

8.2. 2022 Local Government NSW Annual Conference - Proposed Motions

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ATTACHMENTS:

1. Lavender Bay Precinct proposed motion Design and Place SEPP [8.2.1 - 2 pages]
2. Lavender Bay Precinct proposed motion Local Planning Panels [8.2.2 - 2 pages]

PURPOSE:

To determine Council's motions for the LGNSW Conference .

EXECUTIVE SUMMARY:

The Local Government NSW (LGNSW) Annual Conference is taking place from 23 to 25 October 2022 at the Crowne Plaza Hunter Valley, and will feature a range of keynote speakers, workshops, training sessions, plus much more.

As the main policy-making event for the local government sector, the Annual Conference is an opportunity to help set the advocacy agenda for the year ahead. Motions passed at Conference become Resolutions, which LGNSW actions on behalf of its members, as part of its advocacy program.

Council resolved at its meeting on 8 August 2022 to appoint Councillors Beregi, Lamb, Santer and Welch in addition to the Mayor as its five voting delegates to the Conference. No further Councillors indicated that they wish to attend.

Motions have also been called directly from the Precinct Committees, the local business community and the general community via the Council website and social media channels as resolved by Council.

FINANCIAL IMPLICATIONS:

Costs will include delegate registration and travel costs. An amount of \$12,500 has been allocated in the 2022/23 budget for Mayor and Councillor attendance at conferences, seminars and training.

RECOMMENDATION:

1. THAT Council submit the following Motions for consideration by the LGNSW Annual Conference:

- That Local Government NSW lobby the NSW State Government to change the Section 34 process to allow more community participation and transparency
- That the NSW Government continue to develop the draft Design and Place State Environmental Planning Policy, which formed part of Minister's Planning Principles and SEPP consolidation plan released in December 2021.
- That the NSW Government develop guidelines to improve the transparency of decision making by Local Planning Panels, either by requiring the panels to hold their discussions in public or by publishing a statement of reasons similar to that used for District and Regional Planning Panels.
- 1. THAT this conference ask the State Government to investigate and look to implement measures to incentivise property owners to not leave their property(ies) unoccupied.
2. THAT in doing so, measures which allow such unoccupied properties to be utilised on a long or short time basis for low-cost accommodation be positively explored.

2.THAT Council consider any further Motions that may be raised by Councillors at this meeting.

LINK TO COMMUNITY STRATEGIC PLAN

The relationship with the Community Strategic Plan is as follows:

5. Our Civic Leadership

5.1 Lead North Sydney's strategic direction

BACKGROUND

The Local Government NSW (LGNSW) Annual Conference is taking place from 23 to 25 October 2022 at the Crowne Plaza Hunter Valley, and will feature a range of keynote speakers, workshops, training sessions, plus much more.

At its meeting on 8 August 2022, Council resolved:

- 1. THAT Council allow any Councillor who wishes to attend the conference to do so and that they are to advise Governance staff by 16 August 2022.*
- 2. THAT Council nominates up to four voting delegates to attend the 2022 LGNSW Conference in the Hunter Valley, in addition to the Mayor (voting delegate) being:
 - 1. Councillor Santer*
 - 2. Councillor Lamb*
 - 3. Councillor Welch*
 - 4. Councillor Beregi**
- 3. THAT the Precinct Committees and local business community be invited to submit suggested issues for Council's consideration as Motions to the Conference by 25 August 2022 for inclusion in the further report to Council and that this call for Motions also be placed on Council's website and social media channels.*
- 4. THAT a further report be submitted to Council on 12 September regarding any proposed Motions for the LGNSW Conference.*

No further Councillors indicated their wish to attend by 16 August 2022.

CONSULTATION REQUIREMENTS

In response to this resolution, a news item was added to Council's website calling for Motions from residents on 10 August.

Precinct Committees and the local business community had already been contacted for their suggestions on 21 July and 28 July respectively . The public call for Motions was promoted on Council's social media channels on 10 August.

Councillors were advised of these actions through the Councillor Bulletin on 11 August.

DETAIL

Criteria for motion submission

The LGNSW Board has resolved that motions will be included in the Business Paper for the Conference only where they:

1. are consistent with the objects of LGNSW (see Rule 4 of the Association's rules),
2. relate to or concern local government as a sector in NSW and/or across Australia,
3. seek to establish or change policy positions of LGNSW and/or improve governance of the Association (noting that the LGNSW Board is responsible for decisions around resourcing any campaigns or operational activities, and any necessary resource allocations will be subject to the LGNSW budgetary process),
4. have a lawful purpose (a motion does not have a lawful purpose if its implementation would require or encourage non-compliance with prevailing laws),
5. are clearly worded and unambiguous in nature, and
6. do not express preference for one or several members over one or several other members.

Proposed Motions

Council resolutions

Council at its meeting on 22 August 2022 considered a report on Section 34 Conciliation Conference Process Land and Environment Court Proceedings at 20-24 Bray Street, North Sydney, and 35 Kurraba Road, Neutral Bay (Item 8.7) and resolved, in part, to put a Motion to the next Local Government NSW Conference that Local Government NSW lobby the State Government to change the Section 34 process to allow more community participation and transparency

Councillor Motions

Councillor Beregi has submitted the following Motion:

1. THAT this conference ask the State Government to investigate and look to implement measures to incentivise property owners to not leave their property(ies) unoccupied.
2. THAT in doing so, measures which allow such unoccupied properties to be utilised on a long or short time basis for low-cost accommodation be positively explored.

Background

Across Australia, including here in North Sydney, we are struggling through a dual rental availability and housing affordability crisis. There is a local rental vacancy rate below 2% - making rental properties difficult to come by. Based on the latest census data, local residents have faced significant rental price hikes since COVID. While these prices may be affordable for professional residents on higher incomes, this has completely priced out other essential workers - including childcare workers, retail staff and others in low to middle income brackets, who help keep our community running. The whole community suffers, when essential workers are priced out of an area. While this is a multi-

faceted problem, one key driver of the rental shortage and housing affordability crisis is the increasing number of properties sitting vacant.

The 2021 census revealed that across Australia, more than 1 million homes are sitting empty. We should not have a system whereby people are encouraged (via financial or tax incentives) to leave properties vacant - particularly when so many families are struggling to find a place to call home. Housing is a basic right - it is something that we should be able to provide.

This is not a problem local councils can solve alone. There are steps that can be taken to help advocate for reform. Thus we are calling on the State Government to reform of the Local Government rating system and the NSW land tax system, so as to provide a financial incentive for property owners to ensure their investment property holdings are being utilised for permanent residential accommodation purposes. These reforms should have a meaningful impact on the housing affordability crisis. Such reforms also have the potential to help revitalise communities and bring in more business for our local economies.

Precinct Committees

Willoughby Bay Precinct - asked that Council consider a Motion to adopt the Design and Place State Environmental Planning Policy that was developed under the previous Planning Minister. No further supporting information has been provided.

Lavender Bay Precinct

- That the NSW Government continue to develop the draft Design and Place State Environmental Planning Policy, which formed part of Minister's Planning Principles and SEPP consolidation plan released in December 2021.
- That the NSW Government develop guidelines to improve the transparency of decision making by Local Planning Panels, either by requiring the panels to hold their discussions in public or by publishing a statement of reasons similar to that used for District and Regional Planning Panels.

Copies of the full Motion proposals from Lavender Bay Precinct are attached.

As two proposed Motions regarding the draft Design and Place State Environmental Planning Policy have been received, it is recommended that Council adopt the version submitted by Lavender Bay as it was submitted with more detail than that of Willoughby Bay Precinct.

No other Motions have been received at the time of finalising this report.

Precinct Committee
Lavender Bay
Subject (short description of motion/issue)
Ongoing development of the draft Design and Place SEPP, which formed part of the Minister's 2021 Planning Principles and SEPP consolidation announced in December 2021.
Tick which category does the proposed motion/issue best fall under:
<input type="checkbox"/> 1. Economic (A and B) <input type="checkbox"/> 2. Infrastructure (C) <input checked="" type="checkbox"/> 3. Planning (D and E) <input type="checkbox"/> 4. Environment (F) <input type="checkbox"/> 5. Social & Community (G) <input type="checkbox"/> 6. Governance (H to J) <input type="checkbox"/> 7. Accountability (L to M)
REFER TO THE LGNSW POLICY PLATFORM FOR EXPLANATION OF EACH CATEGORY - this includes their Fundamental Principles (aligning to the categories above) and Position Statements https://www.lgnsw.org.au/Public/Policy/Policy_Platform.aspx
Proposed Motions/Issues (begins with THAT...)
That the NSW Government continue to develop the draft Design and Place State Environmental Planning Policy, which formed part of Minister's Planning Principles and SEPP consolidation plan released in December 2021.
Details Supporting Case
<p>Minister Stokes released The Minister's Planning Principles plan in December 2021. The plan included 9 key principles and the consolidated of 54 existing State Environmental Planning Policies (SEPPs) into 14 consolidated SEPPs.</p> <p>One of the new SEPPs, the Design and Place SEPP, had been under development for two years and included a revised apartment design guide, new urban design guide, and new design review guide.</p> <p>The SEPP was intended to replace SEPP No 65 – Design Quality of Residential Apartment Development, and the Building Sustainability Index, BASIX, SEPP 2004.</p> <p>In March 2022, following a Ministerial shuffle, Minister Roberts announced that he was discontinuing the Minister's Planning Principles in order to focus on housing supply, reportedly after listening to the development industry.</p> <p>The Design and Place SEPP would have required new developments to mitigate and adapt to the risks of climate change. This should continue to be a priority.</p>

**Guidance for Precinct Committees - extract from the Annual Conference 2022
Motions Submission Guide**

How to write a motion

Motions adopted at conference inform LGNSW's advocacy actions on behalf of the local government sector. LGNSW includes the exact wording of motions when writing to ministers, departments and agencies post-Conference and so it is important that the wording of motions clearly outlines your council's policy intent or objective.

The format of motions, as much as possible, should call on a specific body (e.g. LGNSW, state government, federal government, a specific Department or Minister) and have a specific outcome that the motion is aiming to achieve. The motion should state whether it is seeking to change a LGNSW Fundamental Principle. The wording should be unambiguous.

Criteria for motion submission

The LGNSW Board has resolved that motions will be included in the Business Paper for the conference only where they:

1. are consistent with the objects of the Association (see Rule 4 of the Association's rules);
2. relate to Local Government in NSW and/or across Australia;
3. concern or are likely to concern Local Government as a sector;
4. seek to advance the Local Government policy agenda of the Association and/or improve governance of the Association;
5. have a lawful purpose (a motion does not have a lawful purpose if its implementation would require or encourage non-compliance with prevailing laws);
6. are clearly worded and unambiguous in nature; and
7. do not express preference for one or several members over one or several other members.

Members are encouraged to review Action Reports from the previous conference(s) before submitting motions for the 2022 conference to ensure newly proposed motion wording reflects recent developments and does not duplicate existing positions.

For more information visit

https://www.lgnsw.org.au/Common/Uploaded%20files/Annual%20Conference%20documents/2022/2022_Motions_submissions_guide.pdf

Precinct Committee
Lavender Bay
Subject (short description of motion/issue)
Transparency of decision-making process for Local Planning Panels.
Tick which category does the proposed motion/issue best fall under:
<input type="checkbox"/> 1. Economic (A and B) <input type="checkbox"/> 2. Infrastructure (C) <input checked="" type="checkbox"/> 3. Planning (D and E) <input type="checkbox"/> 4. Environment (F) <input type="checkbox"/> 5. Social & Community (G) <input type="checkbox"/> 6. Governance (H to J) <input type="checkbox"/> 7. Accountability (L to M)
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Proposed Motions/Issues (begins with THAT...)
That the NSW Government develop guidelines to improve the transparency of decision making by Local Planning Panels, either by requiring the panels to hold their discussions in public or by publishing a statement of reasons similar to that used for District and Regional Planning Panels.
Details Supporting Case
<p>Local Planning Panels are empowered to make decisions on contentious, sensitive, complex and high-value development applications. The panels were introduced in order to allow Councils to focus on long-term strategic planning.</p> <p>Development applications now determined by Local Planning Panels were previously determined by elected Councils in public session, with full transparency.</p> <p>There is community interest, concern and occasional mistrust about how Local Planning Panels make their decisions. These concerns are heightened when secret decisions are periodically reported in the media.</p>

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