

10.8. 2024 Local Government NSW Annual Conference - Delegates and Motions

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ATTACHMENTS	Nil
CSP LINK	5. Our Civic Leadership 5.2 Strong civic leadership and customer focussed services

PURPOSE:

The purpose of this report is to seek a replacement voting delegate for the LGNSW Conference an endorsement of four propose Motions.

EXECUTIVE SUMMARY:

- The Local Government NSW (LGNSW) Annual Conference is taking place from 17 to 19 November 2024, at Tamworth Regional Entertainment and Conference Centre, and will feature a range of keynote speakers, workshops, training sessions, and more.
- As the main policy-making event for the NSW local government sector, the Annual Conference is an opportunity to help set the advocacy agenda for the year ahead. Motions passed at the Conference become Resolutions, which LGNSW actions on behalf of its members, as part of its advocacy program.
- Council appointed four voting delegates at the meeting on 8 October 2024. Due to Councillor Hoy's inability to attend, a replacement delegate is required.
- A series of proposed Motions are submitted for Council's endorsement

RECOMMENDATION:

1.THAT Council nominate a fifth voting delegates for the 2024 LGNSW Conference at Tamworth Regional Entertainment and Conference Centre, to replace Councillor Hoy.

2. THAT the four proposed Motions to the LGNSW Annual Conference contained in this report entitled:

- I. Housing reforms – funding for community infrastructure
- II. Remote attendance at meetings
- III. Accessible and liveable housing – universal design principles for new housing in NSW
- IV. Review of NSW Electoral Commission

be endorsed by Council

Background

The Local Government NSW (LGNSW) Annual Conference is taking place from 17 to 19 November 2024 at Tamworth Regional Entertainment and Conference Centre, and will feature a range of keynote speakers, workshops, training sessions, and more.

Conference delegates will discuss key local government issues and debate motions submitted by fellow councils to inform the LGNSW advocacy agenda for the year ahead.

At its meeting of 8 October 2024, Council resolved:

- 1. THAT Council nominates five voting delegates for the 2024 LGNSW Conference at Tamworth Regional Entertainment and Conference Centre, being Councillors Baker, Santer, Beregi, Hoy, and Welch.*
- 2. THAT other councillors interested in attending the conference as non-voting delegates advise the Chief Executive Officer as soon as practicable, noting that no further registrations will be made following Monday 14 October 2024.*
- 3. THAT Councillors submit suggested issues for Council's consideration as Motions to the LGNSW Annual Conference.*

Report

Registration as a Voting Delegate

To vote on motions at the Conference, delegates must be an elected member of a council, county council, the Norfolk Island Regional Council (NIRC), a Related Local Government Body (RLGB), or an Administrator appointed in accordance with the *Local Government Act 1993*.

Council is entitled to send five voting delegates to the Conference. Other Councillors may attend as observers.

Councillor Hoy has now advised that he is unable to attend the Conference and his position as a voting delegate needs to be replaced.

Councillors Holding and Antonini have now been registered to attend the Conference, in addition to the Mayor, Councillors Santer, Beregi, and Welch.

Proposed Motions

All Motions require the endorsement of Council.

The Mayor has proposed the following Motions for consideration at the Conference:

The closing date for the submission of Motions was 20 October 2024, however the Motions have been submitted to the Conference pending endorsement by Council.

Advice has been received that the LGNSW Rules allow councils to submit motions with less than 28 days' notice and the LGNSW Board may, in some circumstances, allow these to be considered at Conference as a late item (but not included in the Business Paper). It will be up to the LGNSW Board to determine if these Motions could be considered as late items under the circumstances.

1. Housing reforms – funding for community infrastructure

THAT LGNSW call on the State Government to urgently implement Recommendation 7 of the Inquiry into Development of the Transport Oriented Development Program (October 2024) conducted by Portfolio Committee No. 7 - Planning and Environment of the NSW Legislative Council, which recommended

That the NSW Government consider focusing infrastructure funding through the Urban Development Program to areas of growth, including TOD locations, to ensure that community infrastructure and amenity needs are delivered alongside housing.

Background

The recent Upper House Inquiry into the State Government's Transport Oriented Development (TOD) Program heard evidence from a multitude of stakeholders raising significant concerns about the adequacy and lack of certainty of planning and funding for vital community infrastructure to accompany increasing density and population. It is vital to ensure the provision of open space, schools, sport and recreation facilities, libraries, hospital beds etc to meet the needs of the new population is provided prior to or alongside the delivery of new housing. Without up front planning, funding and delivery, experience shows that community infrastructure either lags behind the new population for decades or, worse, is never provided.

2. Remote attendance at meetings

THAT LGNSW lobby the State Government to amend the Model Code of Meeting Practice for Local Councils in NSW 2021 relating to approval for remote attendance at meetings in order to remove the potential for political interference and manipulation and to promote increased access and inclusion for elected representatives.

Background

Clause 5.23 of the Model Code of Meeting Practice provides:

A councillor who has requested approval to attend a meeting of the council or a committee of the council by audio-visual link may participate in the meeting by audio-visual link until the council or committee determines whether to approve their request and is to be taken as present at the meeting. The councillor may participate in a decision in relation to their request to attend the meeting by audio-visual link.

The provision that requires the governing body to “approve” a request for remote attendance is open to political manipulation. Remote attendance ought to be available upon request without approval from the elected body. Remote attendance is increasingly the norm in most workplaces, schools and other institutions. Increasingly, it is difficult to attract candidates to run for civic office, particularly in the regions. Increasing the diversity and lived experience of elected representatives is essential to ensure that councils reflect the communities they represent. Elected representatives should not be able to be deprived of the opportunity to attend meetings remotely merely because they may not have the support of the majority of their colleagues.

3. Accessible and liveable housing – universal design principles for new housing in NSW

THAT LGNSW call on the NSW State Government to sign up to the Silver Livable Housing Design Standards in the National Construction Code to ensure new housing includes basic accessibility for everyone.

Accessible housing supports ageing in place and reduces the cost of future adaptations as people’s needs change over time. The NSW Government remains one of only two State governments that has refused to sign up to the Silver Livable Housing Design Standards (“LHA Silver Level”) in the National Construction Code. The LHA Silver Level is a set of design standards that require new housing developments to offer basic accessibility for all people. The seven core design elements in the LHA Silver Level are:

1. A safe continuous and step free path of travel from the street entrance and / or parking area to a dwelling entrance that is level.
2. At least one, level (step-free) entrance into the dwelling.
3. Internal doors and corridors that facilitate comfortable and unimpeded movement between spaces.
4. A toilet on the ground (or entry) level that provides easy access.
5. A bathroom that contains a hobless shower recess.
6. Reinforced walls around the toilet, shower and bath to support the safe installation of grabrails at a later date.
7. Stairways are designed to reduce the likelihood of injury and also enable future adaptation.

These standards are designed to increase the stock of adaptable housing that is better able to meet the needs of older people and people with mobility limitations. It is long overdue that NSW joined the majority of States and adopted these basic provisions to ensure that new housing is accessible to all.

4. Review of NSW Electoral Commission

1. **THAT** LGNSW call on the State Government to undertake an urgent review of the NSW Electoral Commission’s (“EC”) conduct of local government elections and electoral procedures.
2. **THAT** the review include consideration of:
 - (a) the streamlining of the forms the EC requires candidates to complete and the timing of the deadlines for these forms;

- (b) the EC recognises the importance of educating voters on the process of voting (optional preferential/proportional etc) and that candidate How to Vote forms have an education role for the correct functioning of our voting system;
- (c) the EC works with councils to reduce the cost of elections including reducing the number of polling booths it requires, while maintaining the service the booths deliver for voters; and
- (d) the EC is more appropriately and adequately funded from general State government revenue, rather than from 'fee for service' from local government sources.

Background

The vast majority of councils in NSW engage the NSW Electoral Commission (EC) to conduct elections, at significant cost. In practice, the EC essentially has a monopoly on the conduct of local government elections. Client councils have little, if any, influence on electoral procedures and tailoring the conduct to local conditions or to ensure reduced costs.

For example, during the recent local government elections, the Electoral Commission (EC) required candidates to undertake a number of procedures, including the filling in of many forms - a registration form and a nomination form - which required the reproduction of information already provided, either in an earlier form or in another section of the same form. Not only was this time consuming for the candidates but should also have been unnecessary if the EC's computerised system were programmed to cross-record the information already provided. Similarly, Nomination Forms required electronic completion and submission, yet also required ink only signatures, rather than the electronic signatures already registered with the EC and allowed on the large number of other forms required by the EC.

Given the proliferation of forms required by the EC, a review ought to be undertaken of the large number of forms, with a view to streamlining them, while also ensuring that the legal requirements for candidates are maintained.

The cumbersome nature of the form filling procedures currently required by the EC must surely be a barrier to the democratic process, given the difficulties encountered by candidates and the resulting disincentive to become a candidate or a volunteer in support of candidates. The EC also appears to have scant regard for candidates and supporting volunteers, in the manner in which it conducts elections is a guide. For example, in the North Sydney local government area despite years of submissions from Council, the EC routinely mandates multiple polling booths in close proximity to each other (within a maximum radius of 100-200m, more often directly across the road from each other) when one booth in the locality would satisfactorily meet the needs of voters.

Also of concern is the EC's apparent attitude towards volunteers and the distribution of How to Vote forms (HTVs) at the booths. At best their view of the forms and towards the volunteers handing them out could be described as reluctant tolerance. The EC seems to fail to realise the necessity of having these forms, given that our voting system is either preferential or proportional. While the obvious intention of an HTV is to persuade the voter to cast their vote in favour of the candidate(s) on the form, it also educates the voter on how to ensure their choice is effectively implemented. Experience over a large number of elections shows

that a substantial number of voters choose not to take the HTV with them into the booth because they know who they want to vote for and therefore don't need the HTV. Yet, significant numbers of voters find that, when in the booth and they see the ballot paper with just a list of names, they don't have the required knowledge to correctly implement their voting choice.

This lack of knowledge of the correct voting procedure is confounded by the existence of an above and below the line ballot paper. Accordingly, the educational component of candidates' HTVs should be recognised by the EC, perhaps through allowing a wall in each polling booth to be dedicated to the installation of corflute sized How to Vote posters, thus enabling voters to view them while filling in the ballot papers in their individual booths. This would also cut down on the number of paper HTVs candidates have to have printed.

Finally, the charges that the EC levies against Councils for the service it provides at elections also need to be reviewed and a detailed breakdown of the cost of the conduct of the election (staff costs, venue costs etc) must be provided to councils. The cost to North Sydney Council for having the EC run the local election was more than \$1 million. This is a great impost on local government at a time of straitened financial circumstance for them.

The review should include investigation of the funding of the EC from general State government revenue rather than through a fee for service approach, to ensure the EC is properly and adequately funded.

Consultation requirements

Community engagement is not required.

Financial/Resource Implications

Costs will include delegate registration and travel costs. An amount of \$20,000 has been allocated in the 2024/25 budget for Mayor and Councillor attendance at conferences, seminars, and training.

Legislation

It is a requirement under section 252 of the Local Government Act that Council adopts a policy concerning the payment of expenses incurred or to be incurred by, and the provision of facilities to, the Mayor, the Deputy Mayor (if there is one), and the other Councillors in relation to discharging the functions of civic office.