain hours of the day.</p> | <p>Letter to:</p> <ul style="list-style-type: none"> Minister for Energy and Environment, the Hon. Matt Kean MP | <p>In June 2021 LGNSW received a response from the Minister for Energy and Environment via the Minister for Local Government, advising that:</p> <ul style="list-style-type: none"> Under the Protection of the Environment Operations Act 1997, local councils and the EPA share the role of Appropriate Regulatory Authority (ARA). The EPA is the ARA for environmental matters where there is an environment protection licence, or the activity is carried out by a public authority. In other cases, the local council is the ARA. |
| <p>124 Bellingen Shire Council - Local Land Services Amendment (Miscellaneous) Bill 2020 That Local Government NSW expresses its concerns to the NSW Government regarding;</p> <ul style="list-style-type: none"> The lack of transparency and prior consultation that has characterised the introduction of the Local Land Services Amendment (Miscellaneous) Bill 2020; The removal of the legal ability of councils to make considered local policy decisions regarding certain land uses within rural and environmental protection zones; and The adverse environmental impacts of the proposed legislation, in view of the findings of three recent reviews undertaken by the NSW Auditor General, the Natural Resources Commission and the NSW Parliamentary Inquiry into koalas. | <p>Letters to:</p> <ul style="list-style-type: none"> Minister for Agriculture and Western NSW, the Hon Adam Marshall MP Minister for Energy and Environment, the Hon. Matt Kean MP <p>Additional to the letters to Adam Marshall and Matt Kean, LGNSW also wrote to Bronnie Taylor (who had carriage of the Bill in the LC), cc'ing John Graham, David Shoebridge, Mark Latham, Robert Borsak, Mark Pearson and Fred Nile.</p> <p>Raised with DPIE at January 2021 EES liaison meeting.</p> <p>LGNSW also made a submission to the Portfolio Committee No. 7 Planning and Environment to its inquiry into the Local Land Services Amendment (Miscellaneous) Bill 2020.</p> <p>Letters to:</p> <ul style="list-style-type: none"> Premier, the Hon. Gladys Berejiklian MP, Minister for Energy and Environment, the Hon. Matt Kean MP Deputy Premier, the Hon. John Barilaro MP, Minister for Planning and Open Spaces, the Hon. Rob Stokes MP | <p>Email received 15/3/21 from the Portfolio Committee No.7 - Planning and Environment that the scheduled hearings were cancelled and that in the coming weeks the committee will give further consideration to the future of the inquiry and will provide an update in due course.</p> <p>Media release from Government 8/3/21 - Koala SEPP 2021. "Core rural zones in rural areas will be decoupled from the SEPP as new codes that protect koala habitat under the Local Land Services Act are developed over the next month". Other key points/concerns include:</p> <ul style="list-style-type: none"> Private Native Forestry (PNF) and Local Land Services (LLS) codes will be revised to ensure robust protections for koalas in areas of high value koala habitat and certainty and consistency for primary producers; The Minister for Planning will issue a new section 9.1 direction to ensure that only the Minister, and not councils, will be empowered to rezone land used for primary production to an environmental zone, or to rezone land currently in rural zones 1, 2 and 3 to other rural zones; <p>Response received from Premier indicating that Rob Stokes has primary responsibility for this matter and that the development of a koala protection policy by the NSW Government strikes the right balance between safeguarding the future of this endangered species while ensuring certainty for farmers.</p> <p>In May 2021, a response from Minister Stokes indicated that "updates to the codes under the Local Land Services Act and the development of new guidelines to support Koala SEPP 2021 are being considered by the NSW Government... the concerns you have raised in your letter will be carefully considered before any decision is made."</p> <p>In June 2021 LGNSW received a response from the Minister for Energy and Environment via the Minister for Local Government, advising that:</p> |

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| | <p>Discussed with DPIE at March Planning meeting.</p> <p>Discussed with DPIE at May 2021 EES liaison meeting.</p> | <ul style="list-style-type: none"> On 8 March 2021, the NSW Government announced it would introduce the State Environmental Planning Policy (SEPP) (Koala Habitat Protection) 2021. This repeals SEPP 2020 and remakes SEPP 2019 for metropolitan Sydney, Blue Mountains, the Central Coast and across other NSW Local Government Areas except for rural use zones 1, 2 and 3. Exempted areas will be decoupled from the SEPP and new koala habitat protection measures will be developed for land management activities and private native forestry under the Local Land Services Act 2013. The announcement also advised that the Minister for Planning will issue a new section 9.1 direction to ensure that only the Minister, and not councils, will be empowered to rezone land used for primary production to an environmental zone, or to rezone land currently zoned in rural zones 1, 2 and 3 to other rural zones. In addition, when new koala habitat protection measures are legislated under the Local Land Services Act 2013, dual consent provisions for private native forestry in local environmental plans will be removed. The Government will commence a three-year review of the 2017 land management and biodiversity conservation framework to ensure it is achieving balanced outcomes for the environment and agriculture. This is in addition to the statutory five-year review of the reforms planned for 2022. |
| <p>125 Bellingen Shire Council - Koala conservation</p> <p>That Local Government NSW supports the findings and recommendations of the NSW Koala population and habitat in NSW report and urges urgent action by the NSW Government particularly given finding 2 which indicates that given the scale of loss to koala populations across NSW as a result of the 2019-20 bushfires and without urgent government intervention to protect habitat and address all other threats, the koala will become extinct in NSW before 2050. <i>This issue was also raised by Liverpool City Council.</i></p> | <p>Letter to:</p> <ul style="list-style-type: none"> Minister for Energy and Environment, the Hon. Matt Kean MP <p>Discussed with DPIE at January 2021 EES liaison meeting.</p> <p>LGNSW's letter to Minister Kean notes the LLS Amendment Bill's proposed changes that are likely to impact on koala habitat protection.</p> <p>LGNSW also made a submission to the Portfolio Committee No. 7 Planning and Environment to its inquiry into the Local Land Services Amendment (Miscellaneous) Bill 2020, which included 6 key issues of which three were directly in relation to koala management and/or protection.</p> <p>Letters to:</p> <ul style="list-style-type: none"> Premier, the Hon. Gladys Berejiklian MP, Minister for Energy and Environment, the Hon. Matt Kean MP Deputy Premier, the Hon. John Barilaro MP, Minister for Planning and Open Spaces, the Hon. Rob Stokes MP <p>Discussed with DPIE at May 2021 EES liaison meeting.</p> | <p>Email received 15/3/21 from the Portfolio Committee No.7 - Planning and Environment that the scheduled hearings were cancelled and that in the coming weeks the committee will give further consideration to the future of the inquiry and will provide an update in due course.</p> <p>Response received from Premier indicating that Rob Stokes has primary responsibility for this matter and that the development of a koala protection policy by the NSW Government strikes the right balance between safeguarding the future of this endangered species while ensuring certainty for farmers.</p> <p>Response from Minister Stokes (11/5/21) acknowledges concerns regarding consultation with councils, also because of the extensive consultation undertaken by the DPIE in developing the framework since 2016, the views of councils and other stakeholders are well known and have been carefully considered in its development.</p> <p>In June 2021 LGNSW received a response from the Minister for Energy and Environment via the Minister for Local Government, advising that:</p> <ul style="list-style-type: none"> The NSW Government welcomes the final report of the inquiry into koala populations and habitat in NSW, which was handed down on 30 June 2020. The Government response to the inquiry was tabled in Parliament in December 2020. The Government has considered the committee's recommendations and will release a whole-of-government strategy in early 2021 to achieve the goal of doubling the number of koalas in NSW by 2050. The strategy is likely to include a combination of national park additions, incentives for private landholders to conserve koala habitat, regional programs to improve the health and safety of koalas, habitat restoration and actions to fill key knowledge gaps. The Government is also working with the NSW Koala Strategy Expert Advisory Panel to identify additional actions to support the recovery of koalas following the 2019-20 bushfires. This work will build on the \$44.7 million NSW Koala Strategy which is currently funding a range of conservation actions to secure more habitat for koalas, support local |

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| | | <p>community action, improve koala health and safety, and build our knowledge to improve koala conservation.</p> <ul style="list-style-type: none"> • Of this \$44.7 million, \$20 million has been committed for the purchase of prime koala habitat to be permanently reserved as national parks. To date, more than 4,300 hectares have been purchased for addition to the national park estate. This includes areas of land in the new Guula Ngurra (or 'Koala Country') National Park in the Southern Highlands, which was officially gazetted in August 2020. • In addition to purchasing land to add to our national parks, the Government is setting aside more than 24,000 hectares of state forest for koalas. This includes over 4,000 hectares of state forest that was added to the national park estate in 2018 and more than 4,900 hectares of state forest that have been protected as flora reserves. |
| <p>126 Strathfield Council - Ausgrid – tree matters That Local Government NSW requests Ausgrid establishes a new liaison program between councils and Ausgrid where tree matters (in proximity to electrical assets) can be raised and dealt with properly and information on upcoming pruning activities conveyed.</p> | <p>Letter to:</p> <ul style="list-style-type: none"> • Minister for Energy and Environment, the Hon. Matt Kean MP <p>A letter has also been sent to Ausgrid seeking to re-establish a regular meeting and/or advisory system for councils.</p> | <p>In June 2021 LGNSW received a response from the Minister for Energy and Environment via the Minister for Local Government, advising that:</p> <ul style="list-style-type: none"> • Ausgrid's Vegetation Management Operations Manager and the Head of Contract Delivery are managing teams that work with local councils and customers on Ausgrid's vegetation management programs. These teams are the liaison point for local councils and have indicated that they are open to working to deliver better liaison on the vegetation management program. • The NSW Government is advised that the proposal for local councils to formally have liaison officers available to discuss vegetation management matters directly with Ausgrid is seen by Ausgrid as reasonable and aligns with Ausgrid's existing engagement approach with councils. Ausgrid also conducts regular local council roundtable discussions to speak about a range of matters including vegetation management. |
| <p>127 City of Canterbury-Bankstown - Funding for waterway maintenance on private land That Local Government NSW makes representations to the NSW Government requesting it identifies, or if absent, establishes a fund for residents to apply to for the purpose of improving or maintaining water quality in waterways that run through privately owned land then into public waterways in urban areas.</p> | <p>Letter to:</p> <ul style="list-style-type: none"> • Minister for Energy and Environment, the Hon. Matt Kean MP <p>Provided to DPIE at January 2021 EES liaison meeting.</p> | <p>In June 2021 LGNSW received a response from the Minister for Energy and Environment via the Minister for Local Government, advising that:</p> <ul style="list-style-type: none"> • Funding for Water Sensitive Urban Design projects is available through the NSW Environmental Trust's Restoration and Rehabilitation program. This program provides grants to community groups, non-profit organisations and local councils for projects that contribute to the ongoing sustainable management and stewardship of significant environmental assets and services in NSW. The 2021 -20 Restoration and Rehabilitation funding round will open for applications in the second half of 2021 • Although a specific fund for waterway maintenance on private land does not exist, the Government is progressing numerous landmark initiatives to ensure the ongoing health of the State's waterways. • The NSW Marine Estate Management Strategy 2018 -2028 includes a suite of actions to improve water quality, including riparian revegetation and bush regeneration, to reduce nutrient and sediment runoff into water ways. Although it is not a grants program or specific fund, many private landholders and local councils have been actively engaged in delivering the strategy's action to maximise outcomes. |
| <p>128 Gilgandra Shire Council - Impacts of the Biodiversity Offset Scheme That Local Government NSW lobbies the NSW Government to provide designated funding to support councils' offset costs associated with the Biodiversity Offset Scheme that may be prohibitive to new midsize development which can demonstrate a direct positive impact on population and job growth as well as diversification of regional economies.</p> | <p>Letter to:</p> <ul style="list-style-type: none"> • Minister for Energy and Environment, the Hon. Matt Kean MP <p>Provided to DPIE at January 2021 EES liaison meeting.</p> | <p>In June 2021 LGNSW received a response from the Minister for Energy and Environment via the Minister for Local Government, advising that:</p> <ul style="list-style-type: none"> • The Department of Planning, Industry and Environment is considering all feedback on the application of the Biodiversity Offset Scheme in regional NSW. There are several actions under consideration which could address the issues raised in the motion including: <ul style="list-style-type: none"> ○ additional support for local councils to understand and engage with the scheme including establishing offset sites on council own land (as suggested in the motion) ○ clearer information on how the scheme works including understanding advice about offsetting costs and options ○ improving supply of credits which would apply downward pressure on offset costs for regional proponents and create an additional revenue stream for regional landowners. |

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| | | <ul style="list-style-type: none"> This motion will be considered in the response to feedback about how the scheme is operating in regional NSW. |
| <p>129 Lachlan Shire Council - Biodiversity Conservation Act 2016 That Local Government NSW lobbies the NSW Government to undertake a review of the need to include exemptions in the Biodiversity Conservation Act 2016 for events and other minor development.</p> | <p>Letter to:</p> <ul style="list-style-type: none"> Minister for Energy and Environment, the Hon. Matt Kean MP <p>Provided to DPIE at January 2021 EES liaison meeting.</p> | <p>In June 2021 LGNSW received a response from the Minister for Energy and Environment via the Minister for Local Government, advising that:</p> <ul style="list-style-type: none"> Following targeted consultation with Local Government NSW and selected local government areas in August 2020, the Department of Planning, Industry and Environment is considering updates to its guidance on applying the test of significance, including better guidance on when it does not apply. This motion and the scenarios described will be considered in any updates to the guidance. And providing an overview of the Biodiversity Conservation Act's operations and the Biodiversity Offset Scheme. |
| <p>131 Cabonne Council - Flood mitigation That Local Government NSW advocates for the inclusion of a division within the Fisheries Management Act, providing flexibility and cooperation between local authorities and the Minister when considering flood mitigation and prevention works within townships and their localities.</p> | <p>Letter to:</p> <ul style="list-style-type: none"> Minister for Agriculture and Western NSW, the Hon. Adam Marshall MP | <p>In June 2021 LGNSW received a response from the Minister for Agriculture and Western NSW via the Minister for Local Government, providing an overview of the Fisheries Management Act's application and advising that:</p> <ul style="list-style-type: none"> DPI Fisheries works closely with councils, particularly during periods of flooding when urgent action is required. Early and ongoing engagement with DPI Fisheries is recommended to ensure timely and efficient assessment of such works and flexibility is considered in the application of the provisions of the Fisheries Management Act 1994. |
| <p>132 Inner West Council - Uranium mining ban in NSW must stay That:</p> <p>a. NSW councils oppose any move to lift the ban on uranium mining in NSW.</p> <p>b. Local Government NSW, on behalf of councils, writes to the NSW Premier and all MPs urging them to support sustainable and clean energy and jobs solutions.</p> | <p>Letters to:</p> <ul style="list-style-type: none"> Premier, the Hon. Gladys Berejiklian MP Minister for Energy and Environment, the Hon. Matt Kean MP Leaders of parties in NSW Parliament and Independents encouraging them to share conference resolutions with their colleagues. | <p>In June 2021 LGNSW received a response from the Minister for Energy and Environment via the Minister for Local Government, advising that:</p> <ul style="list-style-type: none"> In NSW, the Uranium Mining and Nuclear Facilities (Prohibitions) Act 1986 prohibits the mining of uranium and the construction and operation of nuclear reactors for non-research purposes. This prohibition was legislated in response to public concerns about the safety of nuclear power and the management of its waste. On 4 March 2020 the NSW Standing Committee on State Development released its report on the inquiry into lifting the ban on uranium mining and nuclear facilities. After close consideration of the report, the NSW Government released its position on 4 September 2020. The NSW Electricity Infrastructure Roadmap sets out the NSW Government's 20-year plan to deliver the generation, storage, firming and transmission infrastructure we need to power NSW into the future. The Roadmap is enabled by the Electricity Infrastructure Investment Act 2020. The legislation sets out the delivery framework, prescribes critical consumer protection mechanisms and enables us to put the right regulatory settings in place to create the competitive market that will deliver cheap, reliable electricity to NSW homes and businesses. |
| <p>133 Hawkesbury City Council - IPART Terms of Reference That Local Government NSW lobbies the NSW Government to include climate change considerations in approved terms of reference for investigations and reviews by the Independent Pricing and Regulatory Tribunal pursuant to the Independent Pricing and Regulatory Tribunal Act 1992.</p> | <p>Letter to:</p> <ul style="list-style-type: none"> Premier, the Hon. Gladys Berejiklian MP | <p>In June 2021 LGNSW received a response from the Minister for Customer Service via the Minister for Local Government, advising that:</p> <ul style="list-style-type: none"> The Independent Pricing and Regulatory Tribunal (IPART) recognises the importance of considering climate change as part of its investigations and reviews. IPART's 2023 Strategic Plan includes as one of its four aspirations that: 'our decisions help NSW tackle climate change'. This includes developing a clear framework for considering climate change in its regulatory assessments, decisions and advice. Further, in its price-setting functions, IPART is required by legislation to have regard to the need to maintain ecologically sustainable development. Terms of reference could require IPART to consider the effects of climate change as part of its review. However, the approach needs to be considered on a case-by-case basis, because: <ul style="list-style-type: none"> Only requiring IPART to consider climate change in terms of reference will not always achieve the desired outcome. For example, IPART's function of assessing local infrastructure contributions plans is conferred under section 9 of the IPART Act. The |

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| | | <p>terms of reference require IPART to assess whether contributions plans meet the criteria set out in the Department of Planning, Industry and Environment's Local Infrastructure Contributions Practice Note. Adding climate change considerations to IPART's terms of reference, rather than amending the Practice Note, would create an inconsistency and it may be preferable to amend the Practice Note.</p> <ul style="list-style-type: none"> ○ The range of subject matter that can be covered by IPART's investigations is very broad, and climate change may not always be directly relevant (see, for example, IPART's 2017-18 investigation of the market impacts of the Container Deposit Scheme). |
| <p>134 Lismore City Council - Landscape hydration That Local Government NSW requests the NSW Government to:</p> <ol style="list-style-type: none"> 1. Recognise the importance of landscape hydration techniques in improving the hydration of our rural lands which lowers the impact of drought, reduces water loss from run off, and improves the ecology and environment of previously degraded rural lands. 2. Recognise the role that local government can play in improving the environmental outcomes for our regions by partnering with farming bodies and land care groups to educate farmers and residents on methods of land regeneration including landscape hydration. 3. Provide grants to local government which enables councils to offer landscape hydration technique training opportunities for farmers and land care groups in our community. | <p>Letters to:</p> <ul style="list-style-type: none"> • Minister for Energy and Environment, the Hon. Matt Kean MP • Minister for Agriculture and Western NSW, the Hon Adam Marshall MP <p>Provided to DPIE at January 2021 EES liaison meeting.</p> | <p>In June 2021 LGNSW received a response from the Minister for Energy and Environment via the Minister for Local Government, advising that:</p> <ul style="list-style-type: none"> • The NSW Environmental Trust has funded several landscape rehydration projects. Funding is available through the Restoration and Rehabilitation program, which provides grants to community groups, non-profit organisations and local councils for projects that contribute to the ongoing sustainable management and stewardship of significant environmental assets and services in NSW. • Examples of landscape rehydration projects funded since 2015 include: Western Local Land Services for two projects totalling almost \$200,000; Central Tablelands Landcare received \$98,836 to restore and revegetate up to 10 kilometres of riparian habitat; Two grants of \$100,000 each awarded to The Mulloon Institute for projects in south east NSW. • The 2021-20 Restoration and Rehabilitation funding round will open for applications in the second half of 2021. More information can be found online. |
| <p>135 Hawkesbury River County Council - NSW Weeds Action Program administration That Local Government NSW lobbies the NSW Minister for Agriculture to urgently review the double handling of the NSW Weeds Action Program being undertaken by two NSW Government departments; NSW Primary Industries and Local Land Services, with a particular focus on the over burdensome reporting and auditing requirements applied to councils and County Councils.</p> | <p>Letter to:</p> <ul style="list-style-type: none"> • Minister for Agriculture and Western NSW, the Hon Adam Marshall MP | <p>In June 2021 LGNSW received a response from the Minister for Agriculture and Western NSW via the Minister for Local Government, advising that:</p> <ul style="list-style-type: none"> • The involvement of DPI and Local Land Services (LLS) in the Weeds Action Program (WAP) is complementary. DPI provides guidance on the Program objectives and is an independent party for determining regional allocation of funds to LLS. LLS then allocates funds within each region and coordinates project activities. • The WAP reporting process is as streamlined as possible for multi-agency delivery while maintaining good governance standards. Local Control Authorities are only required to report to LLS once per year and each LLS region provides an annual report to DPI. Auditing is not a routine requirement of the Program but can be arranged by LLS or DPI if they think it is needed. WAP was reviewed recently and 83% of local government partners were happy with the administration of the Program |
| <p>136 Yass Valley Council - Weed management funding That Local Government NSW advocates to the NSW Government to increase the level of funding to local government to manage roadside weeds. <i>This issue was also raised by Snowy Valleys Council.</i></p> | <p>Letter to:</p> <ul style="list-style-type: none"> • Minister for Agriculture and Western NSW, the Hon Adam Marshall MP | <p>In June 2021 LGNSW received a response from the Minister for Agriculture and Western NSW via the Minister for Local Government, advising that:</p> <ul style="list-style-type: none"> • NSW Government funding administered by DPI through the NSW Weeds Action Program is not available for the costs of controlling or treating weeds that are managed by local control authorities for road safety, fire or road maintenance. • The Weeds Action Program prioritises approximate \$12 million annually for the prevention, eradication and containment of new weeds, and for building capacity to manage established weeds across NSW. • Local Government NSW deliver a Council Roadside Environmental Management Framework which outlines the basic responsibilities across local, regional and state roads and aims to build capacity and assist councils to understand their responsibilities in roadside reserves, including the environmental values, and to integrate that work into their systems. There is a whole suite of guidance, templates, case studies and CRR e-learning modules that can be accessed from LGNSW website. • This information was provided to the State Weeds Committee at their last meeting. The Committee noted the management approach for roadsides can be complex, but the |

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| | | supporting resources are sound. Further negotiations on funding arrangements should be made directly with the Minister for Local Government. |
| <p>137 Randwick City Council - Global ban on the trade of wildlife That Local Government NSW:</p> <ol style="list-style-type: none"> 1. Recognises that the demand for wild animals and wild animal products is a primary cause of the emergence and spread of zoonotic diseases such as COVID-19 and represents a severe risk to global health, and 2. Calls on the Federal Government to advocate for a global ban on the trade of wild animals and wild animal products. | <p>Letter to:</p> <ul style="list-style-type: none"> • Minister for Foreign Affairs (Payne) | |
| <p>139 Hawkesbury City Council - Ban puppy farms That Local Government NSW:</p> <ol style="list-style-type: none"> 1. Notes that: <ol style="list-style-type: none"> a. animal welfare and the care and control of companion animals are state responsibilities in NSW but that these responsibilities are largely met by local councils, b. unscrupulous breeding in puppy farms financially impacts on councils due to increased compliance costs and shelter, rehabilitation and rehoming costs, and c. puppy farms are cruel and inhumane. 2. Notes that: <ol style="list-style-type: none"> a. the Domestic Animals Amendment (Puppy Farms and Pet Shops) Act 2017 (Vic) prohibited the sale of breeders' puppies in pet shops and restricts the number of fertile female dogs kept by breeders in Victoria, b. Victoria's tougher regulations resulted in large-scale breeders indicating they are seeking sites in NSW to continue their activities, and c. there is significant community concern that puppy farms have moved their operations to NSW to avoid regulation and scrutiny. 3. Urges the NSW Government to strengthen NSW Legislation to: <ol style="list-style-type: none"> a. transition pet shops to registered not-for-profit adoption centres to rehome dogs and puppies from approved rescue organisations and shelters, b. limit animals kept by breeders and owners, including by limiting numbers of fertile female dogs on premises, c. ensure breeder identifications numbers are required for all litters, including the removal of loopholes for "one-off litters", and d. instigate a common database and better co-ordination between enforcement agencies across jurisdictions. 4. Notes that euthanasia is a significant concern to councils and residents across NSW and is an animal welfare issue, and urges the NSW Government to act to reduce the rates of unwanted and abandoned animals by: | <p>Letter to:</p> <ul style="list-style-type: none"> • Minister for Local Government, the Hon. Shelley Hancock MP | <p>In June 2021 LGNSW received a response from the Minister for Local Government, advising that:</p> <ul style="list-style-type: none"> • The NSW Government continues to strengthen NSW Legislation to improve animal welfare outcomes. The Prevention of Cruelty to Animals Amendment Bill 2021 was presented in Parliament on 9 February 2021 by the Minister for Agriculture, the Hon. Adam Marshall MP. The proposed changes in this Bill will see some of the toughest penalties and sentences in Australia, increasing the range of tools available to courts to effectively deal with animal welfare cases • The CA Act confers certain general duties on councils, including to promote awareness within its area of the requirements of the CA Act with respect to the ownership of companion animals. The NSW Government has provided funding to RSPCA NSW for a Puppy Factory Taskforce. The new Taskforce consists of four new RSPCA inspectors who will spend their time inspecting breeding facilities across the State and ensuring they meet the NSW Government's robust animal welfare requirements. They'll also work with NSW Police monitoring online and social media platforms. |

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| <p>a. funding free desexing programs and education programs for pet owners, especially in areas with high dumping rates, and</p> <p>b. supporting more “pet-friendly” rental accommodation.</p> | | |
| <p>140 Liverpool City Council - Stray cats in urban areas</p> <p>That Local Government NSW advocates for:</p> <ol style="list-style-type: none"> 1. Tighter restrictions on cat owners (including that all cats to be microchipped and desexed) to be included in the NSW Companion Animals Act 1998; 2. Council to be funded to provide services that identify stray cats that are not microchipped, nor desexed and found on the streets, to be microchipped, desexed and housed until rehomed; and 3. Changes to be made to Section 11 of the Prevention of Cruelty to Animals Act 1979 (NSW) to permit the release of cats under a Trap Neuter Return Program. <p><i>This issue was also raised by Hornsby Shire and Central Coast Councils.</i></p> | <p>Letter to:</p> <ul style="list-style-type: none"> • Minister for Local Government, the Hon. Shelley Hancock MP | <p>In June 2021 LGNSW received a response from the Minister for Local Government, advising that:</p> <ul style="list-style-type: none"> • The NSW Government is strongly committed to promoting responsible pet ownership and early age desexing is central to its approach in ensuring the welfare of cats. • To this end, last year annual permits were introduced for non-desexed cats. All cats not desexed by 4-months of age now require a permit at a cost of \$80 each year until the cat is desexed. This initiative will help to increase desexing rates and as a result prevent unwanted litters, ease the burden on pounds and shelters, reduce euthanasia rates, and address concerns about feral and stray cats and their effect on native wildlife. • Councils receive significant ongoing revenue from the Companion Animals Fund (Fund) to undertake companion animals’ functions, drawing on local registration fees and annual permit fees for this purpose. Any money paid to a council from the Fund can only be used by the council for the management and control of companion animals in its area. • With the support of a NSW Environmental Trust grant, RSPCA NSW is leading a four year behaviour change project which aims to reduce the devastating impact of pet cats on wildlife by promoting best practice methods of containing cats to the owner’s property. |


CERTIFICATE OF RATES AND CHARGES LEVIED AND BROUGHT TO ACCOUNT FOR 2021/22 - as at 08/07/2021
08/07/2021 SUMMARY - ALL RATES LEVIES & REVENUES

| FUND | -ARREARS- | | 2021/22 LEVIES- | | | | CURRENT INTEREST | RECEIPTS | WRITE OFFS | PENSION REBATE | UNALLOCATED | |
|------------------------------------|---------------------|-------------------|-----------------------|-------|-----------------|-----------------|--------------------|----------------|---------------------|----------------|---------------------|-----------------------|
| | RATES | INTEREST | RATES | WATER | DR SUPP. | CR SUPP. | | | | | RECEIPTS | BALANCE |
| 99 Non-Rateable | | | | | | | | | | | | |
| GENERAL | \$452.73 | \$532.03 | | | | \$0.57 | | | | | | \$985.33 |
| WATER | \$4,754.83 | \$703.02 | \$57,886.00 | | | \$6.02 | \$592.00 | \$0.17 | | | | \$62,757.70 |
| SEWER | \$6,231.62 | \$719.13 | \$76,182.00 | | | \$7.87 | \$1,037.00 | \$3.95 | | | | \$82,099.67 |
| DOMESTIC WASTE | \$3,903.50 | \$94.11 | \$38,315.00 | | | \$4.93 | | \$0.39 | | | | \$42,317.15 |
| WATER CONSUMPTION | \$7,939.38 | \$60.68 | | | | \$9.99 | \$62.50 | \$4.19 | | | | \$7,943.36 |
| STORMWATER CHARGE | \$31.25 | \$0.68 | \$175.00 | | | \$0.03 | | | | | | \$206.96 |
| BUSINESS GARBAGE | \$196.67 | \$1.16 | \$18,915.00 | | | \$0.25 | \$434.49 | \$2.98 | | | | \$18,675.61 |
| Unallocated Rates Receipts | | | | | | | | | | | -\$4,116.75 | -\$4,116.75 |
| Unallocated Water Receipts | | | | | | | | | | | -\$1,202.56 | -\$1,202.56 |
| GROUP TOTAL | \$23,509.98 | \$2,110.81 | \$191,473.00 | | | \$29.66 | \$2,125.99 | \$11.68 | | | -\$5,319.31 | \$209,666.47 |
| 1101 Farmland - Berrigan | | | | | | | | | | | | |
| GENERAL | \$8,023.54 | \$280.40 | \$527,144.01 | | | \$10.08 | \$5,586.82 | \$15.14 | \$884.38 | | | \$528,971.69 |
| WATER | | | \$2,810.00 | | | | | | \$87.50 | | | \$2,722.50 |
| DOMESTIC WASTE | | | \$656.00 | | | | | | \$95.76 | | | \$560.24 |
| WATER CONSUMPTION | | | | | | | | | | | | |
| Unallocated Rates Receipts | | | | | | | | | | | -\$4.78 | -\$4.78 |
| Unallocated Water Receipts | | | | | | | | | | | -\$40.00 | -\$40.00 |
| GROUP TOTAL | \$8,023.54 | \$280.40 | \$530,610.01 | | | \$10.08 | \$5,586.82 | \$15.14 | \$1,067.64 | | -\$44.78 | \$532,209.65 |
| 1103 Farmland - Barooga | | | | | | | | | | | | |
| GENERAL | \$8,778.51 | \$190.99 | \$707,534.58 | | | \$11.08 | \$2,870.69 | \$11.47 | \$750.00 | | | \$712,883.00 |
| WATER | | | \$2,248.00 | | | | | | | | | \$2,248.00 |
| SEWER | | | \$579.00 | | | | | | | | | \$579.00 |
| DOMESTIC WASTE | \$3.75 | | \$984.00 | | | | | \$3.75 | | | | \$984.00 |
| WATER CONSUMPTION | | \$0.08 | | | | | | \$0.08 | | | | \$0.00 |
| Unallocated Rates Receipts | | | | | | | | | | | | \$0.00 |
| Unallocated Water Receipts | | | | | | | | | | | -\$47.14 | -\$47.14 |
| GROUP TOTAL | \$8,782.26 | \$191.07 | \$711,345.58 | | | \$11.08 | \$2,870.69 | \$15.30 | \$750.00 | | -\$47.14 | \$716,646.86 |
| 1105 Farmland - Finley | | | | | | | | | | | | |
| GENERAL | \$13,481.38 | \$309.57 | \$441,386.91 | | | \$16.63 | \$8,410.75 | \$8.65 | \$753.15 | | | \$446,021.94 |
| WATER | \$0.02 | | \$4,496.00 | | | | \$562.00 | \$0.02 | \$87.50 | | | \$3,846.50 |
| DOMESTIC WASTE | | | \$1,045.00 | | | | \$281.97 | | | | | \$763.03 |
| LEGALS | \$685.56 | | | | | | | | | | | \$685.56 |
| WATER CONSUMPTION | | | | | | | | | | | | \$0.00 |
| BUSINESS GARBAGE | | | \$445.00 | | | | | | | | | \$445.00 |
| BANK CHARGE | | | | | | | | | | | | \$0.00 |
| Unallocated Rates Receipts | | | | | | | | | | | -\$520.20 | -\$520.20 |
| Unallocated Water Receipts | | | | | | | | | | | -\$32.68 | -\$32.68 |
| GROUP TOTAL | \$14,166.96 | \$309.57 | \$447,372.91 | | | \$16.63 | \$9,254.72 | \$8.67 | \$840.65 | | -\$552.88 | \$451,209.15 |
| 1106 Farmland - Tocumwal | | | | | | | | | | | | |
| GENERAL | \$7,472.22 | \$94.11 | \$286,667.93 | | | \$9.39 | \$1,964.43 | \$11.51 | \$250.00 | | | \$292,017.71 |
| WATER | | | \$4,496.00 | | | | \$562.00 | | | | | \$3,934.00 |
| SEWER | | | \$161.00 | | | | \$161.00 | | | | | \$0.00 |
| DOMESTIC WASTE | | | \$1,640.00 | | | | \$656.00 | | | | | \$984.00 |
| WATER CONSUMPTION | \$134.64 | \$0.45 | | | | \$0.17 | | \$0.24 | | | | \$135.02 |
| Unallocated Rates Receipts | | | | | | | | | | | -\$856.82 | -\$856.82 |
| Unallocated Water Receipts | | | | | | | | | | | | \$0.00 |
| GROUP TOTAL | \$7,606.86 | \$94.56 | \$292,964.93 | | | \$9.56 | \$3,343.43 | \$11.75 | \$250.00 | | -\$856.82 | \$296,213.91 |
| 1107 Residential-Barooga | | | | | | | | | | | | |
| GENERAL | \$14,002.60 | \$193.48 | \$609,450.56 | | | \$15.51 | \$18,922.36 | \$3.49 | \$29,968.15 | | | \$574,768.15 |
| WATER | \$10,011.41 | \$147.68 | \$429,930.00 | | | \$11.52 | \$11,221.55 | \$2.55 | \$15,750.00 | | | \$413,126.51 |
| SEWER | \$11,754.44 | \$170.89 | \$445,623.00 | | | \$13.10 | \$10,673.62 | \$3.50 | \$15,750.00 | | | \$431,134.31 |
| DOMESTIC WASTE | \$6,982.76 | \$100.80 | \$240,095.00 | | | \$7.73 | \$4,513.75 | \$9.67 | \$15,013.40 | | | \$227,649.47 |
| LEGALS | \$1,744.20 | | | | | | | | | | | \$1,744.20 |
| WATER CONSUMPTION | \$15,034.99 | \$162.96 | | | | \$17.50 | \$1,481.00 | \$17.32 | | | | \$13,717.13 |
| STORMWATER CHARGE | \$564.09 | \$7.73 | \$15,925.00 | | | \$0.29 | \$288.91 | \$50.84 | | | | \$16,157.36 |
| BUSINESS GARBAGE | | | \$288.00 | | | | | | | | | \$288.00 |
| BANK CHARGE | | | | | | | | | | | | \$0.00 |
| WATER RESTRICTION RE | | | | | | | | | | | | \$0.00 |
| Unallocated Rates Receipts | | | | | | | | | | | -\$2,477.65 | -\$2,477.65 |
| Unallocated Water Receipts | | | | | | | | | | | -\$10,007.27 | -\$10,007.27 |
| GROUP TOTAL | \$60,094.49 | \$783.54 | \$1,741,311.56 | | | \$65.65 | \$47,101.19 | \$87.37 | \$76,481.55 | | -\$12,484.92 | \$1,666,100.21 |
| 1108 Residential - Berrigan | | | | | | | | | | | | |
| GENERAL | \$17,760.44 | \$550.61 | \$355,528.11 | | | \$21.76 | \$19,088.20 | \$1.06 | \$23,364.32 | | | \$331,407.34 |
| WATER | \$16,077.11 | \$584.58 | \$255,710.00 | | | \$20.04 | \$11,216.59 | \$0.74 | \$11,812.50 | | | \$249,361.90 |
| SEWER | \$16,854.80 | \$552.52 | \$254,812.00 | | | \$20.66 | \$8,582.25 | \$0.77 | \$11,812.50 | | | \$251,844.46 |
| DOMESTIC WASTE | \$9,184.50 | \$275.17 | \$141,085.00 | | | \$11.28 | \$4,075.39 | \$5.09 | \$10,385.68 | | | \$136,089.79 |
| LEGALS | \$4,870.42 | | | | | | | | | | | \$4,870.42 |
| WATER CONSUMPTION | \$10,662.24 | \$429.60 | | | \$6.00 | \$13.13 | \$196.00 | \$3.31 | | | | \$10,911.66 |
| STORMWATER CHARGE | \$751.56 | \$21.60 | \$9,925.00 | | | \$0.62 | \$278.77 | \$17.58 | | | | \$10,402.43 |
| BUSINESS GARBAGE | \$0.81 | | \$1,021.00 | | | | | \$0.81 | | | | \$1,021.00 |
| BANK CHARGE | | | | | | | | | | | | \$0.00 |
| WATER RESTRICTION RE | | | | | | | | | | | | \$0.00 |
| Unallocated Rates Receipts | | | | | | | | | | | -\$931.85 | -\$931.85 |
| Unallocated Water Receipts | | | | | | | | | | | -\$10,079.97 | -\$10,079.97 |
| GROUP TOTAL | \$76,161.88 | \$2,414.08 | \$1,018,081.11 | | \$6.00 | \$87.49 | \$43,437.20 | \$29.36 | \$57,375.00 | | -\$11,011.82 | \$984,897.18 |
| 1109 Residential - Finley | | | | | | | | | | | | |
| GENERAL | \$34,448.84 | \$1,429.20 | \$725,993.98 | | | \$29.84 | \$37,291.03 | \$5.53 | \$45,312.79 | | | \$679,292.51 |
| WATER | \$22,845.02 | \$868.25 | \$519,288.00 | | | \$22.35 | \$22,588.66 | \$3.59 | \$23,275.00 | | | \$497,156.37 |
| SEWER | \$24,995.60 | \$864.20 | \$533,252.00 | | | \$24.30 | \$19,608.55 | \$3.97 | \$23,275.00 | | | \$516,248.58 |
| DOMESTIC WASTE | \$15,011.37 | \$516.95 | \$308,411.00 | | | \$14.72 | \$8,904.83 | \$5.60 | \$21,187.21 | | | \$293,856.40 |
| LEGALS | \$7,974.74 | | | | \$581.40 | | \$92.58 | | | | | \$8,463.56 |
| WATER CONSUMPTION | \$19,514.60 | \$471.14 | | | \$46.50 | \$21.60 | \$1,624.18 | \$29.19 | | | | \$18,400.47 |
| STORMWATER CHARGE | \$1,383.58 | \$53.23 | \$21,025.00 | | | \$0.81 | \$649.65 | \$49.05 | | | | \$21,763.92 |
| BUSINESS GARBAGE | \$419.42 | | \$1,886.00 | | | | | | | | | \$2,305.42 |
| BANK CHARGE | | | | | | | | | | | | \$0.00 |
| WATER RESTRICTION RE | | \$4.23 | | | | | | | | | | \$4.23 |
| Unallocated Rates Receipts | | | | | | | | | | | -\$3,765.94 | -\$3,765.94 |
| Unallocated Water Receipts | | | | | | | | | | | -\$18,985.70 | -\$18,985.70 |
| GROUP TOTAL | \$126,593.17 | \$4,207.20 | \$2,109,855.98 | | \$627.90 | \$113.62 | \$90,759.48 | \$96.93 | \$113,050.00 | | -\$22,751.64 | \$2,014,739.82 |



CERTIFICATE OF RATES AND CHARGES LEVIED AND BROUGHT TO ACCOUNT FOR 2021/22 - as at 08/07/2021

08/07/2021 SUMMARY - ALL RATES LEVIES & REVENUES

| FUND | -ARREARS- | | 2021/22 LEVIES | | | | | UNALLOCATED | | | | |
|------------------------------------|-------------------|-----------------|---------------------|-------|----------------|----------|------------------|-------------------|----------------|--------------------|--------------------|---------------------|
| | RATES | INTEREST | RATES | WATER | DR SUPP. | CR SUPP. | CURRENT INTEREST | RECEIPTS | WRITE OFFS | PENSION REBATE | RECEIPTS | BALANCE |
| GROUP TOTAL | \$3,520.69 | \$45.20 | \$78,301.96 | | | | \$4.44 | \$1,027.91 | \$2.18 | \$3,258.03 | -\$194.00 | \$77,390.17 |
| 1130 Res Rural-Tocumwal | | | | | | | | | | | | |
| GENERAL | \$3,705.46 | \$95.45 | \$152,364.20 | | | | \$4.57 | \$5,265.50 | \$2.00 | \$8,696.66 | | \$142,205.52 |
| WATER | \$927.66 | \$11.22 | \$58,448.00 | | | | \$0.90 | \$2,162.77 | \$1.96 | \$1,662.50 | | \$55,560.55 |
| SEWER | \$141.99 | \$2.25 | \$32,902.00 | | | | \$0.18 | \$556.83 | \$0.03 | \$700.00 | | \$31,789.56 |
| DOMESTIC WASTE | \$438.95 | \$9.48 | \$24,661.00 | | | | \$0.52 | \$461.37 | \$1.23 | \$1,247.08 | | \$23,400.27 |
| LEGALS | | | | | | | | | | | | |
| WATER CONSUMPTION | \$3,929.64 | \$49.32 | | | | | \$4.74 | \$161.75 | \$0.70 | | | \$3,821.25 |
| STORMWATER CHARGE | | | \$25.00 | | | | | | | | | \$25.00 |
| BUSINESS GARBAGE | | | | | | | | | | | | |
| Unallocated Rates Receipts | | | | | | | | | | | | \$0.00 |
| Unallocated Water Receipts | | | | | | | | | | | -\$4,333.51 | -\$4,333.51 |
| GROUP TOTAL | \$9,143.70 | \$167.72 | \$268,400.20 | | | | \$10.91 | \$8,608.22 | \$5.92 | \$12,306.24 | -\$4,333.51 | \$252,468.64 |
| 1137 Business Ord-Barooga | | | | | | | | | | | | |
| GENERAL | \$771.47 | \$6.18 | \$30,618.61 | | | | \$0.93 | \$950.75 | | | | \$30,446.44 |
| WATER | \$688.22 | \$4.88 | \$13,488.00 | | | | \$0.86 | \$279.14 | | | | \$13,902.82 |
| SEWER | \$551.49 | \$4.11 | \$16,920.00 | | | | \$0.67 | \$274.60 | | | | \$17,201.67 |
| DOMESTIC WASTE | | | \$2,296.00 | | | | | | | | | \$2,296.00 |
| WATER CONSUMPTION | \$1,247.00 | \$10.18 | | | | | \$1.57 | | | | | \$1,258.75 |
| STORMWATER CHARGE | \$12.49 | \$0.04 | \$412.50 | | | | | | | | | \$425.03 |
| BUSINESS GARBAGE | \$211.47 | \$1.24 | \$3,613.00 | | | | \$0.26 | | | | | \$3,825.97 |
| Unallocated Rates Receipts | | | | | | | | | | | | \$0.00 |
| Unallocated Water Receipts | | | | | | | | | | | -\$3.97 | -\$3.97 |
| GROUP TOTAL | \$3,482.14 | \$26.63 | \$67,348.11 | | | | \$4.29 | \$1,504.49 | | | -\$3.97 | \$69,352.71 |
| 1138 Business Ord-Berrigan | | | | | | | | | | | | |
| GENERAL | \$273.38 | \$9.38 | \$32,821.82 | | | | \$0.35 | \$438.16 | \$0.18 | \$378.54 | | \$32,288.05 |
| WATER | \$487.05 | \$14.61 | \$21,356.00 | | | | \$0.62 | \$281.69 | \$0.15 | \$175.00 | | \$21,401.44 |
| SEWER | \$504.01 | \$15.67 | \$20,511.00 | | | | \$0.64 | \$290.25 | \$0.15 | \$175.00 | | \$20,565.92 |
| DOMESTIC WASTE | \$150.75 | \$5.54 | \$2,624.00 | | | | \$0.19 | | \$0.03 | \$121.46 | | \$2,658.99 |
| LEGALS | | | | | | | | | | | | |
| WATER CONSUMPTION | \$398.92 | \$1.13 | | | | | \$0.49 | | \$0.04 | | | \$400.50 |
| STORMWATER CHARGE | \$27.24 | \$0.90 | \$900.00 | | | | \$0.02 | \$12.53 | \$2.28 | | | \$913.35 |
| BUSINESS GARBAGE | \$5.88 | \$0.06 | \$9,321.00 | | | | | \$189.37 | \$5.94 | | | \$9,131.63 |
| Unallocated Rates Receipts | | | | | | | | | | | | \$0.00 |
| Unallocated Water Receipts | | | | | | | | | | | -\$107.13 | -\$107.13 |
| GROUP TOTAL | \$1,847.23 | \$47.29 | \$87,533.82 | | | | \$2.31 | \$1,212.00 | \$8.77 | \$850.00 | -\$107.13 | \$87,252.75 |
| 1139 Business Ord-Finley | | | | | | | | | | | | |
| GENERAL | \$2,824.67 | \$75.22 | \$75,714.22 | | | | \$2.97 | \$3,585.70 | \$3.06 | \$382.02 | | \$74,646.30 |
| WATER | \$1,923.90 | \$43.10 | \$46,084.00 | | | | \$1.94 | \$1,819.60 | \$2.59 | \$175.00 | | \$46,055.75 |
| SEWER | \$1,914.72 | \$41.91 | \$42,795.00 | | | | \$1.89 | \$1,663.23 | \$2.68 | \$175.00 | | \$42,912.61 |
| DOMESTIC WASTE | | \$0.02 | \$2,296.00 | | | | | | | \$117.98 | | \$2,178.04 |
| LEGALS | | | | | | | | | | | | \$0.00 |
| WATER CONSUMPTION | \$162.18 | \$1.73 | | | \$64.00 | | \$0.19 | \$72.00 | \$3.15 | | | \$152.95 |
| STORMWATER CHARGE | \$106.36 | \$2.24 | \$1,900.00 | | | | \$0.06 | \$81.20 | \$0.99 | | | \$1,926.47 |
| BUSINESS GARBAGE | \$1,094.22 | \$26.04 | \$23,617.00 | | | | \$1.36 | \$243.26 | \$1.49 | | | \$24,493.87 |
| BANK CHARGE DISHONOUR | | | | | \$40.00 | | | \$40.00 | | | | \$0.00 |
| Unallocated Rates Receipts | | | | | | | | | | | | \$0.00 |
| Unallocated Water Receipts | | | | | | | | | | | -\$85.24 | -\$85.24 |
| GROUP TOTAL | \$8,026.05 | \$190.26 | \$192,406.22 | | \$64.00 | | \$8.41 | \$7,464.99 | \$13.96 | \$850.00 | -\$85.24 | \$192,280.75 |
| 1140 Business Ord-Tocumwal | | | | | | | | | | | | |
| GENERAL | \$356.41 | \$3.70 | \$62,280.43 | | | | \$0.45 | \$719.64 | | | | \$61,921.35 |
| WATER | \$412.74 | \$4.07 | \$30,348.00 | | | | \$0.54 | \$421.67 | | | | \$30,343.68 |
| SEWER | \$425.46 | \$4.33 | \$33,060.00 | | | | \$0.54 | \$434.43 | | | | \$33,055.90 |
| DOMESTIC WASTE | | | \$2,296.00 | | | | | \$246.10 | | | | \$2,049.90 |
| WATER CONSUMPTION | \$275.73 | \$0.78 | | | | | \$0.20 | \$124.74 | \$0.82 | | | \$151.15 |
| STORMWATER CHARGE | \$16.14 | \$0.16 | \$1,137.50 | | | | | \$18.76 | \$0.53 | | | \$1,134.51 |
| BUSINESS GARBAGE | \$146.18 | \$1.53 | \$11,895.00 | | | | \$0.18 | | \$2.58 | | | \$12,040.31 |
| Unallocated Rates Receipts | | | | | | | | | | | | \$0.00 |
| Unallocated Water Receipts | | | | | | | | | | | -\$761.64 | -\$761.64 |
| GROUP TOTAL | \$1,632.66 | \$14.57 | \$141,016.93 | | | | \$1.91 | \$1,965.34 | \$3.93 | \$0.00 | -\$761.64 | \$139,935.16 |
| 1147 Business Hosp-Barooga | | | | | | | | | | | | |
| GENERAL | \$6.00 | \$0.04 | \$59,569.80 | | | | | | | | | \$59,575.84 |
| WATER | | | \$8,992.00 | | | | | | | | | \$8,992.00 |
| SEWER | | | \$41,352.00 | | | | | | | | | \$41,352.00 |
| DOMESTIC WASTE | | | \$3,280.00 | | | | | | | | | \$3,280.00 |
| WATER CONSUMPTION | \$548.00 | \$0.95 | | | | | \$0.42 | \$548.00 | \$1.37 | | | \$0.00 |
| STORMWATER CHARGE | | | \$275.00 | | | | | | | | | \$275.00 |
| BUSINESS GARBAGE | | | \$864.00 | | | | | | | | | \$864.00 |
| Unallocated Rates Receipts | | | | | | | | | | | | \$0.00 |
| Unallocated Water Receipts | | | | | | | | | | | -\$128.00 | -\$128.00 |
| GROUP TOTAL | \$554.00 | \$0.99 | \$114,332.80 | | | | \$0.42 | \$548.00 | \$1.37 | | -\$128.00 | \$114,210.84 |
| 1148 Business Hosp-Berrigan | | | | | | | | | | | | |
| GENERAL | \$351.55 | \$2.08 | \$16,730.00 | | | | \$0.33 | \$353.96 | | \$190.93 | | \$16,539.07 |
| WATER | \$137.73 | \$0.81 | \$5,058.00 | | | | \$0.13 | \$138.67 | | \$87.50 | | \$4,970.50 |
| SEWER | \$141.98 | \$0.84 | \$9,255.00 | | | | \$0.13 | \$142.95 | | \$87.50 | | \$9,167.50 |
| DOMESTIC WASTE | | | \$328.00 | | | | | | | \$59.07 | | \$268.93 |
| WATER CONSUMPTION | \$1,338.50 | \$5.81 | | | | | \$1.69 | \$13.54 | | | | \$1,332.46 |
| STORMWATER CHARGE | \$6.25 | \$0.04 | \$150.00 | | | | | \$6.29 | | | | \$150.00 |
| BUSINESS GARBAGE | \$70.49 | \$0.41 | \$4,952.00 | | | | \$0.06 | \$70.96 | | | | \$4,952.00 |
| Unallocated Rates Receipts | | | | | | | | | | | | \$0.00 |
| Unallocated Water Receipts | | | | | | | | | | | -\$296.00 | -\$296.00 |
| GROUP TOTAL | \$2,046.50 | \$9.99 | \$36,473.00 | | | | \$2.34 | \$726.37 | | \$425.00 | -\$296.00 | \$37,084.46 |
| 1149 Business Hosp-Finley | | | | | | | | | | | | |
| GENERAL | | \$0.23 | \$21,205.09 | | | | | | \$0.23 | | | \$21,205.09 |
| WATER | | \$0.16 | \$7,868.00 | | | | | | \$0.16 | | | \$7,868.00 |
| SEWER | | \$0.27 | \$18,654.00 | | | | | | \$0.27 | | | \$18,654.00 |
| WATER CONSUMPTION | \$175.50 | \$0.30 | | | | | \$0.21 | \$76.00 | \$0.21 | | | \$99.80 |
| STORMWATER CHARGE | | | \$250.00 | | | | | | | | | \$250.00 |
| BUSINESS GARBAGE | \$2.62 | \$0.09 | \$3,927.00 | | | | | | \$2.71 | | | \$3,927.00 |
| Unallocated Rates Receipts | | | | | | | | | | | | \$0.00 |
| Unallocated Water Receipts | | | | | | | | | | | | \$0.00 |
| GROUP TOTAL | \$178.12 | \$1.05 | \$51,904.09 | | | | \$0.21 | \$76.00 | \$3.58 | \$0.00 | | \$52,003.89 |



CERTIFICATE OF RATES AND CHARGES LEVIED AND BROUGHT TO ACCOUNT FOR 2021/22 - as at 08/07/2021

08/07/2021 SUMMARY - ALL RATES LEVIES & REVENUES

| FUND | -ARREARS- | | 2021/22 LEVIES- | | | | | UNALLOCATED | | | | |
|---------------------------------------|---------------------|--------------------|------------------------|-------|-------------------|----------|------------------|---------------------|-----------------|---------------------|---------------------|------------------------|
| | RATES | INTEREST | RATES | WATER | DR SUPP. | CR SUPP. | CURRENT INTEREST | RECEIPTS | WRITE OFFS | PENSION REBATE | RECEIPTS | BALANCE |
| 1150 Business Hosp-Tocumwal | | | | | | | | | | | | |
| GENERAL | \$513.60 | \$3.78 | \$53,123.30 | | | | \$0.08 | \$1,659.71 | \$1.18 | | | \$51,979.87 |
| WATER | \$275.45 | \$1.78 | \$13,488.00 | | | | \$0.18 | \$278.98 | \$0.31 | | | \$13,486.12 |
| SEWER | \$1,312.31 | \$8.67 | \$38,958.00 | | | | \$1.13 | \$868.72 | \$0.95 | | | \$39,410.44 |
| DOMESTIC WASTE | \$482.88 | \$2.88 | \$2,296.00 | | | | | \$484.83 | \$0.93 | | | \$2,296.00 |
| WATER CONSUMPTION | \$7,182.78 | \$64.32 | | | | | \$9.06 | | \$0.11 | | | \$7,256.05 |
| STORMWATER CHARGE | \$12.50 | \$0.08 | \$450.00 | | | | | \$12.53 | \$0.01 | | | \$450.04 |
| BUSINESS GARBAGE | \$500.44 | \$3.39 | \$8,644.00 | | | | \$0.63 | | \$0.03 | | | \$9,148.43 |
| Unallocated Rates Receipts | | | | | | | | | | | | \$0.00 |
| Unallocated Water Receipts | | | | | | | | | | | -\$0.20 | -\$0.20 |
| GROUP TOTAL | \$10,279.96 | \$84.90 | \$116,959.30 | | | | \$11.08 | \$3,304.77 | \$3.52 | | -\$0.20 | \$124,026.75 |
| 1157 Business Rural-Barooga | | | | | | | | | | | | |
| GENERAL | | | \$1,884.11 | | | | | \$0.15 | | | | \$1,883.96 |
| WATER | | | \$562.00 | | | | | | | | | \$562.00 |
| WATER CONSUMPTION | | | | | | | | | | | | \$0.00 |
| Unallocated Rates Receipts | | | | | | | | | | | | \$0.00 |
| Unallocated Water Receipts | | | | | | | | | | | | \$0.00 |
| GROUP TOTAL | | | \$2,446.11 | | | | | \$0.15 | | | | \$2,445.96 |
| 1158 Business Rural-Berrigan | | | | | | | | | | | | |
| GENERAL | | | \$2,413.41 | | | | | | | | | \$2,413.41 |
| WATER | | | | | | | | | | | | |
| WATER CONSUMPTION | | | | | | | | | | | | |
| Unallocated Rates Receipts | | | | | | | | | | | | |
| Unallocated Water Receipts | | | | | | | | | | | | |
| GROUP TOTAL | | | \$2,413.41 | | | | | | | | | \$2,413.41 |
| 1159 Business Rural-Finley | | | | | | | | | | | | |
| GENERAL | | | \$17,138.95 | | | | | | | | | \$17,138.95 |
| WATER | | | \$1,686.00 | | | | | | | | | \$1,686.00 |
| SEWER | | | \$1,317.00 | | | | | | | | | \$1,317.00 |
| DOMESTIC WASTE | | | \$1,968.00 | | | | | | | | | \$1,968.00 |
| WATER CONSUMPTION | \$10.50 | \$0.11 | | | | | \$0.01 | \$10.50 | \$0.12 | | | \$0.00 |
| STORMWATER CHARGE | | | \$25.00 | | | | | | | | | \$25.00 |
| BUSINESS GARBAGE | | | \$288.00 | | | | | | | | | \$288.00 |
| Unallocated Rates Receipts | | | | | | | | | | | | \$0.00 |
| Unallocated Water Receipts | | | | | | | | | | | -\$2.00 | -\$2.00 |
| GROUP TOTAL | \$10.50 | \$0.11 | \$22,422.95 | | | | \$0.01 | \$10.50 | \$0.12 | | -\$2.00 | \$22,420.95 |
| 1160 Business Rural-Tocumwal | | | | | | | | | | | | |
| GENERAL | \$444.51 | \$7.93 | \$69,801.82 | | | | \$0.56 | \$1,471.98 | \$0.32 | | | \$68,782.52 |
| WATER | \$137.62 | \$4.37 | \$29,224.00 | | | | \$0.18 | \$829.55 | \$0.23 | | | \$28,536.39 |
| SEWER | \$141.87 | \$4.90 | \$25,233.00 | | | | \$0.18 | \$395.75 | \$0.31 | | | \$24,983.89 |
| DOMESTIC WASTE | | | \$328.00 | | | | | | | | | \$328.00 |
| WATER CONSUMPTION | | \$0.49 | | | | | | | \$0.49 | | | \$0.00 |
| STORMWATER CHARGE | | | \$500.00 | | | | | \$6.28 | | | | \$493.72 |
| BUSINESS GARBAGE | | | \$1,466.00 | | | | | \$57.47 | | | | \$1,408.53 |
| BANK CHARGE | \$40.00 | | | | | | | | | | | \$40.00 |
| Unallocated Rates Receipts | | | | | | | | | | | | \$0.00 |
| Unallocated Water Receipts | | | | | | | | | | | -\$1,069.54 | -\$1,069.54 |
| GROUP TOTAL | \$764.00 | \$17.69 | \$126,552.82 | | | | \$0.92 | \$2,761.03 | \$1.35 | | -\$1,069.54 | \$123,503.51 |
| 1161 Business Alt Energy-FIN | | | | | | | | | | | | |
| GENERAL | \$20.97 | \$2.03 | \$36,185.91 | | | | \$0.03 | | | | | \$36,208.94 |
| Unallocated Rates Receipts | | | | | | | | | | | | |
| Unallocated Water Receipts | | | | | | | | | | | | |
| GROUP TOTAL | \$20.97 | \$2.03 | \$36,185.91 | | | | \$0.03 | | | | | \$36,208.94 |
| 1167 Residential Riverland-BGA | | | | | | | | | | | | |
| GENERAL | | | | | | | | | | | | \$0.00 |
| Unallocated Rates Receipts | | | | | | | | | | | | \$0.00 |
| Unallocated Water Receipts | | | | | | | | | | | | \$0.00 |
| GROUP TOTAL | | | | | | | | | | | | \$0.00 |
| 1170 Residential Riverland-TOC | | | | | | | | | | | | |
| Unallocated Rates Receipts | | | | | | | | | | | | \$0.00 |
| Unallocated Water Receipts | | | | | | | | | | | | \$0.00 |
| GROUP TOTAL | | | | | | | | | | | | \$0.00 |
| 1180 Residential | | | | | | | | | | | | |
| GENERAL | \$1,032.54 | \$8.84 | \$48,536.21 | | | | \$0.55 | \$635.11 | \$1.25 | | | \$48,941.78 |
| WATER | \$412.86 | \$3.35 | \$11,802.00 | | | | \$0.21 | \$276.83 | \$0.55 | | | \$11,941.04 |
| SEWER | \$426.00 | \$3.50 | \$12,481.00 | | | | \$0.21 | \$285.38 | \$1.00 | | | \$12,624.33 |
| WATER CONSUMPTION | | | | | | | | | | | | \$0.00 |
| Unallocated Rates Receipts | | | | | | | | | | | | \$0.00 |
| Unallocated Water Receipts | | | | | | | | | | | -\$156.18 | -\$156.18 |
| GROUP TOTAL | \$1,871.40 | \$15.69 | \$72,819.21 | | | | \$0.97 | \$1,197.32 | \$2.80 | | -\$156.18 | \$73,350.97 |
| REPORT TOTAL | \$460,589.68 | \$13,846.87 | \$11,423,001.02 | | \$1,355.26 | | \$493.92 | \$305,981.01 | \$448.46 | \$412,980.90 | -\$83,922.44 | \$11,095,953.94 |

1/. SUMMARY - RATES AND CHARGES AS AT 08/07/2020

| FUND | -ARREARS- | | 2020/21 LEVIES- | | | | | UNALL | | | BALANCE | |
|-------------------|--------------|------------|-----------------|-------|------------|----------|------------------|--------------|------------|----------------|---------|----------------|
| | RATES | INTEREST | RATES | WATER | DR SUPP. | CR SUPP. | CURRENT INTEREST | RECEIPTS | WRITE OFFS | PENSION REBATE | | UNALL RECEIPTS |
| GENERAL | \$143,615.29 | \$4,676.15 | \$5,572,868.52 | | | | \$156.29 | \$141,298.70 | \$74.31 | \$172,752.42 | | \$5,407,190.82 |
| WATER | \$77,107.38 | \$3,093.03 | \$2,254,744.00 | | | | \$85.54 | \$71,077.31 | \$22.41 | \$83,693.75 | | \$2,180,236.48 |
| SEWER | \$82,987.33 | \$3,107.75 | \$2,280,484.00 | | | | \$92.06 | \$58,864.90 | \$23.92 | \$80,587.50 | | \$2,227,194.82 |
| DOMESTIC WASTE | \$45,256.59 | \$1,349.07 | \$1,135,806.00 | | | | \$49.87 | \$25,559.13 | \$48.60 | \$75,947.23 | | \$1,080,906.57 |
| LEGALS | \$16,593.50 | \$0.00 | | | \$1,162.80 | | | \$92.58 | | | | \$17,663.72 |
| WATER CONSUMPTION | \$88,194.35 | \$1,452.17 | | | \$192.46 | | \$104.53 | \$6,034.45 | \$80.60 | | | \$83,828.46 |
| STORMWATER CHARGE | \$3,863.18 | \$126.07 | \$77,062.50 | | | | \$2.55 | \$1,784.69 | \$182.08 | | | \$79,087.53 |
| BUSINESS GARBAGE | \$2,932.06 | \$38.40 | \$102,036.00 | | | | \$3.08 | \$1,269.25 | \$16.54 | | | \$103,723.75 |



CERTIFICATE OF RATES AND CHARGES LEVIED AND BROUGHT TO ACCOUNT FOR 2021/22 - as at 08/07/2021

08/07/2021 SUMMARY - ALL RATES LEVIES & REVENUES

| FUND | -ARREARS- | | 2021/22 LEVIES | | | | | UNALLOCATED | | | | |
|----------------------------|---------------------|--------------------|------------------------|--------|-------------------|----------|------------------|---------------------|-----------------|---------------------|---------------------|------------------------|
| | RATES | INTEREST | RATES | WATER | DR SUPP. | CR SUPP. | CURRENT INTEREST | RECEIPTS | WRITE OFFS | PENSION REBATE | RECEIPTS | BALANCE |
| BANK CHARGE/DISHONOU | \$40.00 | | | | | | | | \$0.00 | | | \$0.00 |
| WATER RESTRICTION RE | | \$4.23 | | | | | | | | | | \$44.23 |
| Unallocated Rates Receipts | | | | | | | | | | | -\$19,240.23 | -\$19,240.23 |
| Unallocated Water Receipts | | | | | | | | | | | -\$64,682.21 | -\$64,682.21 |
| FUND SUMMARY TOTAL | \$460,589.68 | \$13,846.87 | \$11,423,001.02 | | \$1,355.26 | | \$493.92 | \$305,981.01 | \$448.46 | \$412,980.90 | -\$83,922.44 | \$11,095,953.94 |
| | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |

Balance of Rates and Charges after Levy 08/07/2020 \$11,095,953.94

2/. GL SUMMARY - ALL RATES & CHARGES as at 08/07/2021

ORDINARY RATES

| | | |
|----------------|-------------------|----------------|
| 9100-1000-0000 | FARMLAND | \$1,995,061.62 |
| 9100-1001-0000 | RESIDENTIAL RURAL | \$383,863.74 |
| 9100-1010-0000 | RESIDENTIAL | \$48,536.21 |
| 9100-1002-0000 | BAROOGA | \$706,616.45 |
| 9100-1003-0000 | BERRIGAN | \$437,291.14 |
| 9100-1004-0000 | FINLEY | \$945,099.82 |
| 9100-1005-0000 | TOCUMWAL | \$1,056,399.54 |
| | | \$5,572,868.52 |

WATER CHARGES

| | | |
|----------------|--------------|----------------|
| 4110-1000-0001 | BAROOGA | \$502,990.00 |
| 4110-1000-0002 | BERRIGAN | \$320,902.00 |
| 4110-1000-0003 | FINLEY | \$619,886.00 |
| 4110-1000-0004 | TOCUMWAL | \$753,080.00 |
| 4110-1000-0005 | NON-RATEABLE | \$57,886.00 |
| | | \$2,254,744.00 |

SEWER CHARGES

| | | |
|----------------|--------------|----------------|
| 5110-1000-0001 | BAROOGA | \$520,092.00 |
| 5110-1000-0002 | BERRIGAN | \$291,108.00 |
| 5110-1000-0003 | FINLEY | \$623,810.00 |
| 5110-1000-0004 | TOCUMWAL | \$769,292.00 |
| 5110-1000-0005 | NON-RATEABLE | \$76,182.00 |
| | | \$2,280,484.00 |

DOMESTIC WASTE CHARGES

| | | |
|----------------|-------------------|----------------|
| 3660-1000-0000 | DOM WASTE CHARGES | \$1,135,806.00 |
| | | \$1,135,806.00 |

NON-DOMESTIC WASTE (BUSINESS) CHARGES

| | | |
|----------------|------------------|--------------|
| 3670-1000-0000 | BUSINESS GARBAGE | \$102,036.00 |
| | | \$102,036.00 |

STORMWATER/DRAINAGE CHARGES

| | | |
|----------------|---------------------|-------------|
| 3750-1000-0000 | STORMWATER/DRAINAGE | \$77,062.50 |
| | | \$77,062.50 |

TOTAL ALL REVENUES LEVIED \$11,423,001.02

2/. SUMMARY - RATES AND CHARGES LEVIED 08/07/2021

| SUMMARY.2 | |
|----------------------------------|------------------|
| TOTAL VG LAND VALUE | \$819,182,760.00 |
| Net Rateable Land Value | \$803,981,510.00 |
| Total ALL Instalments on Notices | \$11,095,953.94 |
| Arrears | -\$474,436.55 |
| Pending Receipts | \$304,625.75 |
| | \$10,926,143.14 |
| + Rebates | \$412,980.90 |
| | \$11,339,124.04 |
| + Credit B/f | \$83,922.44 |
| | \$11,423,046.48 |

| SUMMARY.2 | |
|--------------------------|-----------------|
| Total Due on ALL Notices | \$11,095,953.94 |
| + Rebates | \$412,980.90 |
| + Credit B/f | \$83,922.44 |
| Arrears | -\$474,436.55 |
| Pending Receipts | \$304,625.75 |
| | \$11,423,046.48 |

3/. GL SUMMARY - RATES & CHARGES as at 08/07/2021

| SUMMARY.3 | | |
|------------|-----------------------------|----------------|
| 9100-1000- | ORDINARY RATES | \$5,572,868.52 |
| 4110-1000- | WATER CHARGES | \$2,254,744.00 |
| 5110-1000- | SEWER CHARGES | \$2,280,484.00 |
| 3660-1000- | DOM WASTE UNCOLL CHARGES | \$1,135,806.00 |
| 3670-1000- | BUSINESS GARBAGE CHARGES | \$102,036.00 |
| 3750-1000- | STORMWATER/DRAINAGE CHARGES | \$77,062.50 |

| | | |
|--|-------------|-----------------|
| | GROSS TOTAL | \$11,423,001.02 |
|--|-------------|-----------------|

Michael Millar
Revenue Coordinator



CERTIFICATE OF RATES AND CHARGES LEVIED AND BROUGHT TO ACCOUNT FOR 2021/2022 - as at 08/07/2021
08/07/2021 SUMMARY - ALL RATES LEVIES & REVENUES

Appendix 7.12 A

1/ SUMMARY - RATES AND CHARGES

AS AT 08/07/2021

| FUND | -ARREARS- | | 2020/2021 LEVIES- | | CR SUPP. | CURRENT INTEREST | RECEIPTS | WRITE OFFS | PENSION REBATE | UNALL RECEIPTS | BALANCE | |
|----------------------------|---------------------|--------------------|------------------------|-------------|---------------|------------------|---------------------|-----------------|--|----------------------|------------------------|-----------------|
| | RATES | INTEREST | RATES | WATER | | | | | | | | |
| GENERAL | \$143,615.29 | \$4,676.15 | \$ 5,572,868.52 | | | \$ 156.29 | \$ 141,298.70 | \$ 74.31 | \$ 172,752.42 | | \$ 5,407,190.82 | |
| WATER | \$ 77,107.38 | \$ 3,093.03 | \$ 2,254,744.00 | | | \$ 85.54 | \$ 71,077.31 | \$ 22.41 | \$ 83,693.75 | | \$ 2,180,236.48 | |
| SEWER | \$ 82,987.33 | \$ 3,107.75 | \$ 2,280,484.00 | | | \$ 92.06 | \$ 58,864.90 | \$ 23.92 | \$ 80,587.50 | | \$ 2,227,194.82 | |
| DOMESTIC WASTE | \$ 45,256.59 | \$ 1,349.07 | \$ 1,135,806.00 | | | \$ 49.87 | \$ 25,559.13 | \$ 48.60 | \$ 75,947.23 | | \$ 1,080,906.57 | |
| LEGALS | \$ 16,593.50 | \$ - | | \$ 1,162.80 | | | \$ 92.58 | | | | \$ 17,663.72 | |
| WATER CONSUMPTION | \$ 88,194.35 | \$ 1,452.17 | | \$ 192.46 | | \$ 104.53 | \$ 6,034.45 | \$ 80.60 | | | \$ 83,828.46 | |
| STORMWATER CHARGE | \$ 3,863.18 | \$ 126.07 | \$ 77,062.50 | | | \$ 2.55 | \$ 1,784.69 | \$182.08 | | | \$ 79,087.53 | |
| BUSINESS GARBAGE | \$ 2,932.06 | \$ 38.40 | \$ 102,036.00 | | | \$ 3.08 | \$ 1,269.25 | \$ 16.54 | | | \$ 103,723.75 | |
| BANK CHARGE/DISHONOU | \$ 40.00 | | | | | | | \$ - | | | \$ - | |
| WATER RESTRICTION RE | | \$ 4.23 | | | | | | | | | \$ 44.23 | |
| Unallocated Rates Receipts | | | | | | | | | | -\$ 19,240.23 | -\$ 19,240.23 | |
| Unallocated Rates Receipts | | | | | | | | | | -\$ 64,682.21 | -\$ 64,682.21 | |
| FUND SUMMARY TOTAL | \$460,589.68 | \$13,846.87 | \$11,423,001.02 | | \$0.00 | \$493.92 | \$305,981.01 | \$448.46 | \$412,980.90 | -\$ 83,922.44 | \$11,095,953.94 | |
| | | | Gross Levy | | | | | | Balance of Rates and Charges after Levy 08/07/2020 | | | \$11,095,953.94 |

2/ SUMMARY - RATES AND CHARGES LEVIED 08/07/2021

SUMMARY.2A

| | |
|----------------------------------|------------------------|
| TOTAL VG LAND VALUE | \$819,182,760 |
| Net Rateable Land Value | \$803,987,510 |
| Total ALL Instalments on Notices | \$11,095,953.94 |
| -Arrears | -\$474,436.55 |
| -Pending Receipts | \$304,625.75 |
| + Rebates | \$412,980.90 |
| | \$11,339,124.04 |
| + Credit B/f | \$ 83,922.44 |
| | \$11,423,046.48 |

SUMMARY.2B

| | |
|--------------------------|------------------------|
| Total Due on ALL Notices | \$11,095,953.94 |
| + Rebates | \$412,980.90 |
| + Credit B/f | \$ 83,922.44 |
| -Arrears | -\$474,436.55 |
| -Pending Receipts | \$304,625.75 |
| | \$11,423,046.48 |

3/ GL SUMMARY - RATES & CHARGES as at 08/07/2021

SUMMARY.3

| | | |
|--------------|-----------------------------|------------------------|
| 9100-1000- | ORDINARY RATES | \$5,572,868.52 |
| 4110-1000- | WATER CHARGES | \$2,254,744.00 |
| 5110-1000- | SEWER CHARGES | \$2,280,484.00 |
| 3660-1000- | DOM WASTE UNCOLL CHARGES | \$1,135,806.00 |
| 3670-1000- | BUSINESS GARBAGE CHARGES | \$102,036.00 |
| 3750-1000- | STORMWATER/DRAINAGE CHARGES | \$77,062.50 |
| TOTAL | | \$11,423,001.02 |

Michael Millar
 Revenue Coordinator

The Common Seal of the Council of Berrigan was hereto affixed
 this _____ day of _____, 2021 in pursuance of
 Resolution no. _____ of the Council passed on the _____

Chief Executive Officer _____ Mayor _____



THE HON.
SUSSAN LEY MP
MEMBER FOR FARRER

Reference: SL/ES

14 July 2021

Cr Matthew Hannan
Mayor
Berrigan Shire Council
56 Chanter Street
BERRIGAN NSW 2712

Dear Cr Hannan,

Thank you for your recent letter concerning the implementation of the Murray-Darling Basin Plan and, in particular, the impact that the Plan has had on the Berrigan Shire.

The Farrer electorate is a world leader in irrigated agriculture, and I acknowledge how economically and socially dependant Berrigan Shire's community is on this industry.

As you mention, I have maintained an objection to further productive water being reduced from the Southern Basin consumptive pool since the introduction of the Murray Darling Basin Plan. For this reason, I also secured the commitment, during our time in Opposition, for a cap of 1500g/L on buybacks. This cap was later legislated upon coming to Government.

I continue to work closely with Minister for Water and Resources, the Hon Keith Pitt MP, and the previous water minister, the Hon David Littleproud MP, to put in place stringent socio-economic criteria for all projects that could contribute to the 450g/L of additional water recovery, and the closure of the Water Efficiency Program to on-farm projects to ensure this \$1.3 billion program does not impact farmers' water entitlements.

Minister Pitt has now visited Farrer several times and he and I have made the position of the Morrison Government abundantly clear; there will be no additional water buybacks from our region under this Government.

In relation to the amendments recently moved by the National Party to the legislation establishing the Inspector-General of Water Compliance; it is important to note these amendments were not actually put to a vote in the House of Representatives. Given the manner of introduction to the House, the amendments were considered in breach

of Parliamentary standing orders by the Speaker and the Member for Nicholls chose not to support a motion of dissent moved by the Opposition to contest the Speaker's ruling.


In fact, should the amendments have been put to a vote they would have failed (with or without my support) given the policy position of the Opposition and the crossbench. Also, the amendments had not been given the opportunity to be considered by the Joint Party Room (made up of both Liberal and National party members), which is a necessary part of any new policy development within our two parties.

I have long acknowledged that the Murray-Darling Basin Plan is far from perfect, but it is also important to recognise the reform progress to date. In addition to the cap on water buybacks, we have moved the Office of Compliance out of the Murray Darling-Basin Authority; commissioned the Australian Competition and Consumer Commission inquiry into the water market and are now working towards implementing the findings. We have also established the Murray-Darling Basin Economic Development Program – which has provided significant support to projects within the Berrigan Shire.

These are substantial improvements to a Plan that we inherited upon coming to Government in 2013, and I will continue to advocate for changes that will better accommodate our communities, rather than that insist our communities accommodate the Plan!

I appreciate that Berrigan Shire Council has taken the time to contact me with its concerns and, as always, I would be happy to discuss these matters in person, perhaps at a meeting of Council?

Yours sincerely



SUSSAN LEY MP
Federal Member for Farrer