

Greens NSW

Local Government Policy

Revised October 2014

Principles

The Greens believe that:

1. Local government is an essential component of democracy as it is closest to the community and is in the best position to identify and respond to their needs.
2. Decisions should be made at the level closest to the people they affect.
3. A commitment to grassroots and participatory democracy means that there must be a fundamental restructuring to empower local communities. Such empowerment should include protection for Local Government Representatives equivalent to that enjoyed by State and Federal representatives in terms of Parliamentary privilege.
4. As the first Australians, Aboriginal people have a unique voice and history which must be recognised in local government.
5. Local government is a crucial voice for local communities, particularly in rural and regional areas. It deserves real sovereignty and independence
6. Councillors must be elected based on proportional representation.
7. As elected representatives, councillors have a primary accountability to the community and the public interest.
8. The independence of local government must be established in the constitutions of Australia and NSW,
9. The public has the right to free and ready access to public interest information held by councils.
10. Ecological sustainability, social justice and grassroots democracy are core principles in local government.
11. A culture of nonviolence that delivers inclusive, non-aggressive decision-making is fundamental to good local government.
12. Representation on local government must reflect the diversity in their community
13. Only people, and not corporations, should be entitled to vote and each vote must be of equal value.
14. Social equity should be prioritised over user-pays principles when setting council rates and charges.

Details

The Greens will work towards:

15. A system of local government elections across NSW that provides only those people who live in a local council area are entitled to vote for that council and they must each have only one equal vote

16. An end to voting based on property ownership, including corporate voting, and the repeal of the legislative changes in the City of Sydney that grant two votes each to corporation that owns, leases or occupies land in that council area
17. More comprehensive engagements with and support for local Aboriginal communities by local government;
18. Clearly defining the responsibilities of all spheres of government and seeking sustainable financing for local government's responsibilities.
19. Bringing an end to cost shifting;
20. Genuine consultation by other spheres of government on all relevant legislation and programs including a local government impact statement;
21. Ensuring open and independent processes for council dismissals, removal of council powers and the appointment of administrators;
22. Increasing transparency of and public access to council and shire meetings;
23. Requiring councils to engage in meaningful Community consultation that empowers citizens in all local government decision-making including water authorities;
24. Expanding cooperation between all councils and shires;
25. Building a stronger voice in public policy for peak organisations that represent local government including mandatory inter-government consultation processes;
26. Promoting greater commitment to integrated strategic planning from other spheres of government;
27. Remuneration for councillors that is commensurate with their duties.

Constitutional Recognition

28. Achieving recognition of local government in the Australian and NSW Constitutions;

Aboriginal Rights

29. Adopting formal recognition by councils and shires of Aboriginal traditional land ownership and the importance of genuine reconciliation;
and
30. Establishing in all councils and shires local Aboriginal consultative committees.

Cooperation and Financial Sustainability

31. A binding memorandum of understanding between NSW local and state government setting out responsibilities, appropriate financing and a commitment to cooperation and consultation;
32. Ending rate pegging;

Democratic Reform

33. Seeking for councils with wards, a minimum of three councillors per ward, elected by proportional representation;
34. Requiring a referendum in each affected council area to approve proposed council amalgamations;
35. Providing open, public consideration of council boundary change proposals;
36. A referendum in each of the areas affected to approve any proposed significant council boundary adjustment;
37. A referendum to approve any proposed changes to the number of wards or councillors and any proposed changes to ward boundaries other than minor changes due to population shifts;
38. Full public inquiries with public hearings and reports before any dismissal of councils or removal of its planning powers;
39. Requiring elections to be held within six months of any dismissal;
40. Requiring the publication of the pecuniary interests of councillors and senior council staff on council websites.

Model Code of Conduct

41. Reviewing and amending the Model Code of Conduct for councils to:
 - a) ensure that the democratic rights and responsibilities of elected councillors are not subordinate to corporate and management interests;
 - b) clarify and strengthen requirements for disclosure of donations, conflicts of interests and gifts;
 - c) clearly establish that participating in public interest campaigns or activities does not, in itself, create a private interest or the basis for a conflict of interests;
 - d) ensure that the Code protects and facilitates the right of councillors to provide information to the public and to participate as citizens in public interest campaigns and activities;
 - e) provide appropriate avenues of appeal for Code of Conduct matters not covered by the Pecuniary Interest and Disciplinary Tribunal
 - f) remove the role of General Managers as gatekeepers in determining complaints under the code
 - g) require independence, training and qualifications for conduct reviewers to ensure that they understand and appreciate the democratic nature of local government and the role of elected representatives.
42. Regular and frequent review of the Model Code by the Division of Local Government.

Improved Meetings

43. Requiring all council and shire meetings, and the voting of councillors, to be recorded, and granting free public access to such recordings;
44. Requiring that the pecuniary interest returns of councillors and senior council staff are available to the public for inspection at all council meetings.
45. Establishing the right of citizens to address council and shire meetings;

46. Requiring Council meetings to be webcast;

Governance

47. Limiting the use of workshops and other informal meetings of councillors and council staff so that they are not used to circumvent requirements for open and transparent decision making.
48. Ensuring that confidentiality is only applied to matters that clearly relate to the formal grounds for confidentiality under the Local Government Act, and is not misused to prevent the disclosure of public interest information, including voting by councillors.
49. Ensuring that misuse of confidentiality requirements to withhold information from the public, be a breach of the Code of Conduct.
50. Reforming the provisions governing the handling of commercial-in-confidence information to ensure that the public right to know is given priority over corporate and administrative interests including appeals to an independent arbiter.
51. Removing the special privileges of Mayors to introduce proposals without notice.

Community Consultation

52. Improving mandatory requirements for community consultation on local government issues including planning instruments, development applications, rezonings, programs, budget prioritisation and the sale of public land;
53. Establishing precinct committees to expand community involvement in local government decision making;
54. A far more constructive engagement between local government and other spheres of government as well as is close cooperation and information sharing between all councils and shires.
55. The increased representation of Aboriginal Australians, women and all other marginalised people on councils and shires and in local government administrations to reflect the diversity of their communities.
56. Providing Local Government Representatives the same rights of free speech under parliamentary privilege as enjoyed by elected representatives at State and Federal levels.