

Motions submitted to the Local Government NSW Conference 2017

1. Review of Tender and Procurement Requirements

Category Governance/Civic Leadership policy

Motion

That LGNSW make representations the NSW State Government requesting that a review take place on Tender and Procurement requirements. With more power to be given to Councils affected by Natural Disasters in awarding tenders and approving development applications to speed up the process.

Background

The 2016 East Coast storm event severely impacted Picton and other key locations in the Wollondilly LGA and major infrastructure including Broughton Pass was destroyed. As part of the post-storm recovery, Council engaged Nemesis Consultancy Group (Ken Moroney and David Owens) who issued an investigation report and made a series of recommendations related to disaster recovery. Those recommendations relevant to NSW State Government are provided in summary below:

- make representations to NSW Government regarding the streamlining of development application and planning processes with a view to speedier resumption of business activity following a natural disaster
- make recommendations to NSW Government regarding the need for a comprehensive marketing campaign on the non-insuring or under-insuring of homes and businesses and their contents.

It is noted however that recent changes to the Local Government Act allow the General Manager to accept tenders which has enabled this process to be accelerated. The Act already has provisions for emergency procurement and has done so for some time.

2. Agricultural Enterprise Credit Scheme

Category – Economic Policy

Motion

That LGNSW advocates for the NSW State Government to investigate the implementation of an Agricultural Enterprise Credit Scheme across Greater Sydney to enhance food production, improve economic viability for farmers and improve resilience.

Background

As the Greater Sydney urban area expands and agricultural land is lost to urban development and land fragmentation, a mechanism is required to balance the housing needs of a growing population against its need for food.

Wollondilly Shire Council is exploring ways to protect agricultural land and encourage food production in the Greater Sydney Basin through a market-based credit scheme that would reward farmers for productive use of agricultural land in peri-urban areas.

A credit scheme has the potential to create a market that provides farmers with saleable credits based on the value or amount of agricultural production in any year. Credits are banked and can be purchased by developers to gain additional development rights in targeted areas.

This would provide an incentive for rural zoned land to be used for productive agriculture.

3. National Competition and Tendering Procedures

Category Governance/Civic Leadership policy

Motion

That LGNSW supports councils in calling for both state and federal government to look at reviewing National Competition Policies and tendering procedures so that councils can award contracts to local businesses where practicable and economical.

Background

Local Government is often one of the major sources of government expenditure in their local area. As a result it would be desirable, where appropriate, to utilise this expenditure to stimulate local employment and support local businesses. It is understood that a criteria for potentially paying a premium to achieve this needs to be carefully considered and developed.

4. Appointment of a Minister for Young People

Category Social Policy

Motion

That LGNSW calls on the NSW Government to appoint a dedicated minister for young people.

Background

Young people aged 12 – 25 are not currently represented in the NSW Parliament by a dedicated minister for youth affairs. The last dedicated Youth Minister was Peter Primrose, the portfolio was not continued when the current Government came into power in 2011. Since this time youth affairs have been absorbed into the portfolios of the ministers for Citizenship and Family and Community Services and are currently with the Minister for Disability and Multiculturalism.

Young people make up 18% of the NSW population and face numerous challenges. Young people are often the focus of many Government initiatives around education and employment, health and wellbeing, juvenile justice and counter terrorism. There is no minister in place to represent the specific needs of young people.

The current NSW Government framework for supporting young people includes the Advocate for Children and Young People: an independent statutory office reporting to the NSW Parliament through the Parliamentary Joint Committee on Children and Young People. The Advocate replaced the previous NSW Commission for Children and Young People. The office is established under the Advocate for Children and Young People Act 2014. The Minister for Multiculturalism, The Hon. (Ray) Raymond Craig WILLIAMS, MURP(Curtin) MP is the Minister responsible for the Act. The Advocate for Children and Young People (ACYP) is supported by a small team in the Department of Family and Community Services. Although the ACYP is a well-regarded and well-resourced body it does not supplement a Cabinet Minister with the wellbeing and empowerment of young people at the forefront of their agenda.

5. Off the Plan Sales and Land Registrations

Category Infrastructure and Planning Policy

Motion

That LGNSW make representations to NSW State Government to review and seek to extend the consumer protections available for buyers when “buying off the plan” and also to improve processing times for the land registration process.

Background

The Wollondilly LGA has a large number of areas being rezoned to permit housing and consequently there are a number of subdivisions being approved. Developers are rapidly selling the proposed lots ‘off the plan’ to buyers however the future home owners are prevented from getting approval for the new home as the lots are yet to be registered.

6. Administrators running for Local Government Elections

Category Governance/Civic Leadership Policy

Motion

That LGNSW support councils in calling for changes to the Local Government Act to prevent Administrators running for Local Council Elections.

Background

Council is of the view a sitting Administrator has an unfair advantage in an election and shouldn't be allowed to stand for election.

Council's specific concern is the impact additional funding given to those Councils under administration will have upon voter perception that previous terms of Council were not as effective. It is considered that this could lead to an unfair advantage to an administrator seeking election.

Council believes legislative changes to the Local Government Act are required to prevent this situation from happening in the future.

7. Retention of existing Natural Vegetation Assets

Category Environmental Policy

Motion

That LGNSW make representations to NSW State Government regarding a review of environmental planning policies to ensure greater retention of natural existing vegetation assets.

Background

Council's position is that a certain percentage of trees and bush in new developments should be retained.

A review and investigation of the opportunities through current internal and external environmental planning policies to ensure greater retention of natural existing vegetation assets was performed.

Council made a submission to the NSW Government on implementation of the Biodiversity Conservation Act 2016 (biodiversity reform package). The submission included details on these opportunities.

8. Resourcing the planning and assessment of large-scale developments in Growth Areas

Category – Governance/Civic Leadership policy

Motion

That the LGNSW prepares a best practice guideline for the procurement of funding from developers to assist Councils in fulfilling their obligations under the Environmental Planning & Assessment Act 1979 resulting from accelerated housing supply in Growth Areas. That the guideline is prepared in partnership with the Office of Local Government and the NSW Department of Planning and environment and builds community confidence in the assessment and decision making process.

Background

Many Council area, particularly those in Growth Areas, are subject to significant pressure for development and population growth. In some cases these fast-growing areas are growing at double the national rate.

One of the challenges presented by such growth for these Councils is resourcing the planning and assessment of large-scale developments.

In order to manage the scale of development expected over the coming years, Council is investigating options to resource its role in development while not impacting on regular services to the community.

One option is to allow developers to make special payments to Councils to support Council work related to their large developments. These funds could pay for the substantial assessment services associated with the large development projects, facilitate faster assessments for the developer and allow Council to maintain its ability to provide regular assessments to the community.

However, any process involving special payments from developers to Councils regarding their development applications is open to significant ethical and probity risks. Any such process will need to account for these risks and maintain community perceptions of Council's ability to impartially undertake its regulatory function. Currently there is no established best practice for how this can be done in NSW.