

STATE ELECTION ISSUES

Issue: Partnership with Local Government

Local Government is an integral part of the system of government in NSW. On many occasions major State Government policy initiatives are introduced which significantly affect councils and their communities. On many occasions, these initiatives are introduced with no consultation.

Sometimes Local Government can fully support these initiatives but at other times Local Government either cannot support them or would be able to do so with minor amendments.

Lgov NSW position

To improve the policy framework of government in this state, it would be useful for a mechanism for consultation between Lgov NSW and the State Government, so that there is a formal process of consultation in advance of major initiatives being finalised by the State Government.

This would allow for input from the organisation representing Local Government and would lead to better policy making and implementation.

Commitment and action sought

The State Government has agreed to set up a process where there will be consultation between the Premier and the Lgov NSW Presidents on a regular basis.

We now seek the support of the parties to agree that this important process will continue after the elections.

Contact: Brendan Hartnett ph 9242 4000 email brendan.hartnett@lgov.org.au

Issue: Review of road funding arrangements

Local Government in NSW is responsible for some 88 per cent of the NSW road network. Under current arrangements the State Government provides funding assistance for the regional roads component of these roads in recognition of their role as routes of secondary importance throughout the State. Funding is provided by way of formulae-based block grants and additional specific project grants.

Local Government has expressed concern that the Regional Roads Agreement underpinning these grants ought to be reviewed in terms of funding quantum and areas of responsibility.

Lgov NSW position

In 1995 the Regional Roads Agreement was signed between the RTA and Local Government, outlining ongoing funding arrangements for regional roads in NSW. At the time, the Regional Roads Working Party also agreed that a review of the Regional Roads Agreement be conducted every three to five years to consider funding and road classification issues, especially those issues arising since the signing of the agreement. No such reviews have taken place. Councils have raised concerns with the inadequacy of the present arrangements and the Government's unwillingness to conduct a review of the Agreement.

Local Government is concerned that the existing arrangements are inadequate to maintain the regional roads under their responsibility, and do not provide a mechanism for the appraisal of additional key local roads for regional road funding. This has serious implications for road safety and economic development throughout the state.

In addition, councils have also raised more general questions regarding the clarification of responsibilities for the various road categories in NSW, covered more generally by the Roads Act 1993. A clearer definition of responsibilities will be increasingly important under the funding arrangements outlined by the Federal Government in its Auslink proposal, and will also be vital in the establishment and maintenance of robust asset management systems within Local Government. We therefore seek cooperation with the State Government in this review process.

Commitment and action sought

1. That a review of the 1995 Regional Roads Agreement be conducted in line with the recommendations of the 1995 Regional Roads Working Party, which envisaged reviews taking place every three to five years. This review would address in particular:
 - The inadequacy of the present funding formulae and quantum to allow appropriate maintenance of existing regional road infrastructure
 - The provision of a mechanism within the Regional Roads Agreement to allow for appraisal of additional key local roads for regional road funding.
2. That a review of the Roads Act 1993, commenced in 1999, be revisited taking into account the clarification of the responsibilities for the various road categories in NSW.

Contact: Richard Connors ph 9242 4000 email richard.connors@lgov.org.au

Issue: Country Towns Water Supply, Sewerage and Drainage Program

The provision of water supply and sewerage services to country towns in NSW is the responsibility of Local Government under the Local Government Act (1993). The State Government provides technical, management and financial support to Local Government through the Country Towns Water Supply, Sewerage and Drainage Program, administered by the Department of Land and Water Conservation.

With the assistance of the program, councils aim to provide affordable and well managed water supply and sewerage services in urban areas of country NSW. This service has been recognised as one of the single most important factors protecting the public health of 30 per cent of the state's population living in rural areas.

Lgov NSW position

With an increasing backlog in capital works and the need to deliver these services in a more financially efficient manner, Lgov NSW has actively sought the strengthening of the Country Towns Water Supply, Sewerage and Drainage Program.

Funding for the program was agreed in 1995 at \$85.5 million per year each from State and Local Government for ten years. In recent years, the State Government contribution had fallen to around \$50m per year. Even with the State Government announcement, in 2001, of an increase of an extra \$60m over the next four years, making the total expenditure of the Program to around \$65m per year, there still is a deficit in State Government of around \$20m per year.

The Department of Land and Water Conservation's development of the rolling three year capital works plan for the Program has been a welcome improvement. However, the rescheduling and realignment of projects to take account of the differences between projects and the variations and external factors which affect projects results in changes to the Program which can still impact on the planned and coordinated completion of projects.

Commitment and action sought

Lgov NSW seeks the State Government to:

1. Reinstate the objective of completing the program within 10 years, and to that end, immediately commit to restoring the full balance of funds needed to complete the program within the timeframe.
2. Support the development of a funding guide for councils in order to reduce the level of uncertainty and improve transparency in the level of subsidy likely to be gained by a service provider under the program.
3. Continue the most appropriate low cost solutions as provided under the Sewerage for Small Communities Program.

In addition, given that the 10 year timeframe for the Program expires in 2005, Local Government recommends that the Program be audited in 2002-03 with a view to identifying its current status and the status of all projects in the Program, and determining the future requirements of communities to receive State Government assistance to upgrade their water, sewerage and drainage systems, with the Program being funded and extended beyond 2005.

Contact: Stephanie Smith ph 9242 4000 email stephanie.smith@lgov.org.au

Issue: Crime prevention and law & order

Local Government shares their communities' view that levels of recorded incidents for most crime categories are unacceptable. Local Government knows that some crime types are underreported. Local Government recognises that fear of crime is a legitimate phenomenon that does not always relate to reported crime or risk levels.

Lgov NSW position

Local Government believes that to combat, reduce or prevent crime and manage fear of crime the NSW Government needs formal planning that integrates opportunity reduction, early intervention, social crime prevention, and criminal justice (including policing). It is crucial the State Government coordinates the use of all four approaches.

Crime throughout NSW is complex and any NSW Government must recognise:

- recorded incident rates vary quite significantly between various crime categories, and incident rates within categories vary over time (see *NSW Recorded Crime Statistics 2001*)
- the most prevalent crimes per 100,000 population are malicious damage to property, stealing from motor vehicle, break and enter – dwelling, assault, motor vehicle theft, and break and enter – non-dwelling
- in comparing years 2000 and 2001 there were:
 - downward trends for recorded criminal incidents for indecent assault, indecency, other sexual offences (down 6 per cent) and for break and enter dwelling (down 3.2 per cent)
 - upward trends for recorded criminal incidents for assault (up 7.6 per cent), for robbery with a firearm (up 34.1 per cent), for stealing from person (up 27.8 per cent) and for fraud (up 16.3 per cent)
- crimes against people like alleged assaults, sexual assault and robbery are underreported
- patterns for different crimes vary between regions and between Local Government areas
- the risk of involvement in crime is increased by poor parental attachment, poor parental supervision, inconsistent erratic discipline and parents modelling deviant values; poor school performance, association with delinquent peers and alcohol consumption; and neighbourhoods can become crime-prone by poverty, unemployment, income inequality and resulting breakdown of informal social control
- the best evidence based conclusion is that crime is not the result of any one or combination of the foregoing factors and in attempting to control crime governments should use strategies aimed as many identified factors as possible.

In order to work in partnership with the State Government on this important issue, a fully funded Lgov NSW Policy Officer position is required.

Commitment and action sought

1. Commitment to a cross agency NSW Crime Prevention Plan that integrates opportunity reduction, early intervention, social crime prevention, and criminal justice approaches.
2. Commitment to significantly increase State Government funding to assist councils in developing Crime Prevention Plans and implementing associated strategies, with additional funding of \$2 million per annum from 2003-04.
3. Commitment to provide appropriate resources and strategies to address adequate police numbers in country towns; effective police numbers in small stations; filling vacancies and temporary replacements and the need to work with Commonwealth, other States and Territories to develop national benchmarks for the resources and approaches needed to respond appropriately to different crimes and different geographic areas.
4. Commitment to significantly increase State Government funding to the following programs to enable them to better play their part in building communities that help prevent crime – the Community Services Grants Program (CSGP) (in the Department of Community Services) the Local Government sporting facilities section of Sport and Recreation Development Program (in the Department of Sport and Recreation), and the Cultural Grants Program and other arts incentive fund (in the Ministry for the Arts).
5. Commitment to State Government funding for an Lgov NSW Policy Officer position.

Contact: Noel Baum ph 9242 4000 email noel.baum@lgov.org.au

Issue: Public libraries

Local Government operates NSW's public libraries. Since 1980 the Local Government contribution to total public libraries funding has crept from 76 per cent to 90 per cent, whilst the State contribution has fallen from 24 per cent to 10 per cent. The present share of State funding, jeopardises the relationship between Local Government and the State Government, and threatens decades of investment by State and Local Government.

Lgov NSW position

The right to free and equitable access to basic information is a cornerstone of our democracy. Public libraries are centres for this free and equitable access and therefore are centres for learning, literature, heritage, and cultural activities that are critical for well informed and vibrant communities. Public libraries are safe, convenient and accessible community spaces.

Local Government recognises the value of the NSW Public Library Network, which comprises 383 local public libraries and includes the State Library of New South Wales. Important features of this Network include:

- Ninety one per cent of people believe that libraries are important to their community
- Fifty per cent of the NSW population are registered members of public libraries, and more are regular library users. Typically, surveys show that 37 per cent are employed, 25 per cent retired, 22 per cent students, 12 per cent home duties and 4 per cent unemployed, but there is a broad spread of users across all age, gender, occupational status, ethnicity and income categories
- 67 per cent use their public library at least once every two weeks
- More than 31 million visits were made to NSW Public Library Network in 2000 (an average of 4.8 visits for every person in NSW).
- More than 43 million items were lent from collections.

All public libraries have high levels of use for education and training, functioning as an additional arm of the compulsory and post-compulsory education system.

It is predicted that future growth in usage will be largely concentrated among those above 45 years and in particular those above 55. Financial limitations for many baby boomers due to retire will drive demand for public provision of library, information and cultural services.

Public libraries desperately need to be funded appropriately for the heavy use they receive. Without significant additional state funding there will be reduced capacity to meet current community demand, and increasing levels of unmet demand. There will be fragmentation of the Public Library Network, with the need for councils to cut services by closing branches, limiting mobile and housebound services, shortening opening hours, not keeping collections up to date or reducing support of State Government information campaigns such as drug or legal information. There will be inequitable access to information across NSW.

Commitment and Action sought

1. Full formal acknowledgement of the significant and long-term commitment Local Government has and continues to demonstrate in funding, planning, managing and supporting public libraries in NSW.
2. Commitment to significantly increase the State's share of the total funding to local public libraries to redress the burden that has been shifted to Local Government to ensure it meets community demand for services, by:
 - providing an additional \$21.3 million per year for 2003-04 and subsequent years in recurrent general grants to public libraries
 - indexing the recurrent general grants to public libraries annually.

Contact: Noel Baum ph 9242 4000 email noel.baum@lgov.org.au

Issue: Hospital and health services

Local Government recognises the need to provide equitable and accessible health services across all areas of the state. Local Government shares their communities' view that public hospital and health services need further attention if they are to provide the level of service needed. Local Government shares their communities' concern about recruiting and retaining General Practitioners and other health professionals in rural, regional and, as is emerging, outer metropolitan areas.

Lgov NSW position

Without an adequate public hospital and health services system and an adequate number of GPs some may be denied a fundamental human right. The Universal Declaration of Human Rights Article 25 recognises that people have the right to a standard of living adequate for their health and wellbeing including food, clothing, housing, necessary social services *and medical care*. At the moment in some areas we are running close to not honouring this right.

Councils often hear examples of aspects of the overloaded public hospital and health system in particular the lack of emergency beds, extensive waiting lists and overworked staff. Further councils hear instances in rural and regional NSW where Area Health Services are under extreme pressure having exhausted their annual budgets before time or staff being required to work overtime due to staff shortages.

In recognising the problems faced by regional, rural, isolated and outer metropolitan communities in obtaining and retaining medical and health services, Local government seeks:

- the establishment of a bipartisan Commonwealth, State and Local Government mechanism to examine international and interstate practice and develop evidence based strategies to deal with the issues of hospitals and health services and rural doctors
- the implementation of Commonwealth policies regarding country service and fees reduction; geographical allocation of Medicare Provider Numbers; rural fee scales; and taxation incentives to assist in attracting Medical Practitioners to regional and rural areas.
- enhanced Commonwealth and State funding programs with incentives for experienced General Practitioners and allied health professionals to practice in country areas and to undertake locums in country areas
- Commonwealth and State Government encouragement to health education providers to continue and extend their affirmative action entry processes for rural origin students; make available dedicated percentage of places for Australian students; and implement structured postgraduate procedural GP medical education programs.

Commitment and action sought

1. Commitment to actively pursuing the establishment of a bipartisan Commonwealth, State and Local Government mechanism to examine international and interstate practice and develop evidence based strategies to deal creatively with the issues.
2. Commitment to significant budget enhancement for regional and rural Area Health Services to ensure that public hospital and health services provide the appropriate level of service to all NSW citizens.
3. Commitment to State funding programs with incentives for experienced General Practitioners and other health professionals to practice in country areas and/or to undertake locums in country areas.
4. Commitment to encouraging health education providers to continue and extend their affirmative action entry processes for rural origin students; make available a dedicated percentage of places for Australian students in medical and allied health areas; and implement structured postgraduate procedural GP medical education programs.
5. Commitment to State Government support for geographical allocation of Medicare Provider Numbers.

Contact: Noel Baum ph 9242 4000 email noel.baum@lgov.org.au

Issue: Cultural development

Local Government recognises culture encompasses our diverse heritage and avenues of expression in the environment, leisure, work and daily life, architecture, arts, history, language and education which people use to express their fundamental character and aspirations. Local Government acknowledges that creating livable communities is fundamental to NSW's social wellbeing, ecological sustainability and economic prosperity.

Lgov NSW position

Local Government seeks that Commonwealth and State Governments acknowledge the significant commitment Local Government has in funding, planning, managing and supporting cultural development in NSW. Local Government also seeks that Commonwealth and State Governments provide significant ongoing funding to enhance regional and local cultural development, and cultural facilities, services and programs.

Since 1997 the State Government, through the Ministry for the Arts and Local Government (through Lgov NSW) have been partners under Cultural Accords 1 and 2. This partnership has advanced the integration of cultural development in Local Government and has provided Local Government with more support, resources and funding so it can provide leadership in arts and cultural development in local communities.

It is critical that this partnership approach to regional and local cultural development continues.

Commitment and action sought

1. Commitment that the State Government develops enhanced and genuinely negotiated partnership programs with Local Government to implement cultural planning processes.
2. Commitment that the State Government provides increased funding for refurbishing existing facilities transforming them into cultural/ recreational spaces for the community.
3. Commitment that the State Government devotes a percentage for public art in State Government developments/ projects (based on successful Queensland model).
4. Commitment that the State Government provides new funding and resources for development of indigenous cultural annual program across NSW (similar to Carnivale) based on the success of the Festival of the Dreaming.
5. Commitment that the State Government set up a Regional Aboriginal Cultural Strategy that would identify cultural needs on a regional basis and develop the appropriate infrastructure to address these needs, including the development of funding program for Aboriginal Cultural Development Officers across NSW.
6. Commitment that the State Government provides funding to increase the capacity of councils to rejuvenate social and economic growth within their communities through culture led recovery.

Contact: Michelle Hall-O'Connor ph 9242 4000 email michelle.hall@lgov.org.au

Issue: Engaging Aboriginal and Torres Strait Islander peoples

Local Government generally recognises that Aboriginal and Torres Strait Islander peoples have rights to self-determination, reconciliation and quality of life equal to the wider community.

Lgov NSW position

Local Government acknowledges councils' role in facilitating access to facilities, services and programs for Aboriginal and Torres Strait Islander peoples and improving the environment of villages and existing infrastructure in villages.

Local Government acknowledges how crucial it is to include Aboriginal and Torres Strait Islander peoples in council social/ community planning under Local Government Regulation. Local Government recognises the role of regional and local Aboriginal authorities in planning and providing for local communities and acknowledges the need to integrate resources between these authorities and other agencies of all spheres of government.

Local Government needs assistance from central governments to play its roles fully and responsibly. This involves direct financial assistance to help with engaging with Aboriginal and Torres Strait Islander peoples, through the employment of appropriate indigenous workers. This also involves commitment from Commonwealth and State Government agencies to engage with councils appropriately and early when planning, developing and implementing 'municipal' style infrastructure, facilities and services improvements for Aboriginal communities.

The lack of an Aboriginal Policy Officer position at the Department of Local Government continues as a concern. As the Department that regulates, monitors and supports councils, the absence of such a position sets a bad example and leaves no departmental Aboriginal representation on important interdepartmental or whole of government committees.

Local Government seeks that the Commonwealth Government ensures that there is in place appropriate legislation, programs and resources to aid all parties to reach timely and just solutions on all Native Title claims.

In order to work in partnership with the State Government on this important issue, a fully funded Lgov NSW Policy Officer position to carry on from the present position after 2003, is required.

Commitment and action sought

1. Commitment for State Government to support the *1992 National Commitment to Indigenous Peoples* by committing funds on a long-term basis to support the employment of Aboriginal Community Development Workers with Local Government.
2. Commitment for State Government to continue Aboriginal and Torres Strait Islander peoples Employment Assistance programs and when promoting their employment strategies to Local Government ensure that the funding rounds are delivered in advance of the new tertiary year to ensure that successful indigenous employees are given the opportunity to attend both off and on the job training.
3. Commitment that State Government agencies will engage with councils appropriately and early when planning, developing and implementing 'municipal' style infrastructure, facilities and services improvements for Aboriginal communities.
4. Commitment for the State Government to reinstate an Aboriginal Policy Officer position at the Department of Local Government.
5. Commitment for the State Government to pursue with the Commonwealth Government the lack of resources provided to councils to respond properly to Native Title issues to redress the lack of expertise needed to undertake the development of mutually beneficial strategies.
6. Commitment for continued funding from the Premiers' Department for an Lgov NSW Policy Officer position.

Contact: Jeanne Townsend ph 9242 4000 email jeanne.townsend@lgov.org.au

Noel Baum ph 9242 4000 email noel.baum@lgov.org.au

Issue: Competition Policy payments

The NSW Government received over \$284m in competition payments for the year's 1997-1998 to 1999-2000. The Commonwealth Budget papers show that NSW received a further \$156m in 2000-2001 and is set to receive a further \$241m in 2001-2002. Under current arrangements there will be further increases through to 2005-2006.

The NSW Government refuses to allocate a share of the competition policy payments to Local Government. This contrasts with Victoria, Western Australia, and Queensland where Local Government has been respectively allocated 9 per cent, 4 per cent, and 20 per cent of the states' competition payments.

Lgov NSW position

Lgov NSW is frustrated by the NSW government's continuing refusal to allocate a share of the states competition policy payments to Local Government. Local Government is making a direct contribution to the competition policy reform process and is responsible for a substantial proportion of the benefits expected to be achieved. This contribution should be explicitly recognised.

A primary thrust of national competition policy involves the reform of government trading activities and Local Government has a significant role in the process. Local Government has accepted the principles of competitive neutrality and council trading undertakings are being restructured along corporate lines. This is particularly significant in water and sewerage, as Local Government is largely responsible for the provision of services outside the areas covered by the Sydney and Hunter Water Corporations.

Another key element in the process is regulatory reform, particularly in relation to business regulation, planning and development approval processes. Local Government has been generally supportive of these reforms and is making a considerable investment in the technology and processes required to give effect to the reforms.

In addition to the organisational costs associated with implementing National Competition Payments (NCP), Local Government has also suffered direct financial impacts from reforms instituted by other spheres of government. These costs have been disregarded by the government. These costs have arisen as a result of NCP driven reforms in the electricity, gas, road transport and water sectors.

The stance of the NSW Government is at odds with advice from the Federal Government that suggests a proportion of the NCP payments to each State Government is intended to offset any up front costs borne by councils in implementing competition policy reforms which have a lasting benefit.

The Associations maintain that Local Government is entitled to a share of competition payments to be received by NSW under national competition policy.

Commitment and action sought

1. Recognition of the role of Local Government in implementing National Competition Policy by committing to allocate a share of competition payments to Local Government.
2. Commitment to establish working party that includes Lgov NSW, to determine the appropriate share and method of allocation.

Contact: Shaun McBride ph 9242 4000 email shaun.mcbride@lgov.org.au

Issue: Cost shifting and unfunded mandates

Local Government finances are under increasing stress. Local Government's capacity to deliver services and to develop and maintain infrastructure are under genuine threat. This is the combined result of restricted revenue raising capacity, cost shifting, unfunded mandates, increasing responsibilities and rising community expectations.

It is clear that a major cause of the stress is derived from the growing financial burden being placed on Local Government through devolution and cost shifting by other spheres of government. While part of this cost is derived from the Commonwealth, the largest proportion has been imposed by the State.

Additional costs are imposed on councils in several ways including new legislation and regulations, increased government fees and charges, withdrawal of funding support and withdrawal of or failure to provide services demanded by the community. This year's increase in the NSW Fire Brigade Levy of 13.3 per cent compared to a rate pegging limit of 3.3 per cent provides a stark example of cost shifting via increased fees and charges.

Lgov NSW position

Rating is the only taxation measure available to Local Government and accounts for approximately 50 per cent of total revenue. This narrow taxation base places a severe restriction on a Local Government's capacity to raise revenue generally. Further, the rating base varies significantly between Local Government areas, an aspect only partially addressed by the Horizontal Fiscal Equalisation (HFE) principles of the Local Government grants process. Unlike Commonwealth and State Governments, Local Government does not have the flexibility to spread its taxation effort over a suite of taxation tools. The ability to place further emphasis on fees and charges is limited. The situation is exacerbated by the rate pegging system in NSW.

Local Government is often supportive of the objectives of new legislation and is generally willing to take on broader roles and responsibilities. However, Local Government cannot afford to take on any more cost impositions from the State Government under its current circumstances. If Local Government is to continue to implement State Government agendas as well as to respond to the demands of the community the NSW Government must:

- limit increases on government fees and charges to Local Government
- provide for the costs of new legislation and regulations
- provide a broader and more flexible financial base for Local Government (ie a share of GST and a relaxation of rate pegging).

Commitment and action sought

1. Commitment to limit increases in State Government fees and charges to a maximum of the rate pegging limit (while rate pegging is retained).
2. Commitment to a process where the impacts of legislation and other government impositions on Local Government are fully costed and a funding mechanism agreed.
3. Commitment to a review of Local Government finances with the objective of providing a broader financial base, increased flexibility and responsiveness.

Contact: Shaun McBride ph 9242 4000 email shaun.mcbride@lgov.org.au

Issue: Regional development/ Whole of State development

Local Government is playing a growing role in local and regional economic development. Council engagement has grown in response to community needs (eg employment, growth, sustainability) and the inadequate economic development commitment of State and Commonwealth Governments. Many councils are concerned that their communities and regions are lagging or declining. At the same time strong economic and population growth in the Greater Metropolitan area is creating pressures on infrastructure, the environment and quality of life. Rapid population growth is also placing immense stress on coastal regions.

Lgov NSW's '*A Framework for Whole of State Development*' (2000) found that the current development path of NSW was unsustainable from economic, social and environmental perspectives. Growing disparities in employment, wealth, income and educational opportunities have become evident both between and within regions in NSW, particularly in comparison with urban centres such as Sydney. The report also identified numerous constraints preventing regional centres from reaching their full economic potential. These findings have been supported by subsequent reports such as *State of the Regions 2002*.

Lgov NSW position

There has been a lack of commitment to regional policy by successive State and Commonwealth Governments with an over reliance on market mechanisms to determine outcomes. While market forces have served to generate wealth in certain regions such as global Sydney, it has allowed the neglect of many other regions, both rural and urban. It has also allowed the neglect of social and environmental implications.

Lgov NSW seeks the implementation of a comprehensive and integrated regional policy framework for NSW. The framework needs to recognise that there is a need for active leadership and intervention by government to achieve the desired development objectives. NSW needs a long term plan for state development. Employment and economic growth should be driving objectives, tempered by the concurrent objectives of providing for the equitable distribution of the benefits of growth and environmental sustainability.

Key elements of the policy framework would include:

- integrated transport and land use strategies
- a regional migration and population settlement strategy
- greater investment in economic and social infrastructure, particularly transport infrastructure, with an increased emphasis on rail
- emphasis on education and the knowledge economy
- development of Local Government based structures for regional governance to provide for more effective planning, service delivery, infrastructure provision and natural resource management. This needs to be accompanied by the devolution of appropriate powers and financial autonomy.

Commitment and action sought

1. Commitment to the implementation of a long term plan for the development of NSW.
2. Establishment of a high level State Development Task Force comprising representatives of relevant state agencies and Local Government.
3. Commitment to a major increase in investment in State infrastructure.

Contact: Shaun McBride ph 9242 4000 email shaun.mcbride@lgov.org.au

Issue: Fire management and contributions by Local Government

Councils in NSW contributed more than \$51m to the NSW Rural Fire Service and the NSW Fire Brigade during 2001-2002. Councils have no consultative role with the Fire Brigade, and apart from submitting an annual bid to the RFS which is varied at the discretion of the RFS, councils have comparatively little discretion in how their contribution is spent in either fire agency. This causes major frustration, particularly as the contributions increase each year far beyond the rate increase councils are permitted to make.

Lgov NSW position

Lgov NSW is currently assessing methods of financing fire services in other states to determine whether better options exist. Currently insurance policies contribute almost 75 per cent of all contributions, with the State Government and councils paying an almost equal amount to the NSW Fire Brigade and the Rural Fire Service of NSW.

Council rates are pegged by the State Government, but the percentage of increases to the two fire services are many times the permitted rate increase each year.

Councils may seek a special rate variation beyond the pegged amount, but councils consider that this cannot be justified unless major items of fire plant and equipment are the reason for the contribution increases.

Service Level Agreements between councils and the Rural Fire Service specify the extent of special services carried out but the discretion remaining with councils on fire management are so minor that many councils consider that the high expenditure is not justified.

Councils also seek legislative immunity to the same extent as given to the RFS under Section 128 of the Rural Fires Act.

Commitment and action sought

1. Provide legislative immunity to councils similar to Section 128 of the Rural Fires Act.
2. Support the funding reforms outlined in the Lgov NSW submission on financial arrangements for Rural Fire Service and Fire Brigade.

Contact: Warren Taylor ph 9242 4000 email warren.taylor@lgov.org.au

Issue: Private certification of development

In April 2002, a Joint Select Committee on the Quality of Buildings was established by the Parliament of NSW at the request of the Minister for Planning, the Hon. Dr Andrew Refshauge MP. This was in response to public concerns about building quality and the current building certification system in NSW.

Local Government has expressed serious concerns since the introduction of a system of private certification of development in 1998.

Lgov NSW position

On 1 July 1998, the State Government implemented major changes to Part 4 of the *Environmental Planning and Assessment Act 1979* which included the introduction of a system of private certification of development in NSW.

Since this time, Lgov NSW and councils have expressed serious concerns in relation to the private certification system. These concerns have been made in the form of Local Government Association annual conference resolutions, Executive resolutions and representations to the Minister for Planning and Planning NSW.

Lgov NSW prepared a submission to the Inquiry which reinforced the continued opposition to third party certification and the belief that the planning approval process should lie solely with Local Government.

The Parliamentary Report on the Quality of Buildings was subsequently released in July with 55 recommendations and in October 2002, the Minister for Planning announced a package of reforms to the certification system. Key elements of the reforms include:

- creation of a Building Professionals Board to accredit certifiers and other building professionals
- removing the ability of councils to rely on self-certification under the Local Government Act
- increase the number of auditors who currently police the certification process
- new fines for developers and certifiers who commence work without approval, do not comply with a development consent and an increase in the fine for fire regulation breaches.

Local Government's view is that these reforms do not go far enough and represent minimal improvements to a flawed private certification system.

Commitment and action sought

1. That the third party certification of planning approvals should cease and this power be returned to local government. The problems which have been exposed as a part of the Parliamentary Inquiry into the Quality of Buildings and recent media reports support this case.
2. Ongoing commitment to long term funding and resourcing for Local Government to implement the certification reforms, in particular the requirement that council officers must apply for and obtain accreditation the same as private certifiers, which will place a significant cost impost upon councils..
3. Ongoing commitment to work in partnership with Local Government in the implementation of the certification reforms and the development of clear roles and responsibilities for each level of government.

Contact: Carina Gregory ph 9242 4000 email carina.gregory@lgov.org.au