



NSROC 2006 ANNUAL CONFERENCE

Speech Notes

Clr Pat Reilly, President NSROC



Welcome special guests, Members of Parliament, Mayors, councillors, and staff to this, the second NSROC annual conference.

A special welcome to our state politicians, in particular our Minister for Local Government, Kerry Hickey who will be speaking to us shortly.

The theme of this conference is "Working Together for a Better Region" which is really what NSROC is all about.

We have had a busy year, both as councils and as a region. We continue to plan with our communities as part of the metro strategy process, and the two regions which comprise NSROC, the North and the inner-North have been set an initial target of supplying 64,000 jobs and approving 55,000 new households over the next 25 years.

We have also been addressing the challenges that our unique environmental heritage sets for us. We are continuing to work together to produce an annual State of Environment Report and we have put in for a wide

range of urban sustainability grants to better manage our bushland and waterways.

This year we released a regional tree management policy and have set up a NSROC waterways group in conjunction with the Sydney Catchment Management Authority. Dealing with ongoing drought, invasive species, water quality, bushfires and air quality remain significant issues for us and our communities.

The State government recently released its State Infrastructure Plan which identifies infrastructure requirements and funding commitments across the state.

While our region will benefit from some major projects soon to be completed; such as the Lane Cove Tunnel, the Chatswood to Epping Rail link, the railways clearance program and the bus corridors strategy; the issue of infrastructure provision and funding remains one without any clear solutions.

Little new infrastructure has been identified for Northern Sydney into the future and what we have continues to be overworked and under-maintained. In the excellent report commissioned by the LGA and steered by Percy Allen on the Financial Sustainability of Local Government, the issue of infrastructure is identified as a key concern; along with cost-shifting and rate-pegging. These issues require innovation, financial commitment and partnership if we are to maintain our regional role as a

financial and employment engine for the state.

Meanwhile we have continued with our many and varied regional projects through NSROC – and in doing so benefited the region and councils by pooling knowledge and expertise. Council staff continues to come together through the many regional officers groups on matters such as group purchasing, financial management, media and communications, waste, transport and community services.

We are soon to hear from the Minister for Local Government who has repeatedly urged councils to come together in alliances. He has also asked councils to do their homework before they apply for rate increases and introduced measures to ensure greater accountability and transparency.

Well Minister, I'm pleased to say we have done our homework, we are functioning as a strong alliance of councils, and we remain fully transparent and accountable.

We hope that the many expressions of partnership that are voiced by both sides of the political divide in the build up to the state elections early next year are delivered upon.

We have often heard the promise of partnership but too many times have we been relegated to the role of spectator as important decisions are made regarding our communities, our environment and our funding.

NSROC is a body without any political affiliations and this remains one of its greatest strengths. I would urge all of the state parliamentarians here today to take the offer of partnership from the seven councils and the 500,000 residents we represent seriously, because only together can we tackle the many issues that confront us now and into the future.

Hon. Kerry Hickey MP, Minister for Local Government



Good Evening

Thank you for inviting me here to speak with you this evening.

The main topic I want to talk about tonight is the importance of councils working together to share their resources.

Since becoming Minister for Local Government, I've put a lot of focus on this issue.

Together we have achieved a lot, but I think we can do more. I am here to talk about strengthening partnerships, that is, a partnership between State and local government and within the local government sector.

What better forum for me to do so again than here at this annual conference for the Northern Sydney ROC.

Let me say firstly that I commend NSROC for the work that you've been doing.

You've really taken a lead role in terms of your regional policy development and your advocacy on behalf of member councils.

I think it's essential that, when councils do work together, they do so with a strategic focus.

We're lucky that the NSW system of ROCs provides the perfect forum to allow councils with common interests to create that shared vision and to work

together to plan strategically to achieve that vision.

In particular, I note the work of NSROC in preparing its study into the Economic Contribution of the Region and the NSROC Regional Social Report.

These are important research documents, and I'm sure they help all member councils to set their strategic agendas in the regional context.

But I'd like to float a question for you all here today ... do you think you could be doing more?

In raising this question, I'm specifically thinking about the potential for NSROC to become more actively involved in facilitating resource sharing between its members.

Historically, ROCs have served an advocacy role for their members, giving them a stronger voice on matters of common interest.

This is clearly a valid role.

But a number of ROCs have shifted their focus to delivering services to their members.

While some, such as Hunter Councils Inc, have ceased their advocacy role altogether and are focusing solely on service delivery, others, such as the Riverina Eastern ROC are successfully doing both.

Now, it's not for me to dictate to you what the role of NSROC should be. That's up to you.

But it's been presented to me, and argued strongly at the Strategic Alliance Conference that I hosted in May this year, that ROCs serve as the perfect vehicle for driving greater resource sharing.

I appreciate that NSROC is already involved in joint purchasing, and I commend you for the work you're doing in the area of waste management.

And I also understand you're looking at joint banking and investment services ... something that should produce some real savings for members.

But we need to start thinking "outside the square".

So I'd encourage you to think hard about two things:

- A. Whether you think NSROC should be driving greater, more strategic resource sharing among its members; and
- B. If so, what areas do you think it can pursue?

For example, are there back-office services it can provide on behalf of members?

You may decide ... No, that's not the role we want for our ROC.

That's fine. It's your decision.

But if that's the case, I'd strongly suggest that you look at some of the other councils within NSROC, and see if there are other opportunities, outside the ROC structure, to create some form of ongoing alliance.

I'm well aware that many councils, including some of you here this evening, are already doing some resource sharing.

But to be blunt, from what I've seen around the State, some of it's done in a pretty ad hoc way.

Don't get me wrong ... many of the things I've seen are excellent.

And the councils involved are quick to point out to me all the benefits that have accrued from doing them.

But I'm often left scratching my head thinking ... if the councils involved believe what they are doing is great, why aren't they actively trying to apply the model to as many areas of activities as possible.

Now, you may think that what I'm talking about only applies to rural and regional councils ... the ones that are doing it tough financially.

But I believe that metropolitan councils are actually far BETTER placed to form these types of alliances, given your close geographic proximity.

While you might not have the same level of financial imperative as many of your rural cousins, we all have a responsibility to provide our services as efficiently and effectively as possible.

So if, by working more closely and strategically together, we can do things more efficiently, or better, I think we have a responsibility to our community to do so.

After all, ultimately our customers out there, the ratepayers don't really care who delivers the services to them, just as long as they ARE delivered and that they're delivered as efficiently as possible.

I also think that this type of initiative is a great way for councils to address their skills shortages.

I'm sure we all appreciate that Australia is facing a skills crisis, and nowhere is this more evident than within the local government sector.

By working together, councils can share their skilled human resources.

Not only does this help councils to actually achieve what they want to achieve, but it can also make the work for those people involved that bit more rewarding and varied.

Before I finish up, I'd just like to mention a few other things that I've been doing to advance the cause of the NSW local government sector.

Firstly, I'm sure you're all aware that I have signed the Commonwealth, State, and Local Government Intergovernmental Agreement on behalf of the NSW Government.

This Agreement establishes some firm principles for how the three levels of government should work together.

Unfortunately, however, there's still a lot of work to be done in terms of addressing the extent to which councils are being short-changed by the Federal Government.

But I'm working hard on this.

In May this year, I initiated and hosted a Ministerial roundtable on the financial issues being faced by many regional and rural councils across the nation.

This roundtable meeting really put the spotlight on the issue and work on the outcomes from the meeting is progressing between the States.

In addition, I'm continuing to advocate for the sector at the Local Government and Planning Ministers' Council.

I'm also looking at ways of cutting red tape by streamlining councils' planning and reporting requirements.

Recent consultation with councils, industry groups and state agencies has confirmed to me that there's a need to better integrate councils' planning and reporting.

This project is a priority for the Department.

I expect a proposal outlining options for strategic planning, cutting red tape and improving the planning and reporting system will be released towards the end of the year.

In closing, I just want to reiterate my earlier comments that I think NSROC is doing some excellent things for its members, and for your communities.

And I hope that the issues I've raised this evening provide you all with some food for thought for where you think the organisation could head in the future.

Thank you all for your attention and inviting me to speak at the NSROC conference.

John Turner MP, Shadow Minister for Local Government



Good evening
Partners - State and Local Government
Well here we are just a few weeks from the next Local Government Conference. I hope you all have done your 'homework' as required by the Minister at the last Conference.

That's my first and last reference to the Minister as I want to concentrate on positives today.

Far from talking down to you, I happen to believe that the quality of the men and women that make up the sixteen hundred Councillors in the 152 Councils

throughout New South Wales are outstanding.

I believe that these people, such as yourselves, who have put themselves forward for public office, at the deprivation of their time from their other busy activities and family, for others in the community, deserve to be treated with respect.

To harness the ability and goodwill of such people there needs to be a partnership with Local Government and State Government, a partnership based on goodwill and cooperation for the benefit of the overall community and to maximise the services we can all provide. I will also come back to that aspect shortly.

I believe that Local Government is at a crossroads. The demands on Local Government, I don't believe have ever been higher.

Local Government is battling cost shifting, rate pegging restrictions, higher community demands, higher demands from government and ethical scrutiny. Of course, Local Government is also looking over its shoulder at amalgamations.

No Forced Amalgamations

Remember before the last election - 'no forced amalgamations' was trumpeted from the Labor Party. The ink was barely dry from the returning officer's pen before that promise was broken in rural and regional areas.

I note that the current Minister has stated there will be no forced amalgamations. It will also be interesting to see what will occur, in relation to forced amalgamations, if the current government was re-elected next year.

Councils represent defined communities even in the city. We will not follow the government and order forced

amalgamations. Yes, if Councils decide to look voluntarily and not for imperialistic reasons, at amalgamations a Liberal/National Government will help in that regard, but I might add, after a plebiscite to gauge the affected community's views and feelings on the issue.

Councils at a Crossroads

However, I want to return to the cross roads that I perceive Councils are at the present time and why any Minister for Local Government and the State Government should be working in partnership with Local Government rather than issuing the hectoring rhetoric we have heard recently.

The Allen Report into the present condition and management of infrastructure in NSW Local Government, has found, as you know, that up to \$6.3 billion would be needed to bring Local Government infrastructure up to scratch and a further \$14.3 billion will be needed over the next 15 years to replace ageing assets.

As the cost of Local Government escalates, as more and more is thrust upon Local Government, it is more evident that the resources are just not there to carry out the work. The Council and Councillors become frustrated; the communities are deprived of important services and infrastructure.

For instance, whilst the following is a country observation, there are thousands of timber bridges in New South Wales. A simple replacement, a simple one, would be about a few hundred thousand dollars. Therefore, few bridges are replaced because Councils don't have the money with the State Government on one hand cutting out the grants previously given to council and on the other, by cost shifting depleting Council's available funds. This occurs in every aspect of Council's role.

Minister Hickey earlier this year, in response to the Roorda Report, said that Local Government should stop blaming State and Federal Government for their woes. Hardly a considered or sympathetic response. However daily, we hear the State Government asking for more from the Federal Government, asking for a bigger share of the GST (they already get \$11 million a year over and above the State taxes), asking for some of the Federal Government's surplus.

But what happens when Local Government, an arm of State Government through legislation, asks the State Government - who until this year have been boasting budget surplus - to cover cost shifting and rising infrastructure costs? We get a big no!

I want to see our state grow, I want to see new infrastructure and where necessary, existing infrastructure renewed. I want to see higher standards and better services delivered after all Labor has had long enough to invest in infrastructure but after twelve years of neglect our roads and infrastructure are crumbling and you and your constituents are paying for it.

Partnerships Between State & Local Governments

That is why I want to promote partnerships between Local Government and State Government. I want to say to Local Government, if there is a project that is significant to the wider community that we should, as partners, work to achieve that project. For example there could be partnerships at either Council, Regional or Statewide levels with Local Government!

At Council to State Government level, issues such as law and order and community safety might be addressed.

At a regional level to State Government issues of regional water and sewerage

projects, sport and recreation and regional economic development could be looked at.

Statewide partnerships could look at issues such as planning, financial relations and environmental issues.

It's not hard. It needs the breaking down of the barriers of the 'us and you' mentality as shown by the dismissive statements of the Minister.

It needs for the State bureaucrats and Ministers to work with, not against, either actually or tacitly, Local Government.

Where a project is recognised as being significant to the wider community and where expertise and resources of the State Government as well as Local Government are going to be needed to bring this project to fruition and completion, there must be this partnership. There must be this breaking down of the barriers because when all is said and done, this should not be a mini power play between Local Government and State Government, this is about achieving the best results for the community of New South Wales with the community's money. I sometimes think that at the State Government level they do lose sight at just whose money they are playing with and I don't know why, because there are 44 Members of Parliament who came from the ranks of Local Government.

So, a Liberal/National Government will be working with the Local Government and Shires Association and with Councils directly to establish the guidelines for this partnership and what projects would be put forward into the partnership parameters. I want our communities to get the biggest bang for their buck!

In that regard, I am working in conjunction with the Local Government and Shires Association, with whom I meet every few months, on a

Memorandum of Understanding between Local Government and the Liberal/National parties in Government.

That document will be the blue print for the partnership; it will be the bond of trust between us.

I hope to have the Memorandum of Understanding settled shortly and be ready for signing in the near future.

Resource Sharing & Strategic Alliances

Let's face it, when it comes to partnerships Local Government is actually leading the way in this concept with resource sharing and strategic alliances.

Wouldn't it be great if the Department of Planning and the Department of the Environment could resource share and have strategic alliances. Wouldn't that be something!

I applaud Local Government for the work they have done in resource sharing and Strategic alliances.

I remember a decade ago of being incensed at driving over a bridge that not only divided two Council areas in my electorate but also was at the extremity of those Local Government areas depots. There was minor maintenance work required on the approaches to both sides of the bridges. You know the story; both Councils had gangs on the site repairing their respective potholes.

I am pleased to report that those Councils now work together on many issues and the duplication of resources where possible are minimised.

A Liberal/National Government will draw on these initiatives of Local Government. We will assist also in broadening resource sharing and strategic alliances by providing both expertise - not necessarily from government sectors and funds to extend and enhance strategic alliances

and resource sharing. We will not belittle what Councils have done in this area as the Minister has by calling for more to be done to relieve the State Government from its responsibilities to Local Government.

Again, if Councils can work in partnership for the overall benefit of the community why can't State and Local Government?

So with an over arching theme of partnership I now turn to some specifics that the Liberal/Nationals will be initiating in government.

Cost Shifting

And the first specific follows on the concept of partnerships that is the ever present problem of cost shifting.

Wherever I go within the Local Government field cost shifting is raised with me.

When I was Shadow Minister for Local Government ten years ago, I was cognizant of the problem then and it was not remotely where it is today.

I attempted to gauge the problem myself. I wrote to every Council seeking advice of the effect that cost shifting had on them. Some replied. However, you may or may not know that Shadow Ministers don't get any additional staff and my two staff that I am allowed were totally tied up on Electorate matters. Therefore the project lapsed. Now of course, we have the benefit of the Alien Report.

As a result of that report I can say that under a Liberal/National Government, where mandates or other cost shifting occurs from State Government to Local Government, funds will be made available to Local Government for the life of such mandate on a real cost basis.

This will release funds to Councils for important Council projects presently on hold while they pay for State Government unfunded mandates.

Continuing Professional Development

Notwithstanding the Minister's confrontationalist approach to continuing professional development a Liberal/National Coalition does believe in the personal and professional development for Councillors. We support the role the Local Government and Shires Association plays in that educative process and the role individual Local Government entities, themselves play in that process and would work closely with the industry to continue and enhance a practical and informative education process.

Code of Conduct

I want to also look closely at the Code of Conduct. I believe in quite a few instances the Code is simply being used as a political tool and I think the structure of the Code allows this.

For a Code of Conduct to be effective it must be workable. The prescriptive nature of the present Code, I believe makes the Code a minefield and anecdotally, I have had councillors say to me they don't believe they can carry out their duties to their constituents effectively with one eye over their shoulder on the Code.

I know the ICAC are also concerned about the manner in which the Code is sometimes used.

Rate Pegging

Coming back to State Government mandates, I suppose rate pegging would be right up there.

I don't have a silver bullet to cure the ills to Local Government on rate pegging. I don't have to spell out the politics of rate pegging. You know them.

However, unlike the Minister who has blandly stated you must "cease your attack on rate pegging", I believe it is time to look at the situation.

Rate pegging has been in existence for 30 years and we are the only state in Australia that has rate pegging.

First, a Liberal/National Government would remove the decision making process for rate increases above the pegged amount from the Minister, although ultimately the Minister may have some discretion under the proposed scheme.

The requests for increases above the pegged amount would go to an independent Board.

That Board could be made up of a representative from the Local Government & Shires Association, a senior Council General Manager, a member from a ratepayer or community group and three independent members who have financial and business expertise. We have not finally decided on that make up and of course, it would be discussed with the Local Shires and Shires Association and the general body of Local Government. We might even consider the Independent Pricing & Regulatory Tribunal as an independent source.

If we proceeded with a Board, the Board would also have an advisory role to Local Government suggesting where savings might be made or alternatives might be considered that would limit the need for substantial increases over the pegged amount.

A Liberal/National Government would also immediately implement an inquiry into the rate pegging to determine if an alternative process might be appropriate. I want to stress this is an inquiry not a commitment to abolish rate pegging. This will be an inclusive inquiry

which will also look at the rating system generally in place in NSW.

Review of Local Government by Ancillary Acts & Regulations

I believe, it is also time to have a fresh look at the Local Government Act and the plethora of other ancillary Acts and Regulations. At the time of the election, next year, the Act will be 14 years old. It makes me feel old because I was the Chairman of the Legislation Committee that oversaw the development and implementation of the Local Government Act 1993.

I think that by and large it has served the Local Government community well, but over time and particularly under this government the self empowering philosophy of the original Act has been steadily eroded with prescriptive amendments and regulations and a review is clearly needed.

Council & General Manager Relationships

A matter that may be relevant in that inquiry and is cropping up more often is the demarcation problems of the General Manager and staff viz a viz, the Mayor and Councillors and the Mayor and Councillors viz a viz the General Manager and staff. I know that these matters are covered by legislation and the Code.

I want to have consultations with the Local Government and Shires Association and the peak officer groups such as the Local Government Managers Association to see if we can get to a practical and workable solution to overcome some of the demarcation issues.

I know the reasons it's in place and they are good reasons but communication, good will and a good morale are all vital to an efficiently run organisation and I believe there are some unintended consequences arising out of the Act.

Don't get me wrong, I don't want to return to the Mayor hiring and firing the tractor driver, but I equally don't want the disruptive turf wars that lower morale and productivity of councillors and council staff.

Development Applications

In the Development Application process there were some people advocating that as part of the cleansing of Local Government from corruption, that the approval process of Development Applications should be completely excised from the role of Councillors and given to expert panels made up of lawyers, planners, environmentalists and the like.

Without going to the very core of the argument that Council and Councillors are elected to represent the people in the decision making process that will affect their communities, how on earth do rural and regional Councils access such panels and at what cost?

Who makes up these panels? How do they know the local issues, what responsibility do they take for the decision and how are they answerable to the constituent. There are many questions.

I know some councils have these panels. I have no problems with those councils who have proceed in that manner because the elected councillors have made the decision and not had the decision imposed upon them.

I wrote a significant paper on this issue outlining my objections to it. My objections remain and the Leader of the Opposition has ruled out, on behalf of the Opposition any such proposal.

I am also pleased to see, in I CAC's discussion paper concerning corruption in Local Government that they canvassed this idea but stated: "the

ICAC does not consider the absolute removal of Councillor's role in approving developments applications as a viable option for reform".

Public Library Funding

The Local Government and Shires Association have issued their wish list for the 2007 election. Without addressing all the issues they have raised, one of those wishes is for an increase in public library funding to \$26 million.

The Liberal/National Coalition has recently announced a policy of raising the funding to public libraries in excess of that amount, namely \$28 million. This will represent an increase in funding by 21 % each year for the next four years. This will bring the total state funding for public libraries by the year 2010/2011 to \$52.6 million.

Funding for Pre-schools

Another of the Local Government and Shires Association request is to guarantee all preschool children can access pre-school education in the year prior to school. The Liberal/National Coalition have announced a \$362 million program to boost the affordability and access to pre-schools.

Although we cannot guarantee every child will have access to pre-school education immediately before attending school, our program projects that it will allow up to 95%, the national average, of pre-schoolers to attend pre-school at least 2 days a week which is in accordance with the national average.

There are other initiatives and policies at Local Government level that I have been working on. Some have been mentioned today, some, I am sitting on, some are still being developed and some are yet to evolve because they are emerging from meetings and conferences such as this.

In time, we will release all the policies but in the mean time please be assured I want to, in government, work in partnership with Local Government for the betterment of your community, my community, and our community.

Thank you

**Cr Genia McCaffery,
Mayor of North Sydney and
President of the Local Government
Association of NSW**



Thank you for inviting me to speak to your 2006 Annual Conference.

This has been another year of progress and setbacks in local government; of the usual round of rate pegging disappointment and perhaps a modicum of delight at the State Government's new willingness to consider significant rate variations.

We've all plugged away at a partnership with the State Government on the Metro Strategy and taken much too long to realise that 'partner' is a term they apply to Local Government with the word 'junior' unspoken, but always up front.

Still, on the Metro Strategy front things are happening. The Presidents of the Metropolitan ROCs and I met with the Director General of Planning and his staff on Thursday last week. The Director General informed us that the public exhibition of several of the sub regional plans is imminent, including the Inner North plan.

Progress is always welcome, although I know you may quibble when I describe this as progress given we have not yet seen the drafts of the plans about to be exhibited.

Local Government continues to be committed to the Metro Strategy. We continue to look for partnership in its implementation, and for certainty in the housing numbers and other requirements which it will ask of our communities. And we continue to seek guarantees that it is not just a housing strategy, and that the essential infrastructure to support increased populations will be funded and constructed as soon as it is required, if not in advance.

This is the lead up to a state election year, of course. Maybe both the Government and the Opposition will see the advantage of infrastructure guarantees. And maybe they'll both meet their promises once elected. Watch this space.

Earlier this year I spoke at a planning symposium organised by the School of Design, Architecture and Building at the University of Technology Sydney on the subject of the role of Local Government in planning a global city. It gave me an opportunity to think carefully about what is our role. Of how we can and must fight for the relevance of local community needs and aspirations in an atmosphere of globalisation and the subversion of things that matter to us in the drive for profit.

I have been a local councillor and Mayor of North Sydney since 1995.

This means I have a local constituency and the privilege of representing the residents of North Sydney in their endeavours to ensure North Sydney is a place they want to live.

And since 2004 I have been the President of the Local Government Association of New South Wales.

So I also have a wider constituency, the 73 councils across the state – metropolitan, coastal and country – which are members of the Local Government Association, and whose interests and by extension, whose residents' interests, I and my elected Executive at the Association also represent.

The greatest challenge I have, whichever hat I am wearing – Mayor of North Sydney or President of the LGA – is ensuring that whatever we do in Local Government, it embodies the communities' informed wishes about where we want to go.

Community representatives are only credible, and indeed, only get re-elected, if they gain and maintain community support.

Gaining community support is not merely asking them what they want and setting off towards it.

It is about leadership and ideas and options and assurances and delivery.

And perhaps most of all it is about transparency and accountability.

That is why we in Local Government can speak with such certainty and with such suasion on behalf of the community.

That is why in every independent survey, the people vote trust in councillors before their state and national elected representatives.

When we go to the ballot box to have our performance assessed, the community delivers a verdict on how well they were engaged at a local level.

Not by big issues like the balance of payments or global security or the clash of cultures.

But on whether we made their community a better place to live.

This is the lesson of determining Sydney's future.

If it is to be successful it has to deliver what the community want.

It has to make Sydney a better place to live.

This is the essence of the bottom-up approach to such big decisions that only Local Government can deliver.

Because only Local Government can engage the community at the level at which we can all truly make an informed judgement about what we want and whether we have achieved it.

So let's examine the future of Sydney and the mechanisms being offered to deliver it, on the basis of performance against this criterion – will Sydney become a place where we want to live?

Forgive me if I refer to North Sydney to illustrate my point.

The key to our planning successes in North Sydney is that we ask people what they want and then show them what we have done.

Our process is transparent, interactive, understandable and most of all, asked the community at the local level 'what kind of place do you want to live in?'

The professionals and bureaucrats in our ranks sometimes wonder why we look to such simple processes to ensure local outcomes.

We have to remind ourselves at all times exactly how simple it should be to connect to our communities.

The mechanics of planning in consultation with the community - organising workshops and newsletters and managing consultation and so on - is complex, of course.

And it is certainly resource intensive.

But it has one simple aim which we must never forget when we are dealing with the complexities of planning.

The only reason to do it at all is to engage the community in answering the question I keep asking 'what kind of place do you want to live in?'

There are countless examples of local planning exercises like we adopted in preparing the North Sydney LEP, some positive and some not so positive.

But I can say with certainty that there are no examples of local planning exercises like this conducted by agencies other than local councils - especially not the state government - simply because it is only local councils that have the necessary connection with the community to deliver local planning at the local level.

We only have to consider the alternatives to community engagement to prove my point.

Take the Carlton United Brewery site in Broadway in the City of Sydney, for example.

The State Government's decision to take control of the CUB site, and what we can expect from their subsequent management of the planning process, contains none of the elements required to answer my question.

The State Government's process will answer questions like how many units can be fitted on the site, what height can be achieved, how many car spaces are required, and so on.

But these questions will all be answered by the application of mathematical formulae, by planning in the absence of people.

Because no one who lives near the CUB site or who will ever live on the site will ever be asked 'what kind of place do you want to live in?'

It reminds me of that infamous episode of 'Yes Minister' where the health department proved that its most efficient hospital was the one that was fully staffed and equipped, but had no patients.

Comedy aside, this is the essence of centralised planning, planning for buildings and not for people.

What makes the CUB site even more illustrative is the fact that the State Government has already nobbled local planning in the City of Sydney.

The State Government has already established the Central Sydney Planning Committee, on which the council has only minority representation, to consider major developments in the City.

It is a process with some Local Government input, but it is not controlled by Local Government and is not answerable to the people who live in the areas being planned for.

Of course, the State Government argues that planning in Central Sydney is too important to leave up to the locals.

Sydney is a global city, they say.

It needs to be planned in order to meet global concerns and priorities.

The needs of the locals are somehow dismissed as irrelevant or as barriers to achieving these global ends.

What this thesis neglects to consider is that most of the people who live in an area, whether it be the centre of Sydney or the suburbs or the bush, live there because they like it.

They choose to live there.

They are committed to their area and to making it a better place to live.

And what more successful example of community engagement and citizen commitment is there in New South Wales than the City of Sydney?

I take my hat off to Lord Mayor Clover Moore and the way she and her team have taken community engagement and consultation to new levels.

Under Councillor Moore's leadership, the City of Sydney has become a place which people are enthused about, proud of, and engaged in debating its future.

People choose to live in the City because of the hustle and bustle, the proximity, the 24 hour a day living.

They come forward to participate and debate and work together.

They are ready and willing and able to make the right decisions about their neighbourhoods.

But does the State Government use this vital and informed resource to help plan sites like CUB?

It shies away from engagement and accountability and sends the plans off to a committee to decide.

And even worse, it sends the plans off to a new committee rather than the committee it originally set up to second guess the community.

If CUB proves anything at all, it is how unwise the State Government was in the first place to remove the City of Sydney's planning powers for major developments.

Now it is even bypassing its own Central Sydney Planning Committee for another committee.

Yet this is the model the State Government imposed on us through its so called planning reforms earlier this year.

Some of you may recall our rally outside Parliament House in March when the changes to the Environmental Planning and Assessment Act were being debated.

The Planning Minister promised us changes to the planning system which would produce certainty and efficiency.

He gave us changes which allow him to remove the planning powers of councils which he assesses as under performing according to performance criteria which he determines.

The work of democratically elected and accountable councillors will be done by ministerially appointed panels.

It may well produce certainty and efficiency.

But it is a system which provides no transparency and accountability.

And where is the community in the State Government's process?

It guarantees that they are left out.

And where are the State Government's reforms after a major test like the CUB site?

The Minister intervened to overturn his own model, the model which would provide certainty and efficiency.

He replaced one appointed panel with another, appointed by and reporting to him.

And in a situation where no council and no community in New South Wales was better placed and better informed to do the job his model has failed to do.

Local Government will make the repeal of these changes to the Environmental Planning and Assessment Act central to our approaches to all candidates at the 2007 State election.

.....

The State Government's enthusiasm for centralisation is now threatening to subvert its own Sydney Metropolitan Strategy.

The release of the Strategy in late 2005 was a milestone in metropolitan planning.

Here was a process which integrated all aspects of planning for a Sydney where people want to live.

The Strategy had as its first aim to enhance liveability.

It committed us to delivering fairness in the provision of services and access to opportunities, so different to the adversarial approach I mentioned earlier.

It brought together plans not just for housing, but for employment, transport, and environmental sustainability.

It recognised a hierarchy of planning – local, regional, state, global – and that getting each part right was integral to the success of the whole.

Most importantly, it was to be delivered in partnership with Local Government by a State Department with clout.

The Department of Infrastructure, Planning and Natural Resources would be able to take the lead in integrating the activities of other state agencies, including Treasury, in order to achieve the plan's outcomes.

Local Government welcomed the Strategy.

We recognised that instead of just a housing strategy, we had an integrated plan which not only recognised the role of Local Government, but relied on Local Government to deliver what only it can deliver, that is informed community consent.

Local Government came to the table enthused by the prospects of what could be achieved by the Metro Strategy, but also in the knowledge that failure to deliver meant that this time we couldn't simply blame the State Government.

This time our money was where our mouths were.

Our role was to be translating the Strategy into local impacts, engaging the community in the debate, and negotiating for their agreement.

But our greatest challenge was going to be securing for our communities the provision of guaranteed infrastructure and services in return for their agreement to the changes envisaged by the Strategy.

The breadth of vision in the Strategy, the integration of all aspects of planning for

Sydney under the banner of liveability, delivered in partnership with a Department with clout, gave us real hope that this time a metropolitan plan could deliver where others had failed.

Where are we today?

The Department with clout is no more.

The integration of metropolitan planning and delivery of outcomes under the management of a single state agency has been overturned.

We now have back the old arrangements where the Department of Planning owns a plan for compliance with which it has to negotiate with the other agencies – water, roads, conservation – all of which have their own agendas.

And worst of all, the Department of Planning is in the same queue outside the Treasurer's door as are the rest of us.

It will be the financial arm of State Government which determines what infrastructure can be delivered and when.

But Local Government will continue to work with the Department of Planning to deliver the Metro Strategy.

It is hard to describe this process as a whole of government partnership, but the work needs to be done.

Our communities expect their local representatives to make major planning decisions, so we will make them.

We must learn from the mistakes of laissez faire planning and development control in the 70s and 80s for the community not to accept those outcomes again.

We will get what we plan for.

That is really such a simple statement that it needs to be said and understood.

Whatever temporary hiccups we have with the Metro Strategy and the so called planning reforms, Local Government will continue to advocate on behalf of the communities it represents.

There are some important goals we must work towards.

The reintegration of the planning system is one.

Integrated planning in the guise of the Metro Strategy and the Department of Infrastructure, Planning and Natural Resources didn't fail.

It wasn't even tried.

It was a failure of vision and courage, not partnership and delivery.

We need to recognise and enhance the role of Local Government.

Our polling shows that the community trust Local Government to represent them and to make decisions on their behalf.

The State Government has much to gain by building on this community expectation and goodwill, and cementing a partnership with Local Government on planning and other matters.

They must enter into an inter governmental agreement with us and learn that we are an equal, vital and trusted partner, especially in planning, especially in articulating community desires, especially in negotiating community consent.

I am optimistic about the future of Sydney because I have confidence that people know what they want and will

make demands on their representatives to deliver.

The community is not the enemy of planning. The community is in the driving seat.

Let's climb on board with the community and navigate for them. Down the path that leads us to places in which we want to live.

Notice of Motions

Hornsby Council

Motion 1:

THAT the Local Government Association commit to canvassing community expectations every two years on the role of local government in New South Wales in a similar manner to the IRIS Research opinion poll survey conducted in 2005 and, over time, benchmark the survey results against the 2005 findings and subsequent results.

Hornsby Council

Motion 2:

THAT, to assist with localised planning for the provision of children's services, the Local Government Association seek: the annual release of the NSW Department of Community Services "Annual Service Plan and Reporting Document" (ASPARD) data; and the bi-annual release of the Commonwealth Department of Families, Community Services and Indigenous Affairs "Census of Child Care Services" data at a Local Government Area level.

Hornsby Council

Motion 3:

THAT the Local Government Association make representations to the NSW State Government seeking the withdrawal of the 15% levy on councils in respect of the annual rental for leases/licences on Crown Reserves for which councils are Trustees and asking why the moral intent of the 12 April 2006 Inter-Governmental Agreement in relation to cost shifting was not honoured in the implementation of such levy in the event that an unsatisfactory reply is received, the

Local Government Association seek the support of all NSW councils in transferring the care, control and management of all Crown Reserves for which they are Trustees back to the NSW State Government

Hornsby Council

Motion 4:

THAT the Local Government Association seek legal advice on behalf of NSW councils regarding the classification of Councillors as employees for the sole purpose of Section 221B of the Income Tax Assessment Act 1936.

Hornsby Council

Amended Motion 5:

"THAT the Local Government Association lobby the State Government to review, with the intention of changing, the current Juvenile Justice Laws to:

Limit the number of Cautions and Warnings issued to Graffiti vandals and allow the provisions to allow a penalty of Community Service, in the form of graffiti removal, be applied to those charged with Graffiti Vandalism."

Hornsby Council

Motion 6:

The Local Government Shires Association of NSW make representation to the Federal Government seeking to prohibit the taking off and landing of privately owned and operated helicopters within the Sydney metropolitan area without requiring prior development approval from the local government authorities in whose areas those landings and take-offs are conducted.

Hunter's Hill Council

Motion 7:

Request the State Government to further define graffiti to also include the placement of any advertising poster(s) or sign(s), on poles, walls, fences or premises where the poster is visible from a public place unless the consent of the owner, occupier or person in charge of the poles, wall, fence or premises and/or local council is first obtained. The maximum penalty be \$1,000.

This fine may be applied to a person, who places an advertising poster or sign on poles, walls, fences or premises, or the beneficiary of the advertising poster, or the promoter of the activity advertised on the poster, or the owner of the venue where the activity advertised on the poster is to take place.

Hunter's Hill Council

Motion 8:

Calls on the State Government to require relevant authorities to formulate a total financial package for the purposes of any local council, or group of residents, wishing to promote or assist residents in promoting the undergrounding of cables in their area.

Ku-ring-gai Council

Motion 9:

"That the Association call on the Minister for Planning to provide legal protection under the Environmental Planning & Assessment Act or other relevant legislation for those property owners adjoining developments who makes a reasonable complaint pursuant to that Act about the conduct of the private/accredited certifier of that development, when they themselves become the subject of defamation proceedings by the certifier involved when the complaint is dismissed."

Lane Cove Council

Motion 10:

1. That the LGSA form a working party to develop a policy on filtration of road tunnels in urban areas longer than 2km.
2. That the working party includes 2 representations from each Council affected by unfiltered road tunnels.
3. That the working party consider the following proposed policy directions as part of the policy:-

- a) Planning approvals for new road tunnels longer than 2 km or which carry more than 100,000 vpd to require proven filtration technology to be incorporated into the design to reduce PM₁₀, PM_{2.5} and NO_x emissions by at least 80%
- b) By 2010 M5 East, Cross City and Lane Cove Tunnels to have Electrostatic Precipitators installed within the tunnels to remove up to 80% of particulates from the air stream;
- c) By 2010 one of Sydney's tunnels having the highest emissions of NO_x in kg/hr to be trialled to remove 80% of NO_x from the tunnel emissions;
- d) Should the trial prove effective, then progressive installation of gas cleaning technologies into the Cross City and Lane Cove Tunnels be undertaken.
- e) The cost of retrofitting filtration be recouped from the reintroduction of tolls on the M5 East tunnel and the removal of the cash-back schemes on motorways for a period of 3 years.

4. Representations are made to the State Government once a policy is developed to gain their commitment to implement filtration in road tunnels.

Lane Cove Council**Motion 11:**

That the Local Government Association makes representations to the RTA to regulate the parking of boat trailers, horse floats, and the like, when not attached to vehicles on the street.

Lane Cove Council**Motion 12:**

That the Local Government Association make representations to the Department of Lands to seek the abolishment of the s106 Direction under the Crown Lands Act 1989, requesting 15% of income derived by Reserve Trust Managers on leases/licences of Crown Land.

North Sydney Council**Motion 13:**

(i) THAT NSROC support the mandatory inclusion of water retention, by the State Government, on all new development, commercial as well as residential.

(ii) THAT the mandatory inclusion of storm water retention be referred, as a motion, to the Local Government Association (LGA) Conference in October this year.

North Sydney Council**Motion 14:**

(i) THAT NSROC support the position to lobby the NSW State Government to allow Councils to prohibit brothels in any zone in which there is a residential component even if that means there may be no areas in which brothels are permissible in a Council area.

(ii) THAT the prohibition of brothels in residential areas be referred, as a motion, to the Local Government Association (LGA) Conference in October this year.

Ryde Council**Motion 15:**

"That the LGA requests the State Government to supplement Council funds by providing recurrent funding for Councillor professional development in the 12 months following initial election and investigates the establishment of a Centre of Excellence for the ongoing professional development of Councillors that builds on the existing LGSA Councillor Professional Development Program and partners/links with a suitably registered tertiary provider (RTO) such as the UTS Centre for Local Government, or similar."

Ryde Council**Motion 16:**

"That Local Government not be required to contribute fifteen percent (15%) of any commercial revenue it may receive through the management of Crown Land to the Department of Lands."

Ryde Council**Motion 17:**

"That a State Infrastructure Planning Unit be established for the purposes of ensuring the planning and development of key state operated assets and utilities is undertaken in full coordination with the local government sector."

Ryde Council**Motion 18:**

"That the State Government fund and support all NSW Local Government in implementing a standard operating & application environment providing customer service efficiencies, enabling skill and intellectual transfer between councils and reduction of both operating and capital costs".

**Ryde Council
Motion 19:**

"That the State Government consider the Queensland and Victorian models to empower Local Government to make local laws to address local issues".

**Ryde Council
Motion 20:**

"That the Association write to the Prime Minister and Federal Treasurer requesting that in future negotiations with the New South Wales State Government regarding Commonwealth funds and grants, the Commonwealth place a condition that increased funding will be dependent upon the New South Wales State Government abolishing rate-pegging for Local Government in that State."

**Ryde Council
Motion 21:**

"That the NSW Minister for Local Government be requested to release the report from the Department of Local Government when announcing his decisions regarding Council applications for rate increases above the rate pegging limit."

**Willoughby Council
Motion 22:**

THAT the LGSA review the provisions of the Oil Depletion Protocol* with a view to recommending its adoption to Federal and State governments.

Attendees

Mayor Nick Berman	Hornsby Council	Mr John Owen	Willoughby Council
Clr Felicity Findlay	Hornsby Council	Mr Dominic Johnson	NSROC
Mr Daniel Ouma-Machio	Hornsby Council	Ms Lesley Ridley	NSROC
Mayor Sue Hoopman	Hunter's Hill Council		
Clr Richard Quinn	Hunter's Hill Council		
Clr Jason Lin	Hunter's Hill Council	Hon. Kerry Hickey MP	Minister for Local Government
Mr Barry Smith	Hunter's Hill Council	Mr John Turner MP	Shadow Minister for Local Government
Mr Steve Kourepis	Hunter's Hill Council	Ms Gladys Berejikian MP	Member for Willoughby
Mr Don Cottee	Hunter's Hill Council	Ms Judy Hopwood MP	Member for Hornsby
Mayor Nick Ebbeck	Ku-ring-gai Council	Mr Andrew Humpherson MP	Member for Davidson
Clr Elaine Malicki	Ku-ring-gai Council		
Clr Anita Andrew	Ku-ring-gai Council		
Clr Ian Cross	Ku-ring-gai Council	Ms Sue Puckeridge	Pricewaterhouse & Coopers
Clr Michael Lane	Ku-ring-gai Council		
Mr John McKee	Ku-ring-gai Council	Ms Kim Smee	Northside Courier
Mr Steven Head	Ku-ring-gai Council		
Mayor Ian Longbottom	Lane Cove Council		
Clr Kay Freedman	Lane Cove Council		
Clr Win Gaffney	Lane Cove Council		
Clr Fran Teirney	Lane Cove Council		
Clr Rod Tudge	Lane Cove Council		
Clr Joe Hassarati	Lane Cove Council		
Clr Ann Smith	Lane Cove Council		
Mr Peter Brown	Lane Cove Council		
Mr Craig Wrightson	Lane Cove Council		
Ms Jane Gornall	Lane Cove Council		
Mr Michael Mason	Lane Cove Council		
Mr Wayne Rylands	Lane Cove Council		
Mayor Genia McCaffery	North Sydney Council		
CMr Michel Reymond	North Sydney Council		
Clr Nick Ritten	North Sydney Council		
Clr Paul Oglesby	North Sydney Council		
Ms Penny Holloway	North Sydney Council		
Mr Warwick Winn	North Sydney Council		
Mayor Ivan Petch	Ryde Council		
Clr Gabrielle O'Donnell	Ryde Council		
Clr Connie Netterfield	Ryde Council		
Clr Vic Tagg	Ryde Council		
Clr Sarkis Yedelian	Ryde Council		
Mr Michael Whittaker	Ryde Council		
Ms Sue Coleman	Ryde Council		
Mr Roy Newsome	Ryde Council		
Mayor Pat Reilly	Willoughby Council		
Clr Phillip Hickie	Willoughby Council		
Clr Kate Lamb	Willoughby Council		
Clr Wendy Norton	Willoughby Council		
Clr Barry Thompson	Willoughby Council		
Clr Sylvia Chao	Willoughby Council		