



Shire of Derby /
West Kimberley



KIMBERLEY REGIONAL GROUP Meeting

UNCONFIRMED MINUTES

1:00PM, 15 FEBRUARY 2022

LGIS, 170 Railway Parade, Leederville,
WA, 6007

SHIRE OF BROOME
KIMBERLEY REGIONAL GROUP
TUESDAY 15 FEBRUARY 2022

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**MINUTES OF THE KIMBERLEY REGIONAL GROUP OF THE SHIRE OF BROOME,
HELD IN THE LGIS BOARDROOM, 170 RAILWAY PARADE, LEEDERVILLE, WA, 6007,
ON TUESDAY 15 FEBRUARY 2022, COMMENCING AT 1:00PM.**

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Chair welcomed Members and Officers and declared the meeting open at 1:09pm.

2. RECORD OF ATTENDANCE / APOLOGIES

ATTENDANCE:

Sam Mastrolembo	Shire of Broome (from 1:13pm)
Cr Chris Mitchell	Shire of Broome (from 1:13pm)
Cr Harold Tracey	Shire of Broome(from 1:13pm)
Amanda Dexter	Shire of Derby West Kimberley
Cr Geoff Haerewa	Shire of Derby West Kimberley
Cr Peter McCumstie	Shire of Derby/West Kimberley
Vernon Lawrence	Shire of Wyndham East Kimberley (Teams)
Cr David Menzel	Shire of Wyndham East Kimberley
Noel Mason	Shire of Halls Creek (Teams)
Cr Malcolm Edwards	Shire of Halls Creek (Teams)
Kelli Small	Shire of Cocos (Keeling) Islands (Teams)
James Watt	Shire of Broome (Teams)
Debra Goostrey	Zone Executive - ATEA

APOLOGIES:

Vernon Lawrence	Shire of Wyndham East Kimberley
Cr Tony Chafer	Shire of Wyndham East Kimberley
Cr Chris Loessl	Shire of Halls Creek
Cr Jeanette Young	Shire of Cocos (Keeling) Islands
Cr Hua (Helen) Liu	Shire of Cocos (Keeling) Islands
David Price	Shire of Christmas Island
Cr Gordon Thomson	Shire of Christmas Island
Cr Kee Heng Foo	Shire of Christmas Island

3. DECLARATION OF INTERESTS

FINANCIAL INTEREST			
Member	Item	Item	Nature of Interest

	No		
Nil.			

IMPARTIALITY			
Member	Item No	Item	Nature of Interest
Nil.			

4. CONFIRMATION OF MINUTES

KIMBERLEY ZONE & KIMBERLEY REGIONAL GROUP RESOLUTION:
Minute No. KRG/0222/001
Moved: G Haerewa *Seconded: M Edwards*
That the Minutes of the Kimberley Regional Group held on 22 November 2021, as published and circulated, be confirmed as a true and accurate record of that meeting.
CARRIED UNANIMOUSLY 3/0

5. BUSINESS ARISING FROM PREVIOUS MEETING

Nil.

6. PRESENTATIONS FROM REPRESENTATIVES

Nil.

7. REPORTS FROM REPRESENTATIVES

- 7.1 RDA KIMBERLEY
Janine Hatch, Executive Officer
- 7.2 AUSTRALIA'S NORTH WEST TOURISM
Natasha Maher, Chief Executive Officer
- 7.3 WALGA ROADWISE
Greg Hayes, Road Safety Advisor
- 7.4 KIMBERLEY DEVELOPMENT COMMISSION
Chuck Berger, Chief Executive Officer
Tim Bray, Director
- 7.5 DEPARTMENT OF LOCAL GOVERNMENT, SPORT AND CULTURAL INDUSTRIES
Tim Fraser, Executive Director
Mitch Hardy, Director Regional Services
Kristina Dickman, Regional Manager Kimberley
- 7.6 WALGA
Nick Sloan, Chief Executive Officer

Cr Karen Chappel, Acting WALGA President
Kelly McManus, Principal Policy and Advocacy
Chris Hossen, Policy Manager Planning and Building

8. REPORTS FROM KIMBERLEY COUNTRY ZONE

8.1 WALGA STATE COUNCIL AGENDA

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	KRG01; RCG03
AUTHOR:	Zone Executive
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

To consider the recommendations on Matters for Decision that will be considered at the WALGA State Council meeting on 2 March 2022.

COMMENT

The next WALGA State Council meeting will be held on 2 March 2022. The following matters for decision will be considered.

	Matters for Decision	WALGA Recommendation	Zone Comment & Recommendation
5.1	Short-Term Accommodation Regulatory Scheme	<p>1. The intergovernmental working group be re-formed to guide the establishment of a state-wide registration scheme, which includes Local Government as a key stakeholder to ensure that the experience and knowledge of the sector informs the scheme's formulation.</p> <p>2. A state-wide registration scheme be developed for short-term accommodation and peer-to-peer platforms with the inclusion of the following features:</p> <p>a. All hosted and un-hosted short-term accommodation must be required to be registered with the scheme before being able to advertise the property</p> <p>b. All peer-to-peer platforms that seek to let short-term accommodation must be regulated through the scheme as a host platform</p> <p>c. Obligations of registration for both hosts and platforms must be clear and appropriate infringements and compliance tools should be embedded</p>	<p>SUPPORT</p> <p>The submission is largely consistent with proposed requirements in Shires in the Kimberley with higher volume unhosted short stay accommodation.</p>

		<p>in the regulatory framework</p> <p>d. Local Governments must be able to maintain the ability to require the provision of additional information and impose additional licencing or operational requirements, depending on their circumstances</p> <p>e. Local Government's must be able to set fees commensurate with the cost of providing the service for any role undertaken as part of the scheme, and</p> <p>f. Local Governments must have access to all necessary data collected by the scheme to adequately manage the potential impacts of short-term accommodation providers and to ensure local requirements are being met by hosts.</p> <p>3. No exemptions for 'unhosted accommodation' are allowed until the details of the state-wide registration scheme are finalised and deemed sufficient to adequately manage the impacts of short-term accommodation.</p>	
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- 6.1 COVID-19 UPDATE
- 6.2 2022-23 Federal Budget Submission (05-088-03-0004 DM)
- 6.3 Detection of Polyphagous Shot-hole Borer and Implications for Local Government (05-046-03-0017 RZ) (note: borer not present in the Kimberley)
- 6.4 State Planning Policy 2.9: Planning for Water - Submission (05-036-03-0070 AR) (Note: State Council endorsed the submission by Flying Minute on 8 November 2021. The submission was provided to the DPLH on 8 November 2021).
- 6.5 Submission to Salaries and Allowances Tribunal – Local Government Remuneration Inquiry (05-034-01-0102 TL) (note: Due to the timeframes involved, the submission was endorsed by State Council by Flying Minute following consideration by the State Council Governance and Organisational Services Policy Team).

Organisational Reports

- Report on Key Activities, Commercial and Communications (01 006-03-0017 CH)
- Report on Key Activities, Governance and Organisational Services ((01 006-03-0007 TB))
- Report on Key Activities, Infrastructure (05-001-02-0003 ID)
- Report on Key Activities, Strategy, Policy and Planning (Report on Key Activities, Strategy, Policy and Planning Unit (01-006-03-0017 NM)
- Policy Forum Reports (01-006-03-0007 TB)

WALGA President's Report

The following matters are covered in the WALGA President's Report

- COVID-19 – Update

- Rapid Anti-Gen Tests (RATs)
- Local Government Legislative Reform
- Work Health and Safety Legislation
- Aboriginal Cultural Heritage Act
- Submission to Salaries and Allowances Tribunal Remuneration Inquiry
- 2022 Local Government Honours Program

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Governance Goal – A collaborative group demonstrating strong regional governance:

Effective governance protocols and systems for business efficiency and improved services through collaboration

Economy Goal – A sustainable and diverse economy:

Sustainable Local Government revenue

VOTING REQUIREMENTS

Simple Majority

COMMITTEE RESOLUTION:

(REPORT RECOMMENDATION)

Minute No. KRG/0222/002

Moved: Cr C Mitchell

Seconded: G Haerewa

That the Kimberley Regional Group:

- 1. Notes the State Council Agenda Items;***
- 2. Supports the recommendations in the Matters for Decision; and***
- 3. Notes the WALGA President's December Report.***

CARRIED UNANIMOUSLY 4/0

Attachments

1. WALGA March State Council Meeting
2. President's Report March 2022



State Council Agenda

2 March 2022



NOTICE OF MEETING

Meeting No. 1 of 2022 of the Western Australian Local Government Association (WALGA) State Council to be held at WALGA, ONE70, LV1, 170 Railway Parade, West Leederville on Wednesday, 2 March beginning at **4:00pm**.

1. ATTENDANCE, APOLOGIES & ANNOUNCEMENTS

1.1. Attendance

Members	Acting President of WALGA - Chair Avon-Midland Country Zone Central Country Zone Central Metropolitan Zone Central Metropolitan Zone East Metropolitan Zone East Metropolitan Zone Goldfields Esperance Country Zone Gascoyne Country Zone Great Eastern Country Zone Great Southern Country Zone Kimberley Country Zone Murchison Country Zone North Metropolitan Zone North Metropolitan Zone North Metropolitan Zone Peel Country Zone Pilbara Country Zone South East Metropolitan Zone South East Metropolitan Zone South Metropolitan Zone South Metropolitan Zone South Metropolitan Zone South West Country Zone	President Cr Karen Chappel JP Cr Ken Seymour President Cr Phillip Blight Cr Paul Kelly Cr Helen Sadler Cr Catherine Ehrhardt Cr John Daw President Cr Laurene Bonza President Cr Cheryl Cowell President Cr Stephen Strange President Cr Chris Pavlovich Cr Chris Mitchell JP Cr Les Price Cr Frank Cvitan JP Mayor Mark Irwin Cr Russ Fishwick JP President Cr Michelle Rich Mayor Peter Long Cr Carl Celedin Mayor Ruth Butterfield Cr Doug Thompson Mayor Carol Adams OAM Mayor Logan Howlett JP President Cr Tony Dean
Ex Officio	Lord Mayor – City of Perth Local Government Professionals WA	Lord Mayor Basil Zempilas Ms Annie Riordan
Secretariat	Chief Executive Officer EM Governance & Organisational Services EM Infrastructure Acting EM Strategy, Policy & Planning Principal Special Projects and Acting EM Communications Acting EM Commercial Manager Strategy & Association Governance Manager Governance & Procurement Chief Financial Officer Principal, Policy and Advocacy	Mr Nick Sloan Mr Tony Brown Mr Ian Duncan Ms Nicole Matthews Ms Narelle Cant Mr Craig Hansom Mr Tim Lane Mr James McGovern Mr Rick Murray Ms Kelly McManus

1.2. Apologies



1.3. Announcements

- 1.3.1. WALGA acknowledges the Whadjuk Nyoongar people who are the Traditional Custodians of the land on which we meet today and pays respect to their Elders past and present.

2. MINUTES

2.1. Minutes of the Meeting held 1 December 2021

RECOMMENDATION

That the Minutes of the WALGA State Council Meeting held on [Wednesday, 1 December 2021](#) be confirmed as a true and correct record of proceedings.

2.2. Flying Minute – Submission to Salaries and Allowances Tribunal Local Government Remuneration Inquiry

RECOMMENDATION

That the [Flying Minute – Submission to Salaries and Allowances Tribunal Local Government Remuneration Inquiry](#) be confirmed as a true and correct record of proceedings.

3. DECLARATIONS OF INTEREST

Pursuant to our Code of Conduct, State Councillors must declare to the Chair any potential conflict of interest they have in a matter before State Council as soon as they become aware of it.

4. EMERGING ISSUES

Notification of emerging issues must be provided to the Chair no later than 24 hours prior to the meeting.

5. MATTERS FOR DECISION

- As per matters listed.
- Items Under Separate Cover to State Council only.

6. MATTERS FOR NOTING / INFORMATION

- As per matters listed.

7. ORGANISATIONAL REPORTS

7.1 Key Activity Reports

- 7.1.1 Commercial and Communications Unit
- 7.1.2 Governance and Organisational Services Unit
- 7.1.3 Infrastructure Unit
- 7.1.4 Strategy, Policy and Planning Unit

7.2 Policy Forum Report



7.3 Policy Team Reports

- 7.3.1 Environment and Waste Policy Team
- 7.3.2 Governance and Organisational Services Policy Team
- 7.3.3 Infrastructure Policy Team
- 7.4.4 People and Place Policy Team

7.4 President's Report

RECOMMENDATION

That the President's Report for March 2022 be received.

7.5 CEO's Report

RECOMMENDATION

That the CEO's Report for March 2022 be received.

7.6 Ex Officio Reports

- 7.6.1 Local Government Professionals WA President, Annie Riordan, to provide the LG Professionals report to the meeting.
- 7.6.2 The Rt. Hon. Lord Mayor Basil Zempilas to provide City of Perth report to the meeting.

8. ADDITIONAL ZONE RESOLUTIONS

To be advised following Zone meetings.

9. DATE OF NEXT MEETING

The next ordinary meeting of the WALGA State Council will be hosted by the South Metropolitan Zone at the City of Cockburn Administration Centre on Wednesday, 4 May.

10. CLOSURE



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5. MATTERS FOR DECISION

5.1 Short-Term Accommodation Regulatory Scheme (05-036-03-0016 CH)

By Chris Hossen, Policy Manager, Planning and Building

RECOMMENDATION

That the draft Short-Term Accommodation Regulatory Reform submission be endorsed

Executive Summary

- In December 2021, the Department of Planning, Lands and Heritage (DPLH) released [Draft Position Statement: Planning for Tourism and Guidelines](#) (the position statement) for public consultation.
- The Department of Local Government, Sport and Cultural Industries (DLGCS) simultaneously [sought comment](#) on the implementation of a new state-wide registration system for short-term accommodation.
- The proposal is in response to the State Government's acceptance of the recommendations of the Inquiry into Short-Stay Accommodation by the Legislative Assembly's Economics and Industry Standing Committee in 2019.
- The proposals are broadly consistent with the Inquiry's findings that Local Governments are best placed to plan for tourism within their communities and WALGA's existing Advocacy Position on short-term accommodation.

Attachment

- Draft Short-Term Accommodation submission

Policy Implications

WALGA's existing policy position on short-term accommodation was adopted in 2017 (Advocacy Position 6.40 Short-Stay Accommodation). This position called for a review of the planning framework for short-term accommodation, contemporary land-use definitions and a preferred approach for home-sharing in the planning framework. The proposed policy measures in the [Draft Position Statement: Planning for Tourism and Guidelines](#) are broadly consistent with the existing position. It is proposed that recommendations 1, 2 and 3 of the draft submission will supersede the existing policy position, and the existing position will be deleted.

Background

The short-term accommodation sector, and the tourism sector more broadly, plays an important role in local economic development, providing employment, training opportunities, and injections of tourist expenditure into local communities across the State. Changes in the short-term accommodation market have been challenging for Local Governments and their communities, particularly amenity issues such as noise, parking and waste management. Several Local Governments have sought to address these challenges through their local planning frameworks and through local registration schemes governed by local laws. These approaches have had varying degrees of success in addressing amenity concerns.

In 2017, WALGA prepared a [Short-Term Rental Accommodation Discussion Paper](#) in consultation with Local Governments. This Discussion Paper led to the adoption of a formal advocacy policy position by WALGA State Council in December 2017.

WALGA made a [submission](#) to the Legislative Assembly Economics and Industry Standing Committee [Inquiry into Short-Stay Accommodation](#) in 2019 and appeared before the Committee with a number of other Local Governments. The [Inquiry Report](#), tabled in September 2019, was generally welcomed by the Local Government sector. All 45 of the Inquiry's findings and 9 of the 10 recommendations were accepted by the State Government. The sector was pleased that the Government accepted Recommendations 2 (updated land use definitions), 3 (updated planning guidance), 7 (working group to be established), 9 (data sharing) and 10 (Local Government



responsibilities as part of registration scheme) and these recommendations form the basis of the matters included in the current consultation being administered by the DPLH and DLGSC.

The [*Draft Position Statement: Planning for Tourism and associated Guidelines*](#) are part of the Government's response to the Inquiry's recommendations. Consultation on the Statement and Guidelines is open from 6 December 2021 until 7 March 2022.

No formal consultation with Local Government or WALGA occurred prior to the release of the position statement and that the consultation does not include any details to justify certain aspects of the position statement or policy guidance. The items outlined in Recommendation 7 of the Inquiry provided a robust set of considerations that would have adequately guided the working group. The recommendation and the Government's response also outlined the importance of engaging with the Local Government sector to support the working group's activities. However, there has not been a formal approach by the working group to Local Government or WALGA to support their work.

WALGA hosted a sector webinar with officers of DPLH and DLGSC on 16 December 2021 which was attended by officers and Councillors from over 50 Local Governments. Attendees were surveyed on key elements of the position statement and proposed regulatory scheme, with this feedback used to inform the draft Submission.

WALGA sought comment on the draft Submission from Local Governments over a three-week period in January 2022. Officer comments were received from the Shires of Augusta-Margaret River, Dowerin, and Serpentine Jarrahdale, the Towns of East Fremantle and Victoria Park, and the City of Vincent. Formal Council support was received from the Shire of Merredin.

Comment

The Position Statement is a positive step forward in the provision of clear and consistent direction to Local Governments on the definition and treatment of short-term rental accommodation in the Western Australia planning framework. In particular:

- Planning Bulletin 99 - Holiday Home Guidelines, has been superseded and replaced with a contemporary range of 'Land Use' definitions and a preferred model for the management of home-sharing in the planning framework. These approaches are consistent with WALGA's current policy advocacy positions.
- The Position Statement identifies that '*Local Governments are best placed to plan for tourism within their communities, with local knowledge of tourism activities, opportunities, constraints, including potential impacts and what requirements, if any, should be places on tourism proposals*'. The general and specific policy measures generally align with this intent and the position statement's intent and objectives are supported.
- The Association supports the establishment of a state-wide registration scheme for short-term accommodation. Local Governments have indicated strong support for such a scheme and the benefits it would bring to the regulation of short-term accommodation in their localities. However, given the limited detail provided, the Association's support for the scheme is conditional upon a range of conditions being satisfied.

The sector has raised significant concerns regarding the proposal to exempt 'unhosted accommodation' from the need to obtain development approval where this use is not proposed to be let for more than 60 days per calendar year. This policy response was not proposed in either the Parliamentary Inquiry or the Government's response. There is broad sector support for the exemption of 'hosted accommodation', and incorporation of the existing bed and breakfast land-use definition into this definition.



Item 5.1 Short-Term Accommodation Regulatory Scheme Attachment – Draft Short-Term Accommodation Submission

Introduction

The Western Australian Local Government Association is the united voice of Local Government in Western Australia. The Association is an independent, membership-based group representing and supporting the work and interests of 139 Local Governments in Western Australia.

The Association provides an essential voice for 1,212 elected members and approximately 22,600 Local Government employees, as well as over 2 million constituents of Local Governments in Western Australia. The Association also provides professional advice and offers services that provide financial benefits to the Local Governments and the communities they serve.

The short-term accommodation sector, and the tourism sector more broadly, plays an important role in local economic development, providing employment, training opportunities, and injections of tourist expenditure into local communities across the state.

Changes in the composition of the short-term accommodation market have been challenging for Local Governments and their communities, particularly amenity issues such as noise, parking and waste management. Several Local Governments have sought to address these challenges through their local planning frameworks and through local registration schemes governed by local laws. These approaches have had varying degrees of success in addressing amenity concerns. Most concerningly, requirements set at the local level have not been sufficient to compel compliance from peer-to-peer platforms on matters such as data sharing and compliance with local requirements.

The Association therefore welcomes the opportunity to provide feedback on short-term accommodation to the Department of Planning Lands and Heritage (DPLH) and Department of Local Government, Sports and Cultural Industries (DLGSC) to inform the effective and efficient regulation of this sector.

This submission reflects the Association's existing positions as well as key issues and concerns raised by WALGA members during the consultation period.

Background

The emergence and rapid rise of the 'sharing economy', which utilises peer-to-peer platforms to rapidly connect customers and service providers, has produced several challenges for Local Government. In particular, platforms that support short-term rental accommodation offer these services in residential buildings and neighbourhoods that have not been designed to accommodate or provide these services.

The growth in short-term rental accommodation platforms and associated services has been rapid; however, planning legislation that governs short-term accommodation in Western Australia has not been revised since 2009. The absence of adequate State Government guidance about how to manage these services has been challenging for some Local Governments, which has led to many Local Governments regulating short-term accommodation through their local planning framework and the *Local Government Act 1995*.

In 2017, the Association prepared a *Short-Term Rental Accommodation Discussion Paper* in consultation with Local Governments. This discussion paper led to the adoption of a formal advocacy policy position by the WALGA State Council in December 2017, which states:

1. That WALGA request the Minister for Planning to establish, through the Department of Planning, Lands and Heritage, a Technical Working Group, with a goal to reviewing the planning framework in relation to short-term rental accommodation, that gives consideration to:



- a. A review of Planning Bulletin 99 – Holiday Home Guidelines, with a particular emphasis on expanding the scope of Planning Bulletin 99 beyond 'Holiday Homes', to reflect changes in the accommodation market,
- b. A review of 'Land Use' definitions within the Planning framework that relate to short-term accommodation, and
- c. Establishing a 'preferred' approach for the management of 'home-sharing' within the planning framework

Parliamentary Inquiry into Short-Stay Accommodation

Considering WALGA's adopted policy advocacy positions, the Association welcomed the nature and scope of the terms of reference for the Inquiry into Short-Stay Accommodation by the Legislative Assembly's Economics and Industry Standing Committee in 2019.

The detail of the Association's submission to the inquiry focused on points one (1) and three (3) of the terms of reference, providing a snapshot of the way Local Governments regulate short-term accommodation in Western Australia. WALGA's submission also outlined the various concerns of Local Government and local communities regarding the impact that changes to the short-term accommodation market have had, and are continuing to have, on their localities. Finally, commentary was made on the issue of data-sharing, or lack thereof, between online listing websites, holiday house providers and government authorities and the issues this creates for authorities.

The findings and recommendations of the Inquiry, tabled in September 2019, were generally welcomed by the Local Government sector. For example, Recommendations 2 and 3 sought to contemporise land-use definitions through the *Planning and Development (Local Planning Scheme) Regulations 2015* and update planning guidance to reflect the changes to the definitions. These recommendations largely aligned with the Association's adopted policy advocacy positions.

Recommendations 7 through 10 proposed the need for a state-wide registration scheme, established through appropriate legislative or regulatory mechanisms, and developed by an interdepartmental government working group in consultation with industry and the Local Government sector. The Committee's findings placed considerable weight on the collective evidence provided by Local Government on how the short-term accommodation sector needs to be managed in line with local conditions and context. Recommendation 7 makes clear reference to the need for any state-wide registration scheme to '*ensure that Local Governments maintain the ability to require the provision of additional information and impose additional licencing or operational requirements, depending on their circumstances*'. Recommendation 10 listed a range of matters that Local Governments should be responsible for. The State Government accepted both recommendations noting that the relationship between State and Local Government will be a critical issue in implementing a state-wide scheme.

The Association was pleased that the Government accepted Recommendations 2, 3, 7, 8, 9 and 10 and notes that these recommendations form the basis of the matters included in the current consultation being administered by the Department of Planning, Lands and Heritage (DPLH) and Department of Local Government, Sport and Cultural Industries (DLGSC).

General Comments

The Association welcomes the recent release of the *draft Position Statement: Planning for Tourism* and associated Guidelines for public consultation. The draft Position Statement and Guidelines are a positive step forward in the provision of clear and consistent direction to Local Governments on the definition and treatment of short-term rental accommodation in the Western Australia planning framework. Amongst other things, the draft Position Statement and Guidelines supersede and replace Planning Bulletin 99 and provide a more contemporary range of 'Land Use' definitions and a preferred model for the management of home-sharing in the planning framework. These approaches are consistent with WALGA's current policy advocacy positions.



The draft Position Statement identifies that *'Local Governments are best placed to plan for tourism within their communities, with local knowledge of tourism activities, opportunities, constraints, including potential impacts and what requirements, if any, should be places on tourism proposals'*. The general and specific policy measures generally align with this intent and the draft Position Statement's intent and objectives are supported.

The Association does have significant concerns regarding the proposal to exempt 'unhosted accommodation' from the need to obtain development approval where this use is not proposed to be let for more than 60 days per calendar year. This policy response was not proposed in either the Parliamentary Inquiry or the Government's inquiry response. Furthermore, the draft Position Statement provides limited justification as to why the exemption is being proposed. Consultation with Local Governments indicates that there is broad opposition to this exemption for a range of reasons. Detailed commentary on this matter is outlined in the Specific Comments section (Appendix 1).

The Association supports the exemption of 'hosted accommodation', and incorporation of the existing bed and breakfast land-use definition into this definition. Detailed commentary on this can be found in the Specific Comments section (Appendix 1).

The Association is concerned that there has not been any consultation with Local Government or WALGA prior to the release of the position statement and that the consultation does not include any details to justify certain aspects of the position statement or policy guidance. The Government accepted the finding of the Inquiry in February 2020 and shortly after formed the interdepartmental working group to advance the matter. The items outlined in Recommendation 7 of the Inquiry provided a robust set of considerations that would have adequately guided the working group. The recommendation and the Government's response also outlined the importance of engaging with the Local Government sector to support the working group's activities. However, there has not been a formal approach by the working group to Local Government or WALGA to support their work. The Association understands that the DLGSC has only recently been appointed as the lead agency for the proposed registration scheme. WALGA looks forward to the opportunity to engage with the Department on the development of this scheme in line with the Inquiry's recommendations and the State Government's response.

The Association supports in-principle the establishment of a state-wide registration scheme. Local Governments have indicated strong support for a scheme and the benefits it would bring to the regulation of short-term accommodation in their localities. However, given the limited detail provided, the Association's support for the scheme is conditional upon inclusion of the following features:

1. All hosted and un-hosted short-term accommodation must be required to be registered with the scheme before being able to advertise the property
2. All peer-to-peer platforms that seek to let short-term accommodation must be regulated through the scheme as a host platform
3. Obligations of registration for both hosts and platforms must be clear and appropriate infringements and compliance tools should be embedded in the regulatory framework
4. Local Governments must be able to maintain the ability to require the provision of additional information and impose additional licencing or operational requirements, depending on their circumstances
5. Local Government's must be able to set fees commensurate with the cost of providing the service for any role undertaken as part of the scheme, and
6. Local Governments must have access to all necessary data collected by the scheme to adequately manage the potential impacts of short-term accommodation providers and to ensure local requirements are being met by hosts.

Recommendations:

1. **The intergovernmental working group be re-formed to guide the establishment of a state-wide registration scheme, which includes Local Government as a key stakeholder to ensure that the experience and knowledge of the sector informs the scheme's formulation.**



2. **A state-wide registration scheme be developed for short-term accommodation and peer-to-peer platforms with the inclusion of the following features:**
 - a. **All hosted and un-hosted short-term accommodation must be required to be registered with the scheme before being able to advertise the property**
 - b. **All peer-to-peer platforms that seek to let short-term accommodation must be regulated through the scheme as a host platform**
 - c. **Obligations of registration for both hosts and platforms must be clear and appropriate infringements and compliance tools should be embedded in the regulatory framework**
 - d. **Local Governments must be able to maintain the ability to require the provision of additional information and impose additional licencing or operational requirements, depending on their circumstances**
 - e. **Local Government's must be able to set fees commensurate with the cost of providing the service for any role undertaken as part of the scheme, and**
 - f. **Local Governments must have access to all necessary data collected by the scheme to adequately manage the potential impacts of short-term accommodation providers and to ensure local requirements are being met by hosts.**

3. **No exemptions for 'unhosted accommodation' are allowed until the details of the state-wide registration scheme are finalised and deemed sufficient to adequately manage the impacts of short-term accommodation.**



Specific Comments

Section	Comment
Hosted accommodation	<p>The draft Position Statement proposes that a new definition of 'hosted accommodation' be incorporated into the Local Planning Scheme Regulations as a model provision. It is proposed that the definition of hosted accommodation will encompass all low-scale proposals where a host resides on site, this would include bed and breakfasts. The current definition of bed and breakfast would be deleted from the model provisions. The proposed definition of hosted accommodation would apply to all dwelling types and limit the number of visitors to 4 adult persons in a maximum of 2 bedrooms, this aligns with the current definition of bed and breakfast. Comments received in response to WALGA's discussion paper in 2017 and in response to this consultation indicate broad support for the new definition of hosted accommodation and the subsequent deletion of bed and breakfast from the LPS Regulations. The Association supports this change.</p> <p>It is also proposed that hosted accommodation be exempt from requiring development approval through an amendment to clause 61 of the Deemed Provisions. That is to say that where the proposal meets certain conditions, such as the number of rooms and number of guests, there would be no requirement to seek development approval for the use. Local Governments indicated broad support for the use of exemptions for hosted accommodation. The Association supports this change.</p> <p>The draft Position Statement indicates that all hosted accommodation (including those not requiring development approval) would be required to be registered on the state-wide registration scheme. This would ensure that Local Governments are aware of relevant matters that would enable suitable regulation of the land uses to protect amenity issues should they arise.</p> <p>The Draft Guidelines indicate that Local Governments should consider including hosted accommodation as a 'permitted' land use in the residential zone and as Local Governments deem appropriate in other zones. Current practice generally specifies bed and breakfast as either an 'A' or 'D' use in most suitable zones. It is unusual for a bed and breakfast to be a 'P' use. DPLH will need to consider transitional arrangements for existing schemes and definitions and how the exemption will be incorporated into</p>



	<p>the deemed provisions to facilitate the policy objectives of the Draft Position Statement. DPLH will also need to consider the appropriateness of exempting unhosted accommodation in bushfire prone areas and the alignment of such a decision with the intent and objectives of <i>State Planning Policy 3.7 Planning for Bushfire Protection</i>.</p> <p>Recommendations:</p> <ol style="list-style-type: none"> 4. Establish new definitions for hosted accommodation 5. Include hosted accommodation as a matter exempt from seeking development approval in clause 61 of the Deemed Provisions, subject to suitable conditions relating to number of guests and number of rooms, and consideration of bushfire or other natural hazard.
<p>Unhosted short-term accommodation</p>	<p>The draft Position Statement proposes that two new and one amended definition related to unhosted accommodation be incorporated into the LPS Regulations as a model provision. Currently the model provisions provide a single definition for 'holiday house'. It is proposed to split this definition into three definitions that reflect the three types of dwellings in the Residential Design Codes: Single House, Grouped Dwelling, and Multiple Dwelling. The definitions are identical except for the type of dwelling.</p> <p>Several Local Governments currently use definitions to distinguish between holiday homes in single houses and either grouped or multiple dwellings. Generally, land-use permissibility and number of guests vary between the two definitions with lower maximum guests' numbers on proposals in grouped and multiple dwellings. The draft Position Statement proposes that guest numbers and room caps would be managed through the local planning framework.</p> <p>There is merit in splitting the land-use definitions by dwelling type, and this is supported. It is recommended that the words, 'for hire or reward' be added to the end of all three draft definitions. This will clarify that this land use is only to be applied to those holiday houses/units that are being used in a commercial manner and not for the personal use of a holiday home by the owner. Consideration should also be given to maintaining limits on the maximum number of guests and number of rooms that can be accommodated in each proposed definition. For example, limiting the maximum number of guests to 2 persons per bedroom.</p> <p>The Draft Guidelines indicate that Local Governments should consider including holiday house/unit/apartments as a 'discretionary' land use in appropriate zone and suggest</p>



	<p>that advertising be required for proposals with more than 7 or more guests. This is generally consistent with current practice and supported.</p> <p>Lastly, it is proposed that unhosted short-term accommodation (in a single house, grouped or multiple dwelling) will be exempt from requiring development approval where it is let for less than 60 days per calendar year. As already stated, no justification has been provided to support this proposal and this proposal was not contemplated or deemed necessary by the Parliamentary Inquiry. Submissions from Local Governments indicate that the practicalities of enforcing this requirement would be impossible and for many Local Governments that have established comprehensive regulatory regimes the change would mean a significant reduction in the ability to adequately manage short-term accommodation and manage the amenity issues in line with community expectations.</p> <p>It is noted that all unhosted accommodation, including those exempt from development approval, would be required to be registered through the state-wide scheme, and that this may allow for adequate regulatory oversight of unhosted accommodation. The lack of information in this consultation on how the scheme will operate, the data reporting requirements, and how local requirements will be incorporated into the scheme does not allow positions to be taken or recommendations made by the Association. Until such a time that additional information is provided, the Association is not able to support or oppose the exemption for unhosted accommodation. This position will be reassessed following the release of information on the Scheme and further consultation with Local Government.</p> <p>Recommendations:</p> <ol style="list-style-type: none"> 6. Include the words ‘for hire or reward’ to the draft definitions of holiday house, holiday unit and holiday apartment 7. Consider the need for maximum guest and room limits for each draft definition
<p>State-wide registration scheme</p>	<p>The Association supports the establishment of a state-wide registration scheme for short-term accommodation. Consultation with members demonstrates overwhelming support for a scheme and the benefits it would bring to the regulation of short-term accommodation in their localities.</p>



	<p>Local Government experience of local regulation of short-term accommodation through local laws shows the benefits of registration and regulation outside the planning system. The planning system has traditionally not been a useful instrument to manage ongoing compliance, and the use of local laws has shown to be successful at ensuring amenity is maintained and hosts are held to account for the behaviour of their guests and the suitability of the premises.</p> <p>Experience shows that local laws, and their registration scheme in Western Australia, has had limited success in compelling peer-to-peer hosting platforms to ensure compliance with local requirements prior to accepting properties for hire. As has been experienced in New South Wales and Tasmania, state-managed schemes have the power to compel such platforms to follow the rules and ensure compliance. This is vital for the success of any scheme.</p> <p>As has been identified in the draft Guidelines, several Local Governments in Western Australia currently operate local registration and regulatory schemes. This is reflective of the varying impact short-term accommodation has on different communities. It is important that any state-wide scheme be able to capture this variation and reflect the desire of some communities to restrict and/or manage short-term accommodation.</p> <p>In the Government’s response to Inquiry recommendation 7 it was noted that the design of the system ‘...needs to be flexible and not too onerous’ and ‘simple, low cost and user friendly’. Considering these requirements alongside the need to incorporate local requirements into registration, the development of a system similar in design to the section 39 and 40 requests in the liquor licencing regime has merit. This operates by an applicant lodging a request for registration with a state agency, as part of the application process a request for a certificate of compliance from the Local Government would be issued. This would allow the Local Government to determine if all local requirements, such as local registration, development approval, pool permit and food licence etc, had been met. Should those items not be required, this would be indicated in the response. This system would be consistent with the intent of Inquiry recommendation 10 and if adequately resourced would not act as an impediment to registration.</p> <p>As previously stated, as there is limited detail on the scheme, the Association’s support for the scheme should be read alongside several features already mentioned in the general comments.</p>
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Implications for Building Classification	<p>Under the National Construction Code apartments are designated as Class 2 Buildings while buildings hosting tourist accommodation are generally classified as Class 3. There are significant differences between the two classes, such as sprinkler protection in Class 3. The design of Class 2 buildings regularly relies on performance solutions that assume a level of resident familiarity with the building, which is not the case for short-term guests. Class 3 buildings address this through higher safety standards.</p> <p>The existence of short-term accommodation in residential class 2 buildings causes difficulties for Local Governments when approving uses. Under current legislation, a change in the classification triggers compliance with the current standards. This would likely be onerous upgrades, particularly in older buildings. Secondly, it is unclear if the trigger would apply to only the apartment or the whole building. More guidance is needed on this issue.</p> <p>Recommendation:</p> <p>8. DLGSC should seek guidance from DMIRS on possible solutions regarding the different safety standards for Class 2 and 3 buildings for short-term accommodation. This issue should be discussed in collaboration with Local Government.</p>
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6. MATTERS FOR NOTING / INFORMATION

6.1 COVID-19 – Update

By Nicole Matthews, Acting Executive Manager, Strategy, Policy and Planning / COVID-19 Response

Please note: The information in this report is current as of 31 January 2022. Supplementary information will be provided at Zone and State Council meetings, as well as through other channels, including regular COVID-19 Updates from the WALGA President and CEO.

RECOMMENDATION

That the COVID-19 Update report be noted.

Executive Summary

- At the time of writing the Omicron variant of COVID-19 is circulating Western Australia with community cases reported in many regions of the State.
- The reopening of Western Australia's borders that was scheduled for February 5 has been delayed, with further reviews of border controls to be considered over the next 2-3 weeks.
- State of Emergency Directions, particularly in relation to mandatory vaccination, proof of vaccination and mask wearing have had significant implications for Local Governments.
- WALGA has continued to provide dedicated COVID-19 support and advocacy for Members, including regular updates, webinars, guidance and analysis.

Background

The Omicron COVID-19 variant, which appears to be milder but more contagious, is now the dominant strain of the virus in Australia and around the world. Case numbers, hospitalisations and deaths have increased dramatically since late December. At the time of writing, it appears some eastern states may have reached a peak in daily cases.

COVID-19 in WA

The latest information on COVID-19 in WA can be found at [COVID-19 coronavirus \(www.wa.gov.au\)](https://www.wa.gov.au) and on the [WA Department of Health website](#).

Omicron is circulating in Western Australia, with cases reported in many regions of the State. The Chief Health Officer has indicated that it will not be possible to eliminate Omicron in WA.

Vaccinations

91 per cent of the WA 12+ population are double dose vaccinated and 36 per cent of 18+ Western Australians have received a third dose. Vaccination rates in country regions are lower at approximately 84 percent double dose, with particular areas of concern in the Pilbara (57 per cent), Kimberley (71 per cent) and Goldfields (79 per cent).

Current information on vaccination rates by Local Government Area can be found [here](#). It should be noted that for some Local Government areas the information is not available, may be inaccurate and is based on the 15+ population (WA vaccination rates are based on 12+ population).

Restrictions and Directions

[WA State of Emergency and State of Health Emergency Declarations](#) remain in force.

On Thursday, 20 January 2022 the Premier announced that the WA border would not be opening as planned on 5 February 2022 based on [advice from the Chief Health Officer](#).

A revised [Transition Plan for Western Australia](#) has been released.



The State Government has also [released the settings](#) that will apply when WA moves into a high COVID-19 caseload environment:

- a new close contact definition will apply, and casual contacts will cease
- new testing and isolation protocols will take effect, including the use of Rapid Antigen Testing (RAT)
- critical workers will be those that cannot work from home and are vital to maintain critical services and avoid catastrophic losses. For Local Governments this includes waste management services and social assistance services workers.

Mask Wearing

The wearing of face masks has been made mandatory in Perth, Peel, and the South West, Wheatbelt and Great Southern areas in all public indoor settings, vehicles (unless the person is travelling alone or with members of the same household), indoor and outdoor residential aged or disability care facilities and hospitals.

Mandatory Vaccination

The Government implemented mandatory vaccination requirements in late 2021. The Directions relating to these requirements are available [here](#). Local Governments employ 22,000 people in over more than 170 occupations groups which are impacted by at least 10 of the Directions.

It has been difficult for Local Governments to navigate, interpret and communicate the Mandatory Vaccination Directions which only provided for a very short implementation time. Local Governments are now in the process of managing those employees who do not wish to be vaccinated.

Vaccination Proof of Entry

Proof of vaccination requirements for ages 16+ were extended to venues and events state-wide on 31 January 2022. Local Government venues (and staff working in these venues) covered by the requirements include:

- Cafés and hospitality venues, which may be part of a larger facility for example in a recreation centre, sporting venue or hall
- Live music venues
- Indoor play centre
- Cinemas – including drive in and outdoor cinemas
- Gyms, indoor sporting centres, health clubs and dance studios
- A place where an event with more than more than 500 patrons, whether in public or private, and whether undertaken or engaged in on a for profit or not for profit basis (other than an excluded gathering).

Community sport, even if being undertaken in one of the venues covered by the Directions, are exempt from proof of vaccination requirements.

The Directions are available [here](#).

Comment

WALGA Sector Support and Advocacy

WALGA has continued to provide dedicated COVID-19 support and advocacy for the sector, including through:

- Direct engagement with the Chief Health Officer, Department of Health and Department of Premier and Cabinet regarding mandatory vaccination and proof of vaccination requirements under the Directions.
 - Based on feedback from the sector, WALGA strongly advocated for all Local Government owned and operated facilities and premises, and workers required to enter those facilities and premises, to be covered by the mandatory vaccination Directions to remove confusion. This outcome would have provided Local Governments with a mandate to ensure employees are vaccinated and to enable the continued provision of critical and essential Local Government services when there is widespread community transmission



- of COVID-19 in WA. The Government did not progress this approach which has caused considerable confusion across the sector and significant employee relations challenges.
- Proof of vaccination entry requirements are also causing considerable confusion and implementation issues for the sector. WALGA has received a large volume of queries from Local Governments, particularly in relation to mixed use facilities, such as recreation centres, and is seeking urgent clarification.
 - Responding to a large volume of COVID-19 related queries from the sector – more than 300 to WALGA Employee Relations and over 100 to WALGA COVID-19 Response from October 2021 to January 2022.
 - Representing the sector at Ministerial Roundtables, meetings of the State Emergency Management Committee COVID-19 Coordination Group, State Welfare Emergency Committee, State Recovery Advisory Group and the State Health Incident Coordination Centre.
 - Waste services continuity and planning – WALGA has updated the Mutual Assistance MoU for Local Government and preferred suppliers of waste collection, processing and disposal services. This provides a mechanism for assistance to be sought from other organisations if a workforce is impacted by COVID-19.
 - Undertaking a bulk purchase of competitively priced Rapid Antigen Test kits for the sector, with over 70,000 ordered in the first tranche.
 - Regular [WALGA COVID-19 Local Government Updates](#) – 136 updates have been issued since March 2020. There are over 1500 subscribers to these updates.
 - COVID-19 Local Government Survey – WALGA is surveying the sector monthly to inform its COVID-19 support and advocacy. 77 Local Governments responded to the first survey with 40 per cent reporting a shortage of workers or skilled workers, 70 per cent reporting shortages of building material supplies and 60 per cent reporting shortages of machinery, all of which are leading to longer lead times on contracts and resulting in higher costs.
 - Webinars and seminars:
 - 29 October 2021: HR Responses to COVID-19 Breakfast Seminar, attended by 86 representatives from Local Government
 - 21 January 2022: Preparing for Omicron, attended by 300 representatives from Local Government (webinar recording available [here](#))
 - 3 February 2022: COVID-19 Preparedness in the Regions
 - WALGA Employee Relations subscriber resources – 83 per cent of the sector subscribes to the WALGA ER Service. The Service has developed in-depth FAQs, template letters and checklists and COVID-19 specific ER alerts to assist Local Governments in implementing the COVID-19 mandatory vaccination requirements.



6.2 2022-23 Federal Budget Submission (05-088-03-0004 DM)

By Dana Mason, Manager Economics and Strategic Projects

RECOMMENDATION

That the 2022 WALGA Federal Budget Submission be noted.

Executive Summary

- The WALGA President has written to the Federal Treasurer and Assistant Treasurer to support the initiatives identified in ALGA's 2022-23 Federal Budget Submission.
- WALGA's submission also seeks a commitment to address additional issues of particular importance for WA Local Governments:
 1. funding to build the capacity, reliability and resilience of telecommunications infrastructure across remote, regional and peri-urban areas;
 2. additional funding for road programs, including Local Government road priorities across the agricultural region; and
 3. the creation of a funding model for managing coastal erosion hot spots and additional funding from the Commonwealth to support the implementation of coastal hazard risk planning;
- The submission was provided to Commonwealth Treasury, the Treasurer and Assistant Treasurer in January 2022, and will be sent to all WA Members of Federal Parliament in coming weeks.

Attachment

- [WALGA 2022 Federal Budget Submission Letter](#)
- [ALGA 2022 Federal Budget Submission](#)

Background

The Federal Assistant Treasurer recently called for submissions for the 2022-23 Budget.

Each year, ALGA prepares a submission on behalf of the Local Government sector nationally. The 2022-23 ALGA submission requests funding for a range of initiatives across the following key themes:

- Economic recovery;
- Transport and Community Infrastructure;
- Building Resilience (including disaster mitigation; climate change; Closing the Gap initiatives; health; and arts and culture); and
- Circular economy.

These initiatives have been assessed by independent economists, and if funded and implemented would contribute at least \$6.58 billion to Australia's Gross Domestic Product and create 44,436 new jobs per annum.

A copy of ALGA's 2022-23 Budget Submission is attached.

The WALGA Acting President wrote to the Treasurer and Assistant Treasurer in January 2022 in support of the ALGA submission. WALGA's submission (attached) also seeks a commitment to address additional issues of particular importance for WA Local Governments:

- Telecommunications and digital connectivity – Additional funding to build the capacity, reliability and resilience of critical telecommunications infrastructure across remote, regional and peri-urban Western Australia through programs such as the Mobile Network Hardening Program (MNHP); Strengthening Communications Against Natural Disasters (STAND); and Peri-urban Mobile Program (PUMP);
- Road Transport – In addition to funding for key programs such as Roads to Recovery and the Local Roads and Community Infrastructure Program, additional funding of \$50 million is being sought for the Local Government roads prioritised across the agricultural region; and



- Managing coastal erosion hot spots – Creation of a sustainable, equitable and efficient funding model to enable the implementation of coastal hazard risk planning. A funding contribution from the Commonwealth is being sought to assist Local Governments with the costs associated with the implementation of coastal hazard risk planning.

These priorities have previously been endorsed by State Council in September 2017, March 2018 and December 2021.

WALGA's submission has also been provided to all WA Members of Federal Parliament to highlight these priority initiatives.

Comment

The 2022-23 Federal Budget is an ideal opportunity to advocate for priority initiatives for the WA Local Government sector in advance of the upcoming Federal Election.

WALGA will be seeking opportunities to engage with WA Members of Federal Parliament on these and other key issues for the sector in advance of the 2022 Federal Election.



6.3 Detection of Polyphagous Shot-hole Borer and Implications for Local Government (05-046-03-0017 RZ)

By Renata Zelinova, Policy Officer, Biodiversity and Natural Area Management

RECOMMENDATION

That State Council note:

- 1. The emerging biosecurity threat following the detection of the polyphagous shot-hole borer (PSHB) in the metropolitan area.**
- 2. That PSHB has the potential to significantly impact on Local Governments' street trees and public open space.**
- 3. The response activities being coordinated by the Department of Primary Industries and Regional Development, including the imposition of a Quarantine Area Notice covering 17 Local Government areas and expanded surveillance program.**

Executive Summary

- Polyphagous shot-hole borer (PSHB), an exotic wood-boring beetle not previously found in Australia, was detected in Perth in September 2021.
- Establishment of this pest would have significant impact on amenity trees, native vegetation and the fruit and nut industries.
- There is currently no known effective eradication treatment for PSHB. Early detection, removal and advanced treatment of infested trees/branches and tree stumps are the best control methods.
- A PSHB Quarantine Area (QA) has been imposed across 17 metropolitan Local Government areas that restricts the movement of wood and plant material from properties within the QA and requires machinery used to process green waste to be cleaned before leaving the QA.
- The Department of Primary Industries and Regional Development (DPIRD) has expanded PSHB surveillance to selected regional towns by distributing pest specific traps (which will remain in place for up to six months).
- DPIRD is continuing to work with Local Governments, other government agencies and residents to control PSHB populations while the incursion is fully considered as part of the nationally coordinated response to pest incursions.
- WALGA has facilitated DPIRD briefing sessions for the sector, is providing updates to the sector and has established a dedicated webpage for downloadable resources for Local Government to support communications to residents.
- WALGA will continue to work with DPIRD to ensure the implications of the incursion for Local Governments are considered in the ongoing response to PSHB.

Background

Polyphagous shot-hole borer (PSHB) is a 2mm long wood boring beetle native to South-East Asia. It has a symbiotic relationship with a *Fusarium* fungus, cultivating it inside a tree for food. In susceptible trees, this fungus causes dieback and tree death, killing some trees within two years.

PSHB had not been detected in Australia until September 2021 when it was found in a tree in East Fremantle. It is believed to have arrived via infested wood products from its country of origin or other areas of known infestations.

Due to its small size and its lifecycle, PSHB detection and potential control treatments are challenging. Research is underway in South Africa and California on chemical treatment options but results to date are limited and chemicals tested are not registered for use in Australia.

An initial PSHB Quarantine Area (QA) imposed in September 2021 to control the spread of PSHB was further expanded in November to cover 17 Local Government areas: Cambridge, Canning, Claremont, Cockburn, Cottesloe, East Fremantle, Fremantle, Melville, Mosman Park, Nedlands, Peppermint Grove, Perth, South Perth, Stirling, Subiaco, Victoria Park and Vincent. The expanded



QA conditions are less onerous on impacted Local Governments as green waste movement within the QA is unrestricted. Exemptions have also been arranged for selected green waste processing facilities outside the QA to allow the continuation of green waste collections within the 17 Local Government areas.

DPIRD is working directly with impacted Local Governments to provide them with information on the borer, QA Notice restrictions and communications material to help support affected residents. Local Governments in the Perth metropolitan region have assisted DPIRD investigations by providing information on the locations of one of the key host trees, the box elder (*Acer negundo*) as well as information on green waste processing facilities.

DPIRD's has also undertaken extensive inspections of potential host trees (555 inspections completed during 13-16 December 2021), responded to public reports of suspected infestations and placed PSHB traps at strategic locations (358 traps deployed during 13-16 December 2021).

On 22 December 2021, DPIRD delivered a stakeholder update which noted that 39 properties were identified with infested trees, all within the QA. Analysis of tissue samples showed that the species of *Fusarium* fungi found in the Perth infestations is different to the species used elsewhere in the world. Consequently, a list of host tree species may also be different to the known list of hosts. [Twenty one species of trees](#) have been identified as host trees within the QA, including two new species; mango and sea hibiscus/cottonwood that were not previously listed elsewhere.

To determine how far PSHB may have spread, DPIRD is placing specifically designed traps in 18 regional Local Government areas, including Albany, Bunbury, Busselton, Greater Geraldton, Bridgetown-Greenbushes, Chittering, Dandaragan, Donnybrook-Balingup, Esperance, Katanning, Lake Grace, Manjimup, Moora, Plantagenet, Wickiepin, Wongan-Ballidu, Narrogin and Northam. Up to five traps are being placed in priority towns and will remain in place for up to six months.

The detection of PSHB has also triggered a national level response via the Consultative Committee on Emergency Plant Pests (CCEPP) and the National Management Group which consider the technical feasibility of eradication and response plans to new pest incursions in Australia. DPIRD's ongoing investigations inform the PSHB response decisions.

Comment

Since the establishment of the PSHB QA, WALGA has facilitated DPIRD briefing sessions, provided regular updates to the sector and established a dedicated [webpage](#) for downloadable resources for Local Government to support communications to residents.

PSHB has potentially significant implications for affected Local Governments' management of green waste, street trees and public open space. Initial WALGA analysis of street tree lists and street tree mapping data from four metropolitan Local Governments indicates that more than half of the tree species used by these Local Governments are potential hosts for the PSHB.

While DPIRD continues undertaking investigations to determine the most appropriate response to PSHB, Local Governments are encouraged to monitor their trees for any [signs of PSHB](#) and consider the implications of the establishment of the PSHB in their area, especially the impact on the tree canopy.

WALGA will continue to work with DPIRD to ensure the implications of the incursion for Local Governments are considered in the ongoing response to PSHB.



6.4 State Planning Policy 2.9: Planning for Water - Submission (05-036-03-0070 AR)

By Ashley Robb, Senior Policy Advisor, Planning

RECOMMENDATION

That the endorsed Draft State Planning Policy 2.9: Planning for Water submission be noted.

Executive Summary

- In August 2021, the Department of Planning, Lands and Heritage (DPLH) released *Draft State Planning Policy 2.9: Planning for Water* (the policy) and policy guidelines for public consultation.
- The draft policy is an amalgamation of six different state planning policies related to water, and the Government Sewerage Policy.
- WALGA provided extensive input on the draft policy's formulation as a member of the stakeholder reference group.
- Many of WALGA's recommendations were included in the draft policy and guidelines. Consequently, WALGA's submission proposed mostly minor amendments to strengthen existing provisions and support the policy's implementation.
- State Council endorsed the submission by Flying Minute on 8 November 2021. The submission was provided to the DPLH on 8 November 2021.

Attachment

- [Flying Minute: State Planning Policy 2.9: Planning for Water](#)

Background

In August 2021, the Department of Planning, Lands and Heritage (DPLH) released [Draft State Planning Policy 2.9: Planning for Water](#) and policy guidelines for public consultation.

The intent of the new policy is "to ensure that planning and development considers water resource management and includes appropriate water management measures to achieve optimal water resource outcomes". The policy's objectives are broad and encompass environmental, social, cultural and economic water related values; protection of drinking water sources; riverine flooding; water supply and reuse; resiliency to climate change; and wastewater management.

The draft policy is an amalgamation of the *Government Sewerage Policy (2019)* and six different state planning policies related to water: *SPP 2.1 - Peel-Harvey coastal plain catchment (1992)*; *SPP 2.2 - Gnangara Groundwater Protection (2005)*; *SPP 2.3 - Jandakot Groundwater Protection (2017)*; *SPP 2.7 - Public drinking water source (2003)*; *SPP 2.9 - Water resources (2006)*; and *SPP 2.10 - Swan-Canning river system (2006)*.

Preparation of the new policy commenced in 2018. As part of the process, the DPLH established a stakeholder reference group that included representatives from the Department of Water and Environmental Regulation; the Department of Biodiversity, Conservation and Attractions; Main Roads Western Australia; Water Corporation; the Peel Harvey Catchment Council; and the Urban Development Institute of Australia (WA). WALGA was represented on this group by its Planning and Building Team and Environment Team.

WALGA's advocacy in relation to the preparation of SPP 2.9 and this submission included:

- Representation on the stakeholder reference group since 2018;
- A Local Government workshop in 2019 attended by approximately 30 participants including Local Government planners and engineers, representatives from DPLH, the Western Australian Planning Commission (WAPC) and private consultant Urbaqua, to seek Local Government input early in the policy formulation process;
- Targeted consultation with Local Governments most likely to be affected by the policy, particularly those in Perth's growth areas in 2020;



- The release of WALGA's draft submission for sector feedback; and
- A webinar in October 2021 attended by approximately 70 Local Government planners, engineers and other officers with water related responsibilities, and representatives from the DPLH, to discuss the policy and draft submission.

Comment

Many of the recommendations proposed by WALGA during the policy review process were included in the draft policy and guidelines, demonstrating the productive working relationship between WALGA and the DPLH and the Department's comprehensive approach to stakeholder engagement in preparing the policy.

The following key areas of WALGA advocacy and support were addressed in the draft policy:

- Clarity on the role of planning instruments that can be used to apply the policy, such as special control areas and local planning policies;
- The importance of preserving ecological linkages to mitigate ecological system fragmentation;
- Local Government discretion to exempt dams from the requirement to seek planning approval;
- Strengthening the need for proposals to manage nutrient exports within acceptable levels, particularly for intensive agricultural land uses and in accordance with State Government requirements;
- A four-stage process for assessing the cumulative impact of large development proposals;
- A clear presumption against the intensification of development within defined floodways;
- Requirement for site and soil evaluators to be accredited and registered; and
- Key implementation recommendations such as fact sheets, consistent planning scheme and policy provisions, and support for Local Governments to identify approaches that ensure appropriate development can continue on subdivided, unsewered lands within the bounds of the policy and guideline requirements.

WALGA's submission therefore contains mostly minor amendments to strengthen existing provisions within the policy and guidelines to ensure:

- Public open spaces have adequate fit-for-purpose water resources so new communities have access to irrigated public open spaces; and
- Proponents seek the support of the relevant Local Government when that Local Government is not the relevant planning authority, where it is intended that Local Government will be the infrastructure asset manager or where the proposed location of water infrastructure assets impact Local Government assets or facilities.

The submission also makes recommendations to support the policy's implementation. The DPLH has advised that budget has been allocated to support on-ground policy implementation following the policy's formal adoption.

The People and Place Policy Team endorsed the submission on 25 October 2021. State Council endorsed the submission by Flying Minute on 8 November 2021. The submission was submitted to the DPLH on 8 November 2021.



6.5 Submission to Salaries and Allowances Tribunal – Local Government Remuneration Inquiry (05-034-01-0102 TL)

By Tim Lane, Manager Strategy and Association Governance

RECOMMENDATION

That the endorsed Submission to the Salaries and Allowances Tribunal Remuneration Inquiry for Local Government Chief Executive Officers and Elected member be noted.

Executive Summary

- The Salaries and Allowance Tribunal (SAT) are undertaking their annual Inquiry into Local Government Chief Executive Officer and Elected Member Remuneration, with submissions sought by Friday, 28 January 2022.
- Due to the timeframes involved, the submission was endorsed by State Council by Flying Minute following consideration by the State Council Governance and Organisational Services Policy Team.
- The submission makes three recommendations relating to Elected Member remuneration and the Regional/Isolation Allowance that may be payable to Chief Executive Officers as follows:
 - That Elected Member Fees and Allowances (including maximum reimbursable expenses) are increased by up to four percent.
 - That the maximum payable Regional/Isolation Allowance be increased for Local Governments that are particularly isolated, long distances from population centres with low amenity.
 - That the Salaries and Allowances Tribunal publish the methodology, criteria, and weightings for the Regional/Isolation Allowance.

Attachment

- [Flying Minute – Submission to Salaries and Allowances Tribunal – Local Government Remuneration Inquiry](#)
- [Submission to Salaries and Allowances Tribunal – Remuneration Inquiry: Local Government Chief Executive Officers and Elected Members](#)

Background

The Salaries and Allowances Tribunal wrote to WALGA on 2 December 2021 advising of their annual Inquiry into Local Government Chief Executive Officers' and Elected Members' Remuneration with submissions invited from Local Governments and other stakeholders by Friday, 28 January 2022.

Given the late January deadline, which does not align with State Council's meeting schedule, the draft submission was considered by State Council via Flying Minute, following consideration by State Council's Governance and Organisational Services Policy Team.

Comment

The submission discusses two issues:

1. The need for a broad increase in remuneration for Elected Members given very limited increases over the past five years coupled with increasing responsibilities and time commitments of the role, and
2. A need for an increase in the maximum payable Regional/Isolation Allowance for particularly remote and isolated Local Governments, coupled with a request for more detail of the Regional/Isolation Allowance's methodology to be published.

In relation to Elected Member remuneration, the submission:

- Highlights that Elected Member remuneration has increased by one percent during the past five years while, in the four years to June 2021, the consumer price index for Perth has increased by 7.14 percent and the public sector wage price index has risen by 4.68 percent.



- Argues that the responsibilities and workload of Elected Members is increasing and references mandatory training requirements, data from the 2021 Local Government elections in terms of uncontested and unfilled vacancies, and the Minister for Local Government's proposal to reduce the number of Elected Members in many Local Governments.
- Argues that the remuneration framework should not be a barrier to enhanced diversity in Elected Member representation to reflect community demography.
- Recommends that Elected Member Fees and Allowances, including limits for reimbursable expenses, are increased by up to four percent.

In relation to the Regional/Isolation Allowance which may be payable to Chief Executive Officers, the submission:

- Notes the inadequacy of the Regional/Isolation Allowance is a concern to many of WALGA's members, particularly remote and isolated Local Governments, and therefore recommends that the maximum payable Allowance be increased for remote and isolated Local Governments to facilitate Chief Executive Officer attraction and retention.
- Highlights the confusion and uncertainty in the Local Government sector regarding the methodology for calculating the Regional/Isolation Allowance and, on that basis, recommends that further information regarding the methodology, criteria and weightings be published.

The [final submission](#), which was first considered and endorsed by State Council's Governance and Organisational Services Policy Team, was endorsed by State Council by Flying Minute on 25 January 2022 and has been put forward to the Salaries and Allowances Tribunal for their consideration.

The Local Government Remuneration Determination is expected to be published in early April 2022.



7. ORGANISATIONAL REPORTS

7.1 Key Activity Reports

7.1.1 Report on Key Activities, Commercial and Communications Unit (01-006-03-0017 CH)

By Craig Hansom, Acting Executive Manager Commercial

RECOMMENDATION

That the Key Activity Report from the Commercial and Communications unit to the March State Council meeting be noted.

Commercial and Communications comprises of the following WALGA work units:

- Commercial Development
- Commercial Management
- LGIS Contract Management
- Communications (Marketing and Events)

Commercial Development

With the first phase of the Energy Contract now complete, and phased transitions into aggregate supply rates between now and 1 April 2022, attention will now turn towards scoping for PPA infrastructure, and options for bill verification and carbon measurement services.

The Commercial team has completed a number of small tenders with approximately 50 new Preferred Suppliers onboarded to the program.

A new Preferred Supplier Program (PSP) for Built Environment and Construction is being developed. Tenders will shortly be called for modular and temporary housing as the first category of supply for the new Panel.

The VMWare licensing arrangement that is utilised by 25 WALGA Members has been refreshed for a new Contract Term.

Commercial Management

PSP Annual Report

During the 2021-22 Q1 period, the program delivered \$80.06 million of goods, services and works, providing estimated savings of \$8.25 million. Additional benefits are realised through a reduction in administrative activities, alongside the added value of contract management oversight, due diligence and risk mitigation. More than 500 supplier engagements were facilitated through WALGA's eQuotes portal during this time.

Member Engagement

The Contract Management team continues with Member engagement to support use of the WALGA PSP. During the October to December 2021 quarter, there were 20 Member visits to the following regional Members:

- City of Greater Geraldton
- City of Kalgoorlie-Boulder
- Shire of Broome
- Shire of Coolgardie
- Shire of Cue
- Shire of Derby-West Kimberley
- Shire of Dundas
- Shire of Esperance
- Shire of Halls Creek



- Shire of Laverton
- Shire of Leonora
- Shire of Meekatharra
- Shire of Menzies
- Shire of Mount Magnet
- Shire of Murchison
- Shire of Ravensthorpe
- Shire of Sandstone
- Shire of Wiluna
- Shire of Wyndham-East Kimberley
- Shire of Yalgoo

During the 2021 calendar year, more than 120 visits were made to regional Member by the Commercial Management Contract Managers. Metropolitan Members were engaged on a needs focused basis.

LGIS Contract Management

An item under separate cover for this State Council meeting covers a new LGIS Scheme Management Agreement between WALGA and JLT.

A summary of the LGISWA Scheme Board meeting held on 25 November along with the Minutes from that meeting are also provided under separate cover.

The following WALGA sponsored projects are currently in progress:

- Review of LGIS reporting against APRA standards;
- LGIS Board remuneration review; and
- Updates to the LGIS Corporate Governance Charter to reflect recent State Council endorsed changes.

Marketing and Communications

Happy Place Campaign Placements

The remaining sector promotion budget is being used to continue the Happy Place Campaign using TV and press advertising over summer. TV placements are run in nightly news and half-page press placements in the Saturday West on a light schedule to extend until March.

New Website

Work is complete on the refresh of the WALGA website that includes integration with the Preferred Supplier CRM and updated search functionality. Content on the site has been rearranged to match usage patterns.

Your Everyday Production

During the 2021 calendar year, more than 26 Your Everyday productions were published on the website. The Your Everyday now has over 242 productions promoting our Members right across the state.

This year will focus on any Members where there has been a change of Mayor or President and any other Members that have not yet been represented.



7.1.2 Report on Key Activities, Governance and Organisational Services Unit (01-006-03-0007 TB)

By Tony Brown, Executive Manager Governance and Organisational Services

RECOMMENDATION

That the Key Activity Report from the Governance and Organisational Services Business Unit to the March 2022 State Council meeting be noted.

Governance and Organisational Services comprises of the following WALGA work units: Governance and Procurement, Employee Relations, Training, Regional Capacity Building and Strategy & Association Governance.

The following provides an outline of the key activities of Governance and Organisational Services since the last State Council meeting.

Strategy & Association Governance

Best Practice Governance Review

State Council, at their December 2021 meeting, resolved to undertake a Best Practice Governance Review during 2022 and 2023.

Identified as a key strategic initiative during the development of WALGA's [Corporate Strategy 2020-2025](#), the following drivers underscore the importance of the project:

1. Alignment with the Corporate Strategy: *We have contemporary governance and engagement models,*
2. State Council's 3 September 2021 resolution requesting amendment to the Constitution to "deal with matters related to State Councillors' Candidature for State or Federal Elections",
3. Misalignment between key governance documents – Constitution, Corporate Governance Charter, State Council Code of Conduct, and Standing Orders – stemming from amendments over the past 15-20 years, and
4. Proposed legislative reforms to remove WALGA from being constituted under the *Local Government Act 1995*.

The project will incorporate the following five stages over the 2022 and 2023 calendar years:

1. Planning and Commencement – including appointment of a Steering Committee
2. Review and Assessment – incorporating a review of WALGA's governance model, examination of similar organisations, consideration of options, and development of recommendations
3. Recommendations and Determination – resulting in a final report to be considered at the December 2022 meeting of State Council
4. Drafting Governance Documents – ensuring the Constitution, Corporate Governance Charter, State Council Code of Conduct and Standing Orders are contemporary and aligned, and
5. Final Approval and Implementation – following the 2023 Annual General Meeting.

The Local Government sector will be engaged and consulted as the project progresses.

2022 Local Government Honours Program

The Local Government Honours Program affords significant public recognition and celebration of the outstanding achievements and lasting contributions made by Elected Members and employees to their respective Councils, the Local Government sector and the wider community.

Nominations for this year's Program are now open. Following a thorough review of the Program last year, two new awards have been added, alongside four existing awards:

1. Local Government Medal
2. Life Membership
3. Eminent Service Award



4. Merit Award (*new for 2022*)
5. Local Government Distinguished Officer Award
6. Young Achievers Award (*new for 2022*)

The new Merit Award has combined two previous awards (Merit and Long & Loyal Service) and is intended to recognise notable contributions to WALGA, Local Government and/or the Local Government sector. The Young Achievers Award is open only to Elected Members and employees aged 35 years or younger, recognising notable commitment and demonstrated potential for professional success.

Nomination forms and further information can be found on the WALGA website [here](#). Nominations will close at 5:00pm on Friday, 24 June.

Employee Relations

New Industrial Relations Legislation Amendment Act 2021

The Industrial Relations Legislation Amendment Bill 2021 (IR Bill) was given [Royal Assent](#) on 22 December 2021 as Act No. 30 of 2021. Part 1 of the [Industrial Relations Legislation Amendment Act 2021](#) (WA) (IRLA Act) commenced on 22 December, which deals with preliminary matters. All other parts of the IRLA Act will be proclaimed by publishing a notice of proclamation in the Western Australian Government Gazette.

The declaration that all Local Governments are not national system employers will have the effect of transitioning all Local Governments to the State industrial relations system if it is endorsed by the Federal Minister for Industrial Relations, Senator the Hon Michaelia Cash.

We have not received confirmation on whether the declaration will be endorsed by the Federal Minister, however WALGA has secured an upcoming meeting with the General Advisor to the Federal Minister.

WA Government's Mandatory COVID-19 Vaccination Policy

The WALGA Employee Relations service has been receiving a high number of queries regarding the WA Government's mandatory COVID-19 vaccination requirements for employees. WALGA Employee Relations is regularly updating its Frequently Asked Questions documents and has released a number of template letters and checklists to assist subscribers to the service.

Governance and Procurement

Council Meetings and COVID-19

During a state of emergency, public health emergency or under a Direction, options are available for Local Governments to meet online rather than in person.

In March 2020, in response to COVID-19, the Government introduced the *Local Government (Administration) Regulations* 14C, 14D and 14E. These provisions apply to ordinary council meetings, special council meetings, committee meetings and audit committee meetings.

A Local Government may determine to hold a meeting by electronic means (eMeeting) during a state of emergency, public health emergency or due to a Direction. To do so, either the Mayor/President or Council can authorise an eMeeting if they consider this appropriate due to a public health emergency or state of emergency, or if a Direction prevents meetings being held in person – r.14D(2). Please note that r.14D(2)(b)(ii) permits the Mayor/President or Council to authorise, by a single authorisation, that more than one council meeting will be held by electronic means, e.g. authorise that the March 2022 through to June 2022 council meetings will be held by electronic means.

If choosing to hold ordinary council meetings as eMeetings, the Local Government should give local public notice under r.12(3) to ensure the community is aware the meetings will not be held in-person. WALGA has had this advice confirmed by the Department of Local Government, Sport and Cultural Industries.



The Mayor/President or Council, in consultation with the Local Government CEO, can determine the means by which an eMeeting will be held – r.14D(3).

Regulation 14C introduced the option that permits individual Council Members to seek authorisation to attend electronically at an in-person Council meeting if “because of the public health emergency or state of emergency, the member is unable, or considers it inappropriate, to be present at an in person meeting” – r.14C(2)(b).

When conducting eMeetings, Local Governments are to observe modifications made to the *Local Government Act* under r.14E relating to public question time, giving notice of meetings etc. WALGA developed the [Electronic Council Meetings \(eMeeting\) Guideline](#) to assist Local Governments meet the requirements for online meetings.

Annual Electors Meetings

WALGA has been receiving queries from Local Governments on the ability to hold Electors Meetings electronically in the case of the potential increase in community spread of COVID-19. Electors Meetings are treated differently to Council and Committee meetings and currently Electors Meetings are required to be held in-person.

Previously in 2020, there was a Ministerial Order that suspended Electors Meetings, and this could occur again should there be widespread community infection rates or in anticipation of the State border re-opening. We are in regular communication with the Department of Local Government, Sport and Cultural Industries on this matter and will update the sector accordingly.

Local Government (Administration) Regulations (No.2) 2021– Electronic Meetings

The Department of Local Government, Sport and Cultural Industries is looking at draft amendments to the *Local Government (Administration) Regulations 1996*, to enable electronic meetings outside of a declared state of emergency. This will require amendments to Regulations 14A-E.

WALGA is generally supportive of this proposal subject to retaining the requirement for a Suitable Place to be approved, but only to the extent of the place providing for confidentiality and not based upon distance from meeting place.



7.1.3 Report on Key Activities, Infrastructure (05-001-02-0003 ID)

By Ian Duncan, Executive Manager Infrastructure

RECOMMENDATION

That the Key Activity Report from the Infrastructure Unit to the March 2022 State Council meeting be noted.

Roads

Condition Assessment of Roads of Regional Significance

Funding has been provided through the State Road Funds to Local Government Agreement to perform visual condition surveys of Significant sealed roads and video of the Significant unsealed roads over a five-year cycle. The first two phases of this project, covering the Mid West, Great Southern and Goldfields-Esperance regions have been completed. In addition, the survey has included condition reporting on access roads to remote Aboriginal communities. It is proposed to cover the Wheatbelt regions in the next phase which is scheduled for the start of 2022.

Road Safety Management System

WALGA, Main Roads WA and the South West Regional Road Group have finalised modifications to the project prioritisation guidelines and multi criteria assessment model to provide a greater focus on road safety when setting the annual roads program for the region. This is an important pilot to deliver the commitment agreed in the State Road Funds to Local Government Agreement 2018/19 to 2022/23 to work towards establishing a road safety management system. With agreement from the Regional Road Group chairs, WALGA will examine the common elements of the prioritisation guidelines and multi criteria assessment models for all the regions and develop a standard template including road safety and sustainability in the prioritisation process for setting the annual roads program for each region. Any changes will need to be supported by the relevant Regional Road Group.

Road – Rail Interface Agreements

WALGA, Main Roads WA and the Public Transport Authority (PTA) have made substantial progress toward developing a revised Road-Rail Interface Agreement. The draft Agreement, which identifies the responsibilities of the parties to manage risks associated with a road/rail crossing on the PTA network, will be provided to Local Governments for consideration and feedback, once finalised.

Local Government Road Research Program

WALGA and Main Roads will be developing a research program that will deliver guidance to Local Governments to assist in the adoption of technologies and practices that will enhance productivity and delivery of roads and transport initiatives. WALGA is currently collecting topic proposals that will then be prioritised by an operations team of Local Government practitioners.

Funding

State Road Funds to Local Government Agreement

The current Agreement expires in June 2023. The Minister of Transport and Planning has given approval to proceed with negotiations for a new Agreement and SAC has endorsed a timeline and process. WALGA and Main Roads will be meeting fortnightly to facilitate the process which will include consultation with Regional Road Groups, Zones and State Council.

Urban and Regional Transport

Regional Roadworks Signage Review

Recommendations from a working group, that included WALGA, overseeing a review of regional roadworks signage, presented a report to the Minister for Transport in August. The State Government announced in October that it had accepted all the recommendations. The data and trends in other jurisdictions indicate that effective identification and treatment of risks to road users and road workers



is required, even on low volume rural roads. Changes proposed will be reflected in the Codes and Standards that guide temporary traffic management for road works.

Road Safety

Traffic Management Information Seminar

WALGA and Main Roads WA recently held a Traffic Management Information Seminar, which provided an update on the state of practice of Traffic Management in Western Australia. This seminar provided an opportunity for Local Governments in the Perth Metropolitan area to receive an update on the state of practice and liaise directly with Main Roads WA and other Local Governments.

At the seminar, Main Roads provided an overview of the current Traffic Management for Works on Roads Code of Practice (updated 2021) and the AustRoads Guide to Temporary Traffic Management (published 2021) and discussed other new developments in this area. The sessions closed with a presentation from the City of Swan, providing the Local Government perspective.

Road Safety Council Update

The Road Safety Council have met on two occasions since October 2021. At the 25 November meeting the Road Safety Council received presentations on the Regional Roadworks Signage Review (Department of Transport), the Road Safety Outcomes Framework designed to monitor the Driving Change road safety strategy (Road Safety Commission) and speed zoning policies and practices (Main Roads WA). Information around the new regulations for eRideables was noted and preliminary consideration given to the projects submitted for Road Trauma Trust Account (RTTA) funding in 2022-2023. The 17 December meeting focused on compiling the RTTA budget which has subsequently been recommended to the Minister responsible for road safety, in accordance with the *Road Safety Council Act 2022*.



7.1.4 Report on Key Activities, Strategy, Policy and Planning Unit (01-006-03-0017 NM)

By Nicole Matthews, Acting Executive Manager, Strategy, Policy and Planning

RECOMMENDATION

That the Key Activity Report from the Strategy, Policy and Planning Unit to the March 2022 State Council meeting be noted.

The Strategy, Policy and Planning (SPP) Portfolio comprises:

- Economics and Strategic Projects
- Environment
- Planning and Building
- Resilient Communities
- Waste and Recycling (see MWAC Report)

The following provides outlines the key activities of SPP since the last State Council meeting.

Economics and Strategic Projects

Federal Budget Submission

WALGA's submission to the Federal Government in advance of the 2022-23 Budget supports the priorities put forward by ALGA and identifies the need for additional funding for local priorities including telecommunications, agricultural freight routes and coastal hazard management (Agenda Item 6.2 refers).

Economic Briefing

In December 2021, WALGA released its latest Economic Briefing, which contained updated forecasts for the Local Government Cost Index (LGCI). The LGCI is used to estimate future changes in costs to Local Governments based on the spending patterns of the sector across the State. WALGA forecasts the LGCI to rise 3.9% in 2021-22 as the increased demand from Government stimulus arrives at the same time as labour supply is constrained by closed interstate and international borders, and supply issues continue for materials from both domestic and global challenges. Cost increases experienced by Local Governments in recent months are now being reflected in the data.

The LGCI forecasts will be updated in February 2022. To subscribe to the quarterly briefing or find out more contact WALGA Economist Daniel Thomson on dthomson@walga.asn.au.

COVID-19 Survey

WALGA has commenced a monthly, sector-wide survey to gather data and an on-the-ground assessment of the impact of COVID-19 on Local Governments and their communities. This information will be used by WALGA to inform WALGA's advocacy on behalf of the sector.

Environment

Biosecurity and Agriculture Management Act (BAM Act) Review

It is expected that the review of the BAM Act will commence in mid to late 2022. WALGA is continuing to engage with the Department of Primary Industries and Regional Development and as a member of the Biosecurity Senior Officers Group to influence the direction and content of the review and ensure there is comprehensive consultation with the sector.

National Carbon Accounting Guidelines

WALGA is working with the Australian Local Government Association (ALGA) to promote a nationally consistent approach to carbon accounting for Local Governments to assist the sector in measuring its progress towards net zero emissions. The proposal, which was developed by WALGA in consultation with Climate Active (a Federal Government agency), will see Guidelines developed specifically for Local Government in measuring their emissions.



Electric Vehicles

Over 80 Local Government Officers from 39 Councils have responded to WALGA's expression of interest regarding transitioning fleets and EV Infrastructure arrangements. An internal WALGA working group will be progressing this work over coming months.

WALGA is holding an [Electric Vehicles and Hydrogen Technology Forum](#) on 31 March 2022, focussing on charging infrastructure governance and procurement considerations, guidance on transition strategies, heavy vehicles hydrogen fuel cell technology, and WALGA's new Energy Preferred Supplier Panel.

Planning and Building

Development Assessment Panel (DAP) Regulations

Consultation on proposed amendments to the DAP Regulations are expected to begin in early February, in response to previously flagged changes to the system as part of Phase 2 of the State's Planning Reform agenda. It is understood that this will include the introduction of a Special Matters DAP. WALGA will consult with the sector to prepare a submission and work with DPLH to ensure Local Government is engaged during the consultation period.

Swimming Pool Inspector Training

WALGA hosted a professional development day for Local Government swimming pool inspectors on 6 December 2021 attended by over 100 Local Government swimming pool inspectors. The provision of professional development was recommended by the Ombudsman WA in its report, Investigation into Ways to Prevent or Reduce Deaths of Children by Drowning.

Energy Efficiency Discussion Paper

The Planning and Building and Environment teams have been working with the Environmentally Sustainable Building Design Reference Group – represented by Local Government planners and building surveyors – to prepare a discussion paper on energy efficiency in the built environment. The discussion paper will identify key challenges and opportunities for Local Governments who are seeking to improve the thermal performance and energy use of residential and non-residential buildings in their local built environment. The paper is the next step following WALGA State Council's endorsement of a policy position to support the Trajectory for Low Energy Buildings, in December 2021. The paper will be ready for consultation with Members in February.

Carport/Patio Fire Separation State Building Variation

The report to DMIRS to support a draft proposal for a state addition to the National Construction Code (NCC) to address the historical application of the carport exemption to patios in Western Australia has been finalised. Local Government building surveyors have been calling for this change through WALGA's working groups. The report supports WALGA's advocacy for clear and consistent regulations for the assessment of structures used as covered outdoor living areas which are currently not adequately addressed in the NCC. Meetings have been held with both DMIRS and DFES following the report's completion and WALGA's advocacy will continue in line with the current policy position to encourage good decision making and effective administration and regulation in building control.

Local Government Coastal Facilitator

WALGA has appointed a Local Government Coastal Facilitator with funding provided by the CoastWA Program. The Coastal Facilitator will support coastal and estuarine Local Governments to access CoastWA funding and develop and implement Coastal Hazard Risk Management and Adaptation Plans.

Resilient Communities

Work Health and Safety Act 2020 (WHS Act) and Volunteer Bushfire Brigades

Following advocacy efforts by WALGA and other stakeholders, the commencement of the WHS legislation was delayed from January to March 2022.



WALGA and LGIS are continuing to support the sector with the transition to the WHS Act, particularly in relation to the management of volunteer Bushfire Brigades. On 9 February 2022 WALGA is hosting a sector webinar, with presentations from the Department of Mines, Industry Regulation and Safety (DMIRS) and LGIS providing an overview of the requirements of the new legislation for Local Governments with responsibility for managing Bushfire Brigades. LGIS is currently developing a resource to support Local Governments, and WALGA has developed a dedicated webpage with relevant information and resources.

Consolidated Emergency Management Legislation

In October 2021 the Department of Fire and Emergency Services (DFES) re-established the Interagency Working Group for the proposed *Consolidated Emergency Services Act*, which had not met since 2015. The new legislation will replace the *Fire Brigades Act 1942*, the *Bush Fires Act 1954*, and the *Fire Emergency Services Act 1998*. It is anticipated that an Exposure Draft Bill will be released for public comment in mid-2022.

Local Government Emergency Management (LEMA) Review

WALGA and DFES have received grant funding to undertake a review of Local Emergency Management Arrangements (LEMA). WALGA will engage an officer to undertake consultation with the sector in order to identify and pilot options for contemporary, scalable and sustainable emergency management arrangements for Local Governments.

Office of Auditor General Audit of Funding of Volunteer Fire and Emergency Services Groups

The Office of the Auditor General (OAG) is conducting a performance audit of the management of funding for volunteer fire and emergency services groups in Western Australia. In December 2021 WALGA met with the OAG to provide preliminary information relating to Local Government management of volunteer bushfire brigades and the Local Government Grants Scheme for their consideration in determining the scope of the audit.

The Community Industry Reference Group (CIRG)

The CIRG has been established to provide WALGA with strategic advice and expertise to assist in the development of effective advocacy and policy. The CIRG comprises a diverse group of senior regional and metropolitan Local Government executives' extensive leadership experience in community development and social policy. The CIRG has identified five social policy priorities: Reconciliation; Community and Cultural Infrastructure; Homelessness and Housing; Mental Health and Wellbeing; and Volunteering.

Public Libraries Strategy

WALGA CEO Nick Sloan is the current chair of the Public Libraries Working Group (PLWG) which comprises WALGA, the State Library of Western Australia, Public Libraries WA, a representative from a Tier 2 regional public library, the Department of Local Government, Sport and Cultural Industries, the Office of Digital Government, the Department of Primary Industries and Regional Development and LG Professionals WA. The PLWG has developed a new 5-year Public Library Strategy. Public consultation on the draft strategy will commence in February 2022.

Upcoming Submissions

The Resilient Communities Team is developing the following submissions:

- Senate Estimates Committee *Homelessness Services Inquiry*,
- *Food Act* Review by the Department of Health; and
- WA Health Promotion Strategic Framework consultation by Department of Health.



7.2 Policy Forum Report (01-006-03-0007 TB)

By Tony Brown, Executive Manager, Governance and Organisational Services

The following provides an outline of the key activities of Policy Forums that have met since the last State Council meeting.

RECOMMENDATION

That the report on the key activities of WALGA Policy Forums to the March 2022 State Council meeting be noted.

Mining Communities Policy Forum

The Mining Communities Policy Forum meet for the first time since 2019 on 8 November 2021 via Microsoft Teams.

In attendance were President Cr Karen Chappel (Chair), Mayor Peter Long, President Cr Malcolm Cullen, Cr Les Price, CEO Paul Martin, and from WALGA, CEO Nick Sloan, Executive Manager Tony Brown and Principal Policy and Advocacy Kelly McManus.

The Forum discussed how Local Governments have very little say about mining companies that operate within their boundaries. The *Mining Act* is old, and a review is long overdue. Mining companies are more focussed on mining than the community. Mining Agreements have become city centric with most major mining companies head offices located in the Perth CBD.

There is a need for a more formal communications structure as a point of reference for Local Government and mining companies.

More alignment is needed with the Aboriginal Heritage Bill and Native Title. Local Government must be recognised by the State Government as a significant stakeholder and engaged appropriately. One way to achieve this is to seek membership on the Mining and Management Program Liaison Group (MMPLG). The MMPLG is chaired by the Department of Industry and Resources on behalf of the Minister for State Development.

It was noted during the meeting that there is little Government appetite for a full review of the *Mining Act*. A suggestion was made that the sector seeks to identify the relevant parts of the Act associate Regulations that require Advocacy from WALGA.

The next meeting of the Mining Communities Policy Forum will be held in the first quarter of 2022.



7.3 Policy Team Reports

7.3.1 Environment and Waste Policy Team Report

By Nicole Matthews, Acting Executive Manager Strategy, Policy and Planning

The Environment and Waste Policy Team includes the following subject areas:

- *Climate change*
- *Native vegetation and biodiversity*
- *Biosecurity*
- *Water resources*
- *Sustainability*
- *Waste management*

This Report provides an update on matters considered by the Environment and Waste Policy Team at its meeting held on 13 December 2021.

1. Matters for State Council Decision

Nil

2. Matters for Noting by State Council

2.1 Election of Chair

The Policy Team elected Cr Les Price (Murchison Country Zone), Chair.

2.2 Policy Team Priorities

The Policy Team discussed key priorities for 2022, which included:

- Climate Change – the Policy Team discussed the role of Local Government in all aspects of Climate change prevention, mitigation and adaption. There was also a focus on Electric Vehicles and an update was requested for the next meeting.
- Biosecurity – the Policy Team requested an item for noting for State Council on the Polyphagous Shot Hole Borer.
- A review of Environment Policies and the need for the sector to strong and focused advocacy on these key priority areas.

POLICY TEAM RECOMMENDATION

That State Council note the matters considered by the Environment and Waste Policy Team.



7.3.2 Governance and Organisational Services Policy Team Report

By Tony Brown, Executive Manager Governance and Organisational Services

The Governance and Organisational Services Policy Team includes the following subject areas:

- Employee relations
- Governance
- Strategy and Association Governance
- Training
- Regional Capacity Building / Local Government Reform

This Report provides an update on matters considered by the Governance and Organisational Services (GOS) Policy Team at its meetings held on 6 July, 10 September, 2 November and 16 December 2021.

1. Matters for State Council Decision

1.1 WALGA Advocacy Position Reviews [GOS-06/07/2021-6.0]

The GOS Policy Team reviewed five WALGA Advocacy Positions as per below and provides recommendations for State Council consideration. Where the GOS Policy Team has recommended the Advocacy Position be retained, it may be reviewed in the WALGA [Advocacy Position Manual](#).

Advocacy Position 2.2 Local Government Reform

GOS Policy Team Comment: No change to this Advocacy Position – issue remains current.

RECOMMEND that WALGA Advocacy Position 2.2 Local Government Reform is retained.

Advocacy Position 2.2.1 Structural Reform

GOS Policy Team Comment: No change to this Advocacy Position – issue remains current.

RECOMMEND that WALGA Advocacy Position 2.2.1 Structural Reform is retained.

Advocacy Position 2.4.2 Country Local Government Fund

GOS Policy Team Comment: No change to this Advocacy Position – issue remains current.

RECOMMEND that WALGA Advocacy Position 2.4.4 Country Local Government Fund is retained.

Advocacy Position 2.1.13 Rates Notices

Position Statement Section 6.41 of the Local Government Act 1995 should be amended to:

1. Permit rates notices to be issued electronically; and,
2. Introduce flexibility to offer regular rate payments (i.e. fortnightly, monthly etc.) without the requirement to issue individual instalment notices.

State Council Resolution December 2017 – 123.6/2017

GOS Policy Team Comment: The [Local Government Legislation Amendment Act 2019](#) amended s.6.41 of the *Local Government Act 1995* inserting a new subsection s.6.41(4) as follows:

- (4) The rate notice may be given by email if the local government has obtained the consent of the owner or occupier, as the case requires, to giving the rate notice in that way.

This amendment achieved part 1 of the WALGA Advocacy Position 2.1.13 Rates Notices, however part 2 has not yet been achieved.

RECOMMEND that WALGA Advocacy Position 2.1.13 Rates Notices be reviewed and submitted for State Council consideration to:

- Note that Part 1 was achieved through the *Local Government Legislation Amendment Act 2019*; and therefore
- Delete Part 1 from the Advocacy Position.



7.3.3 Infrastructure Policy Team Report

By Ian Duncan, Executive Manager Infrastructure

The Infrastructure Policy Team includes the following subject areas:

- Roads and paths
- Road safety
- Transport
- Freight
- Utilities (including telecommunications and underground power)

This Report provides an update on matters considered by the Infrastructure Policy Team at its meeting held on 23 December 2021.

1. Matters for State Council Decision

The Infrastructure Policy Team reviewed the below WALGA Advocacy Positions and provides recommendations for State Council consideration. Where the Infrastructure Policy Team has recommended the Advocacy Position be retained, it may be reviewed in the WALGA [Advocacy Position Manual](#).

1.1 WALGA Advocacy Positions Reviews

The following Advocacy Positions were considered by the Infrastructure Policy Team:

- Advocacy Position 5.1.3 Defined Heavy Vehicle Network
- Advocacy Position 5.1.4 Concessional Mass Loading
- Advocacy Position 5.1.5 Performance Based Standards (PBS)
- Advocacy Position 5.1.6 Heavy Vehicle Road User Pricing
- Advocacy Position 5.1.7 National Freight and Supply Chain Priorities
- Advocacy Position 5.1.8 Heavy Vehicle Cost Recovery Policy Guideline for Sealed Road
- Advocacy Position 5.1.8 Heavy Vehicle Cost Recovery Policy Guideline for Sealed Road
- Advocacy Position 5.1.9 Assessing Applications to Operate Restricted Access Vehicles on Local Government Roads
- Advocacy Position 5.1.10 Review of the Western Australian Rail Access Regime
- Advocacy Position 5.1.11 Restricted Vehicle Operating Condition CA07 Letter of Approval
- Advocacy Position 5.2.3 Default Open Speed Limit in WA
- Advocacy Position 5.2.5 The Role of Local Government in the Future Management of Warden Controlled Children's Crossings
- Advocacy Position 5.2.6 Speed Enforcement
- Advocacy Position 5.2.7 Road Safety Strategy (Imagine Zero)
- Advocacy Position 5.2.9 Review of the Administrative Road Classification Methodology
- Advocacy Position 5.3.1 Public Transport
- Advocacy Position 5.3.2 Western Australian Bicycle Network
- Advocacy Position 5.3.3 Cycling on Footpaths
- Advocacy Position 5.3.4 Licensing Cyclists and Registering Bicycles
- Advocacy Position 5.5 Street Lighting
- Advocacy Position 5.5.1 LED Street Lighting
- Advocacy Position 5.9 Bus Stop Infrastructure

RECOMMEND that the above WALGA Advocacy Positions be retained.

2. Matters for State Council Noting

2.1 Election of Infrastructure Policy Team Chair

On 23 December 2021, the Infrastructure Policy Team elected President Cr Stephen Strange (Great Eastern Country Zone), Chair.



2.2 Matters Raised by Zones

In relation to driving on closed roads, the Gascoyne Country Zone resolved:

That WALGA:

1. *Investigate technologies available to physically close roads remotely and provide costings for such;*
2. *Investigate the current legislative frameworks and provide comment on the remedies practicality of enforcing such;*
3. *Investigate and make comment on what other State Jurisdictions legislative interventions are used and the remedies provided thereunder to discourage motorists driving on closed roads.*

In response to the above, the Infrastructure Policy Team resolved at its meeting on 23 December 2021:

That advice be sought from the next meeting of the Goldfields-Esperance, Kimberley, Mid West and Pilbara Zones regarding the magnitude of road damage arising from vehicles being driven on closed roads and potential measures that would effectively reduce this risk. Advice from the Zones be considered at the next Infrastructure Policy Team meeting.

2.3 Other Items

- Delegates asked to note that a Transport and Roads Forum and trade day is provisionally planned for **Wednesday, 30 March 2022** at the Cannington Expo and Showgrounds.
- The Association has responded to concerns raised by Local Governments about the lack of available Diesel Exhaust Fluid (marketed as AdBlue etc) with the Australian Government through ALGA and with the Western Australian Freight and Logistics Council. This is on-going

POLICY TEAM RECOMMENDATION

That State Council:

1. **determine to retain the following Advocacy Positions unchanged:**
 - a. **5.1.3 Defined heavy vehicle network**
 - b. **5.1.4 Concessional Mass Loading**
 - c. **5.1.5 Performance Based Standards (PBS)**
 - d. **5.1.6 Heavy Vehicle Road User Pricing**
 - e. **5.1.7 National Freight and Supply Chain Priorities**
 - f. **5.1.8 Heavy Vehicle Cost Recovery Policy Guideline for Sealed Road**
 - g. **5.1.9 Assessing Applications to Operate Restricted Access Vehicles on Local Government Roads**
 - h. **5.1.10 Review of the Western Australian Rail Access Regime**
 - i. **5.1.11 Restricted Vehicle Operating Condition CA07 Letter of Approval**
 - j. **5.2.3 Default Open Speed Limit in WA**
 - k. **5.2.5 The Role of Local Government in the Future Management of Warden Controlled Children's Crossings**
 - l. **5.2.6 Speed Enforcement**
 - m. **5.2.7 Road Safety Strategy (Imagine Zero)**
 - n. **5.2.9 Review of the Administrative Road Classification Methodology**
 - o. **5.3.1 Public Transport**
 - p. **5.3.2 Western Australian Bicycle Network**
 - q. **5.3.3 Cycling on Footpaths**
 - r. **5.3.4 Licencing cyclists and registering bicycles**
 - s. **5.5 Street Lighting**
 - t. **5.5.1 LED Street Lighting**
 - u. **5.9 Bus Stop Infrastructure**
2. **note the matters considered by the Infrastructure Policy Team.**



7.3.4 People and Place Policy Team Report

By Nicole Matthews, Acting Executive Manager Strategy, Policy and Planning

The People and Place Policy Team includes the following subject areas:

- Community
- Emergency Management
- Planning and Building

This Report provides an update on matters considered, since the last State Council meeting, by the People and Place Policy Team at its meetings held on 6 August, 25 October and 16 December 2021.

1. Matters for State Council Decision

The People and Place Policy Team reviewed WALGA Advocacy Positions as per below and provides recommendations for State Council consideration. Where the People and Place Policy Team has recommended the Advocacy Position be retained, it may be reviewed in the WALGA [Advocacy Position Manual](#).

1.1 WALGA Planning and Building Advocacy Positions Reviews

On 6 August 2021, the People and Place Policy Team endorsed an initial review of WALGA's Advocacy Positions as they relate to planning and building.

WALGA has 20 active policy advocacy positions that relate to the Planning and Building policy areas. A number of these have been in place for over ten years and have not been subject to a review to determine their ongoing suitability. To ensure that WALGA's policy guidance remains relevant, the Policy Team was requested to review and support a proposed timeframe and approach for the review of these policy areas.

An initial review of the existing planning and policy advocacy positions was undertaken. This review has made an initial recommendation as to whether the existing position should be retained, deleted or updated.

As per the Policy Team recommendation, those matters requiring review or deletion will be presented to State Council in the future for actioning. For those matters deemed to be retained without modification they are provided to State Council below for endorsement of the Policy Team's recommendation.

Advocacy Position 6.4 Third Party Appeal Rights

People and Place Policy Team Comment: No change to this Advocacy Position – issue remains current.

RECOMMEND that Advocacy Position 6.4 is retained.

Advocacy Position 6.5 Development Assessment Panels

People and Place Policy Team Comment: No change to this Advocacy Position – issue remains current.

RECOMMEND Advocacy Position 6.5 is retained.

Advocacy Position 6.8 Planning Fees and Charges

People and Place Policy Team Comment: No change to this Advocacy Position – issue remains current.

RECOMMEND Advocacy Position 6.8 is retained.

Advocacy Position 6.12 Town Planning and Alcohol Outlets

People and Place Policy Team Comment: No change to this Advocacy Position – issue remains current.



RECOMMEND Advocacy Position 6.12 is retained.

Advocacy Position 6.18 Industrial Planning

People and Place Policy Team Comment: No change to this Advocacy Position – issue remains current.

RECOMMEND Advocacy Position 6.18 is retained.

Advocacy Position 6.15 Senior Housing Strategy

People and Place Policy Team Comment: No change to this Advocacy Position – issue remains current.

RECOMMEND Advocacy Position 6.15 is retained.

Advocacy Position 6.19 Special Residential Zones

People and Place Policy Team Comment: No change to this Advocacy Position – issue remains current.

RECOMMEND Advocacy Position 6.19 is retained.

Advocacy Position 6.3 Local Government Planning Improvement Program

Position Statement	The Association supports the establishment of a Planning Improvement Program specifically for the Local Government sector.
Background	The Program’s key mission statement is to ‘ensure better outcomes through consistency and efficiency’ providing best practice examples and information for local government planning departments to undertake improvements within their organisation rather than the imposition of reform measures.
State Council Resolution	September 2012 – 108.5/2012
Supporting Documents	Local Government Planning Improvement Program - Action Plan
People and Place Policy Team Comment: This Advocacy Position is no longer relevant and should be removed.	

RECOMMEND Advocacy Position 6.3 is removed from the WALGA Advocacy Position Manual.

Advocacy Position 6.9 Prostitution Legislation

Position Statement	The Local Government sector supports in principle, the recognition and licensing of prostitution in WA as it allows normal regulatory controls to be put in place, on condition that brothels should be excluded from predominantly residential areas.
Background	The Association has been involved in discussions / proposals to decriminalize prostitution since 1999. State Council has determined the position through consultation with all member Councils (on several occasions), and consideration of feedback and representative position papers, workshops, discussions with other government agencies, support groups and members of the prostitution industry. The Association will only comment on regulatory, operational, amenity and cost implications that arise for local government from any proposed legislation – not moral issues.
State Council Resolution	October 2011 – 109.5/2011

People and Place Policy Team Comment: This Advocacy Position is no longer relevant and should be removed.

RECOMMEND Advocacy Position 6.9 is removed from the WALGA Advocacy Position Manual.

Advocacy Position 6.10 Directions 2031

Position Statement	To enable the success of Directions 2031 and its associated policies, the Association recommends that the Minister for Planning re-establish a State/Local Government consultative committee to assist with the implementation of <i>Directions 2031 and Beyond</i> and its associated policies.
Background	Additional recommendations specifically requested that:



- the Minister for Planning establish implementation funding for the implementation of *Directions 2031 and Beyond* and its associated policies; and
- the WAPC seek a partnership approach between State/Local Government and UDIA in reviewing urban infill and greenfield dwelling targets in the Peel Sub-Regional Strategy area based upon a reassessment of Urban Investigation Areas linked with employment generating activity centres, industrial precincts and transport networks over a longer term planning horizon to prevent land shortages that will drive up housing prices and reduce affordability.

State Council Resolution 18 February 2011 – 11.1/2011

People and Place Policy Team Comment: This Advocacy Position is no longer relevant and should be removed.

RECOMMEND Advocacy Position 6.10 is removed from the WALGA Advocacy Position Manual.

2. Matters for State Council Noting

2.1 Election of Policy Team Chair

At its 16 December 2021 meeting, the People and Place Policy Team elected President Cr Tony Dean (South West Country Zone), Chair.

2.2 WALGA Emergency Management Advocacy Position Review

WALGA has a number of State Council endorsed Advocacy Position Statements relating to Emergency Management that have been developed over the years. To ensure that WALGA's advocacy positions remain contemporary, the Policy Team is requested to support a proposed approach for the review of existing Advocacy Position Statements.

An initial review of the existing Emergency Management Advocacy Position Statements has been undertaken. This review resulted in an initial recommendation for all existing advocacy statements to be reviewed. A review of State Council Minutes for the previous 10-year period was also undertaken in order to ensure that issues previously considered by State Council are captured in the process.

The proposed steps to this review are:

1. Seek Policy Team agreement to the development of a Comprehensive set of Emergency Management Advocacy Position Statements.
2. WALGA Resilient Communities Team to develop a Comprehensive set of Emergency Management Advocacy Position Statements for consultation with the sector through the development of a Discussion Paper.
3. The WALGA Resilient Communities Team will work collaboratively with other WALGA policy areas where there is cross-over in subject matter (for example, infrastructure, environment and planning) to ensure that Position Statements are interdisciplinary in focus.
4. Present Comprehensive set of Emergency Management Advocacy Position Statements to People and Place Policy Team for endorsement.
5. Present final Comprehensive set of Emergency Management Advocacy Position Statements to State Council for endorsement.

During the meeting, Policy Manager Resilient Communities Susie Moir gave an overview of the proposed policy position review. Members were supportive of the proposed steps for review.

2.3 Advocacy Position for Future Review

At future meetings, the People and Place Policy Team will review the following Advocacy Positions:

- Advocacy Position 6.1 Planning Principles
- Advocacy Position 6.2 Planning Reform



- Advocacy Position 6.6 Bush Fire Hazard Mitigation and Planning
- Advocacy Position 6.7 Building Act and Fees
- Advocacy Position 6.11 Coastal Planning
- Advocacy Position 6.13 Public Open Space
- Advocacy Position 6.14 Affordable Housing
- Advocacy Position 6.16 Capital City Planning Framework
- Advocacy Position 6.17 Built Heritage
- Advocacy Position 6.20 Short-Stay Accommodation

POLICY TEAM RECOMMENDATION

That State Council:

1. **determine to:**
 - a. **retain the following Advocacy Positions unchanged:**
 - i. **6.4 Third Party Appeal Rights**
 - ii. **6.5 Development Assessment Panels**
 - iii. **6.8 Planning Fees and Charges**
 - iv. **6.12 Town Planning and Alcohol Outlets**
 - v. **6.15 Senior Housing Strategy**
 - vi. **6.18 Industrial Planning**
 - vii. **6.19 Special Residential Zones**
 - b. **note the following Advocacy Positions are no longer relevant and approve removal from the WALGA Advocacy Position Manual:**
 - i. **6.3 Local Government Planning Improvement Program**
 - ii. **6.9 Prostitution Legislation**
 - iii. **6.10 Directions 2031**
2. **note the matters considered by the People and Place Policy Team.**



STATUS REPORT ON STATE COUNCIL RESOLUTIONS To the March 2022 State Council Meeting

MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
1 December 2021 Item 5.1 Paid Family and Domestic Violence Leave Entitlements	That WALGA: Endorse the submission to the Fair Work Commission (FWC) regarding paid family and domestic violence leave (FDVL) which: 1. highlights that FDVL for employees is an important issue for the sector; 2. supports the introduction of a new entitlement in modern awards for employees to receive five days' paid FDVL per year as a minimum entitlement; 3. advocates for employees to be able to access their paid personal/carer's leave in circumstances of family and domestic violence; and 4. does not support the introduction of a new entitlement in modern awards, at this point in time, for employees to receive 10 days' paid FDVL per year as sought by the Australian Council of Trade Unions (ACTU). RESOLUTION 292.7/2021	Submission was forwarded to the Fair Work Commission.	Completed	Tony Brown Executive Manager Governance & Organisational Services
1 December 2021 Item 5.2 Payment to Independent Committee Members	That WALGA request the Minister for Local Government to amend the Local Government Act 1995 to allow the payment of meeting attendance fees to, and/or defined reimbursements for time committed by, 'other persons' appointed as Committee members under s.5.8 of the Local Government Act 1995. RESOLUTION 293.7/2021	Correspondence has been sent to the Minister for Local Government advocating for this position. A response was received from the Minister advising of in principle support for reimbursing a committee member for their time and application of relevant skills and expertise through committees. The Minister has asked the Department of Local Government, Sport and Cultural Industries to examine the implementation of WALGA's request in the ongoing process of the development and drafting of legislative reforms.	Ongoing February 2022	Tony Brown Executive Manager Governance & Organisational Services
1 December 2021 Item 5.3 2021 Annual General Meeting	That: 1. The following resolutions from the 2021 WALGA Annual General Meeting be endorsed for action: <u>Cost of Regional Development</u> That WALGA makes urgent representation to the State Government to address the high cost of development in regional areas for both residential and industrial land, including the prohibitive cost of utilities headworks, which has led to market failure in many regional towns.	WALGA will make representations on this issue with the Minister for Housing; Lands; Homelessness; Local Government and the Minister for Regional Development. WALGA will also raise with Development WA.	February 2022	Nicole Matthews Acting Executive Manager Strategy, Policy and Planning



MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
	... RESOLUTION 294.7/2021			
1 December 2021 Item 5.3 2021 Annual General Meeting	That: 1. The following resolutions from the 2021 WALGA Annual General Meeting be endorsed for action: ... <u>CSRFF Funding Pool and Contribution Ratios</u> That WALGA lobby the State Government to: 1. Increase the CSRFF funding pool to at least \$25 million per annum and revert the contribution ratio to 50% split to enable more community programs and infrastructure to be delivered. 2. Increase the \$1 million per annum quarantined for female representation to at least \$2 million per annum. RESOLUTION 294.7/2021	The Acting WALGA President wrote to the Minister for Sport and Recreation, Minister Templeman, on this issue on 28 January 2022 and will raise in a meeting with the Minister on 31 January 2022.	Ongoing	Nicole Matthews Acting Executive Manger Strategy, Policy and Planning
1 December 2021 Item 5.3 2021 Annual General Meeting	That: 1. The following resolutions from the 2021 WALGA Annual General Meeting be endorsed for action: ... <u>Regional Telecommunications Project</u> That WALGA strongly advocates to the State Government to increase funding for the Regional Telecommunications Project to leverage the Federal Mobile Black Spot Program and provide adequate mobile phone coverage to regional areas that currently have limited or no access to the service. RESOLUTION 294.7/2021	A multi-prong approach will be implemented over time to take advantage of opportunities to improve mobile phone coverage in regional (including peri-urban) areas. Since the last State Council meeting, working through the State Emergency Management Committee, a \$240,000 grant from the joint Commonwealth State funded National Disaster Risk Reduction Program has been secured. This grant is to create a consolidated data set of mobile phone towers, including their power supply, to identify how to best improve regional telecommunications availability and reliability. The Association has also highlighted and encouraged eligible Local Governments to take advantage of additional Federal funding under the Peri-urban Mobile Black Spot program (PUMP) and identify mobile Black Spots.	Ongoing	Ian Duncan Executive Manager Infrastructure
1 December 2021 Item 5.3 2021 Annual General Meeting	That: ... 2. The following resolution passed at the 2021 WALGA Annual General Meeting be referred to the Mining Communities Policy Forum and the People and Place Policy Team for advocacy work to be undertaken: <u>Review of the Environmental Regulations for Mining</u> Regarding a review of the Mining Act 1978: 1. To call on Minister Bill Johnston, Minister for Mines and Petroleum; Energy; Corrective	This issue will be considered at the next meeting of the Mining Communities Policy Forum.	Ongoing	Tony Brown Executive Manager Governance & Organisational Services



MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
	<p>Services to instigate a review of the 43-year-old Mining Act to require mining companies to abide by environmental regulations, and to support research and development into sustainable mining practices that would allow mining without detriment to diversification and community sustainability through other industries and development.</p> <p>2. That abandoned mines in regional Western Australia receive a priority action plan with programmes developed to work with rural and remote communities to assist in the rehabilitation of these mines as a job creation programme, with funding allocated for diversification projects for support beyond mine life across Western Australia.</p> <p>RESOLUTION 294.7/2021</p>			
<p>1 December 2021 Item 5.4 Review of advocacy positions relation to the <i>Building Act 2011</i> and Building Regulations 2012</p>	<p>That State Council endorses the replacement of Section 6.7: Building Act and Fees of WALGA's advocacy positions document relating to the Building Act 2011 and Building Regulations 2012 with the following:</p> <ol style="list-style-type: none"> 1. Support the retention of Local Government as the primary permit authority in Western Australia for decisions made under the Building Act 2011. 2. Supports mandatory inspections for all classes of buildings, however, Local Government should not be solely responsible for all mandatory inspections. 3. Advocate for the State Government to urgently prioritise legislative reform that addresses systemic failures in the current building control model and to provide clarification on the role of Local Government in building control to ensure building legislation supports the following objectives: <ol style="list-style-type: none"> a. Quality buildings that are cost efficient. b. Functional, safe and environmentally friendly buildings. c. Good decision making in all aspects of building. d. Efficiency and effectiveness in building management, administration and regulation. e. Openness and accountability with respect to all building matters. f. Recognition of the rights and responsibilities of all parties in building matters in an equitable manner. 	<p>WALGA's Policy Manual has been updated to reflect the decision of State Council.</p>	<p>Completed</p>	<p>Nicole Matthews Acting Executive Manger Strategy, Policy and Planning</p>



MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
	<p>4. Existing and proposed building control related fees and charges to be cost recovery for Local Government.</p> <p>5. WALGA will work with members, state agencies and industry groups to develop training opportunities and to promote the Local Government building surveying profession to ensure sustainability of Local Government building control services.</p> <p>6. WALGA supports the Australian Building Codes Boards Trajectory for Low Energy Buildings by supporting Local Governments to meet community strategic objectives of a net zero carbon future by 2050 through work with members, state agencies and industry groups.</p> <p>RESOLUTION 295.7/2021</p>			
<p>1 December 2021 Item 5.5 Draft WA Building Surveyors Code of Conduct</p>	<p>That WALGA:</p> <p>1. Recommend to the Department of Mines, Industry Regulation and Safety (DMIRS) that the Draft WA Building Surveyors Code of Conduct be reviewed to ensure it addresses the following matters:</p> <p>a) The impact of the obligations recommended in the draft Code be considered in relation to the current Western Australian building control model to ensure Local Government are able to maintain their statutory functions in line with community expectations.</p> <p>b) That other building reform that will greatly impact the role of Local Government in the current Western Australian building control model, such as mandatory inspections and minimum documentation, be formalised prior to the Code of Conduct being introduced to ensure Local Government in Western Australia are able to maintain their statutory functions in line with community expectations.</p> <p>c) Ensure that communities in remote and regional areas are considered when developing policy to restrict building surveyors being involved in design consultation work.</p> <p>2. Endorse the attached consultation response summary on the draft Code.</p> <p>RESOLUTION 296.7/2021</p>	<p>WALGA provided the submission to DMIRS and has met with DMIRS to discuss the sector's concerns.</p> <p>DMIRS has provided an updated version of the Code that includes a number of positive changes in line with the endorsed submission. WALGA's Regional and Metropolitan Local Government Building Surveyor Working Groups will discuss the updated code at their meetings in February 2022. The result of these discussions will inform WALGA's ongoing engagement with DMIRS on the Code.</p>	Ongoing	Nicole Matthews Acting Executive Manger Strategy, Policy and Planning
<p>1 December 2021 Item 5.11 Constitution and Governance Review</p>	<p>That the proposed Constitution and Governance Review as outlined in this report be endorsed.</p> <p>RESOLUTION 301.7/2021</p>	<p>Project planning has commenced and the project will incorporate the following five stages over the 2022 and 2023 calendar years:</p> <p>1. Planning and Commencement – including appointment of a Steering Committee</p>	February 2022	Tony Brown Executive Manager Governance & Organisational Services



MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
		2. Review and Assessment – incorporating a review of WALGA’s governance model, examination of similar organisations, consideration of options, and development of recommendations 3. Recommendations and Determination – resulting in a final report to be considered at the December 2022 meeting of State Council 4. Drafting Governance Documents – ensuring the Constitution, Corporate Governance Charter, State Council Code of Conduct and Standing Orders are contemporary and aligned, and 5. Final Approval and Implementation – following the 2023 Annual General Meeting. State Council will be engaged and consulted as the project progresses.		
1 December 2021 Item 5.12 WALGA President Vacation of Office	1. That State Council note and accept the President’s resignation and thank her for her service to WALGA and wish her best for the future. 2. That State Council determine that the vacancy be filled by the current Deputy President until the next scheduled election (being 2 March 2022).	This item has been actioned. The election process for the positions of President and Deputy President has commenced and an election will be held on 2 March 2022	February 2022	Tony Brown Executive Manager Governance & Organisational Services
1 December 2021 Item 5.13 Appointments to State Council Policy Teams and Committees	That the appointments to Policy Teams and the Finance and Services Committee outlined below be endorsed (subject to the election of the President and Deputy President): Finance and Services Committee – (four State Councillors) • WALGA President (Chair) • President Cr Karen Chappel • Mayor Logan Howlett • Cr Paul Kelly • Cr Carl Celedin • Mr Colin Murphy (independent representative) Environment and Waste Policy Team – • Cr Doug Thompson • Cr Les Price • President Cr Michelle Rich • Mayor Ruth Butterfield • Cr John Daw Governance and Organisational Services Policy Team – • Mayor Carol Adams • Mayor Mark Irwin • Cr Ken Seymour • Cr Russ Fishwick JP	Committee and Policy Team appointments endorsed subject to the election of the President and Deputy President at the 2 March 2022 State Council meeting.	February 2022	Tony Brown Executive Manager Governance & Organisational Services



MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
	<ul style="list-style-type: none"> • President Cr Cheryl Cowell Infrastructure Policy Team – • President Cr Stephen Strange • President Cr Laurene Bonza • President Cr Chris Pavlovich • Cr Chris Mitchell • Cr Helen Sadler People and Place Policy Team – • President Cr Phil Blight • Mayor Peter Long • President Cr Tony Dean • Cr Catherine Ehrhardt • Cr Frank Cvitan JP <p>RESOLUTION 303.7/2021</p>			
<p>1 December 2021 Item 5.13 Appointments to State Council Policy Teams and Committees</p>	<p>That the appointments to the remaining State Council Committees be referred back to the Secretariat in liaison with the Acting President for consideration and that recommendation for appointments be presented to State Council at the next ordinary meeting on 2 March 2022.</p> <p>RESOLUTION 304.7/2021</p>	<p>A State Council agenda item will be prepared for the March State Council meeting in liaison with the Acting President.</p>	<p>February 2022</p>	<p>Tony Brown Executive Manager Governance & Organisational Services</p>
<p>1 December 2021 Item 8 Additional Zone Resolutions</p>	<p>That WALGA requests that the Minister for Local Government extends the consultation period by 1 month to 4 March 2022.</p> <p>RESOLUTION 310.7/2021</p>	<p>The Minister for Local Government extended the submission deadline to 25 February 2022.</p>	<p>February 2022</p>	<p>Tony Brown Executive Manager Governance & Organisational Services</p>
<p>3 September 2021 Item 5.1 External Oversight of Local Level Complaints</p>	<p>That WALGA advocate for an external oversight model for local level behavioural complaints made under Council Member, Committee Member and Candidate Codes of Conduct, that is closely aligned to the Victorian Councillor Complaints Framework.</p> <p>RESOLUTION 263.5/2021</p>	<p>The Minister for Local Government released a local Government legislative reform program that has included an external oversight framework.</p>	<p>February 2022</p>	<p>Tony Brown Executive Manager Governance & Organisational Services</p>
<p>3 September 2021 Item 5.2 Tender Exemption Provisions – General Practitioner Services</p>	<p>That WALGA:</p> <ol style="list-style-type: none"> 1. Adopt a new Advocacy Position Statement under 'Local Government Legislation - Tender Exemption General Practitioner Services': <i>WALGA advocates for the inclusion of a tender exemption for General Practitioner (GP) services under Part 4, Division 2 of the Local Government (Functions and General) Regulations 1996, to support Local Governments to secure and retain necessary primary health care services for their communities; and</i> 2. Undertake additional research in support of the Advocacy Position with the following aims: 	<ol style="list-style-type: none"> 1. Correspondence has been sent to the Minister for Local Government advocating for this position. 2. Further research is carried out as per this resolution. 	<p>Ongoing – February 2022</p>	<p>Tony Brown Executive Manager Governance & Organisational Services</p>



MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
	<p>a. Identify State and Federal Government policy settings and other factors contributing to gaps in primary health care services in regional communities; and</p> <p>b. Quantify the number of regional Local Governments that have current contracts, or are proposing to enter into contracts, for General Practitioner services and the associated costs to Local Government incurred.</p> <p>RESOLUTION 264.5/2021</p>			
<p>3 September 2021 Item 6.1 Stop Puppy Farming Legislation</p>	<p>1. That the update on the Dog Amendment (Stop Puppy Farming) Bill 2021 be noted.</p> <p>2. That:</p> <p>a. any additional costs incurred by a Local Government in administering the Dog Act be paid by the State Government; and</p> <p>b. the Fees and Charges set in Regulations are reviewed bi-annually and at minimum, be adjusted by the Local Government Cost Index.</p> <p>RESOLUTION 275.5/2021</p>	<p>Correspondence has been written to the Minister for Local Government advising of resolution 2.</p>	<p>Ongoing – February 2022</p>	<p>Tony Brown Executive Manager Governance & Organisational Services</p>
<p>5 May 2021 Item 5.4 Review of the State Industrial Relations System</p>	<p>That WALGA:</p> <p>1. Seek confirmation from the State Government on whether it intends to re-introduce legislation for Local Governments to operate solely in the State Industrial Relations System.</p> <p>2. If the State Government reintroduces legislation to require all Local Governments to operate within the State Industrial Relations System, continue to advocate for the State Government to:</p> <p>a. Amend the <i>Industrial Relations Act 1979</i> (WA) to include additional provisions to modernise the State IR system; and</p> <p>b. Provide adequate funding and resourcing to ensure Local Governments are equipped with the appropriate tools and training to enable a smooth transition.</p> <p>RESOLUTION 207.2/2021</p>	<p>Correspondence has been sent to the Minister for Industrial Relations advising of this resolution.</p> <p>The Industrial Relations Legislation Amendment Bill 2021 (IR Bill) was given Royal Assent on 22 December 2021 as Act No. 30 of 2021. Part 1 of the <i>Industrial Relations Legislation Amendment Act 2021</i> (WA) (IRLA Act) commenced on 22 December, which deals with preliminary matters. All other parts of the IRLA Act will be proclaimed by publishing a notice of proclamation in the Western Australian Government Gazette.</p> <p>The declaration that all Local Governments are not national system employers will have the effect of transitioning all Local Governments to the State industrial relations system if it is endorsed by the Federal Minister for Industrial Relations, Senator the Hon Michaelia Cash.</p> <p>We have not received confirmation on whether the declaration will be endorsed by the Federal Minister, however WALGA has secured an upcoming meeting with the General Advisor to the Federal Minister.</p>	<p>February 2022</p>	<p>Tony Brown Executive Manager Governance and Organisational Services</p>



MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
<p>3 March 2021 Item 5.3 Eligibility of Slip On Fire Fighting Units for Local Government Grants Scheme Funding</p>	<p>That WALGA:</p> <ol style="list-style-type: none"> Supports the inclusion of capital costs of Trailer Fire Fighting Units and Slip On Fire Fighting Units including for Farmer Response Brigades (for use on private motor vehicles) on the Eligible List of the Local Governments Grants Scheme (LGGS). Requests the Local Government Grants Scheme Working Group to include this matter on the Agenda of their next Meeting (expected March 2021). Requests WALGA to work with the Local Government Grants Scheme Working Group to develop appropriate operational guidelines and procedures for the safe use of Slip On Fire Fighting Units funded in accordance with the LGGS. Supports the update of the WALGA membership of the Local Government Grants Scheme Working Group to include one Local Government Elected Member and one Local Government Officer, with these appointments determined through the WALGA Selection Committee process. <p>RESOLUTION 180.1/2021</p>	<p>A letter was sent to DFES Commissioner Klemm on 16 March 2021 advising of State Council's decision on 3 March. The Local Government Grants Scheme Working Group met on 20 March 2021 however did not discuss eligible items in the Manual. An EOI process for the Officer position was successful but a second round process will be run for the Elected member position.</p> <p>DFES has advised that the Local Government Grants Scheme Working Group has been discontinued. WALGA CEO Nick Sloan is meeting with the DFES Commissioner Darren Klemm on 2 August to discuss how Local Government input to the LGGS Manual will be collected in future.</p> <p>DFES advised on 4 June 2021 that the matter of eligibility of slip on units was not yet finalized. A further follow up email was sent on 26 July 2021.</p> <p>A further follow up email was sent to DFES on 20 January 2022.</p>	Ongoing	Nicole Matthews Acting Executive Manger Strategy, Policy and Planning
<p>2 December 2020 Item 5.3 Family and Domestic Violence and the Role of LGs</p>	<p>That:</p> <ol style="list-style-type: none"> WA Local Governments recognise the prevalence, seriousness and preventable nature of family and domestic violence and the roles that Local Governments can play in addressing gender equity and promoting respectful relationships in their local community. WALGA advocates to the State Government: <ol style="list-style-type: none"> to work with Local Government in defining the role and responsibilities and expectations of Local Governments in family and domestic violence. for adequate funding for family and domestic violence programs and services, particularly in regional areas. for appropriate resources and funding be allocated to Local Governments to implement any particular roles and actions addressing family and domestic violence as defined in the State Strategy. to provide support to Local Government in the broader rollout of the Prevention Toolkit for Local Government. 	<p>In February 2021 WALGA wrote a letter to then Director General Communities, Michelle Andrews, to advise of WALGA State Council's newly adopted policy position on family and domestic violence. A follow up meeting was held with the Department in February 2021 to discuss WALGA State Council's endorsed policy position and key advocacy statements. The key message provided was that the Department of Communities needs to engage more thoroughly with Local Governments, and in particular more engagement and communication is required regarding the State Strategy which was adopted in July 2020.</p> <p>WALGA is a member of the Department of Communities Path to Safety: Western Australia's Strategy to Reduce Family and Domestic Violence 2020 – 2030 Reference Group, which reconvened 8 December 2021.</p> <p>A report on the progress of the first Action Plan 2020-2022 highlighted of State Government funding of \$23 million provided as part of the WA Recovery Plan , to help address family and domestic violence in the community. These measures are further supported by the National Partnership Agreement COVID-19 Domestic and Family Violence</p>	Ongoing	Nicole Matthews Acting Executive Manger Strategy, Policy and Planning



MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
	<p>e. to continue advocacy to the Commonwealth Government for additional funding and support.</p> <p>3. WALGA organises presentations for Local Governments that address family and domestic violence, as part of relevant events or webinars.</p> <p>RESOLUTION 144.6/2020</p>	<p>Responses (National Partnership Agreement). The WA State Government has issued all the \$14.2 million funding received through the National Partnership Agreement. Approximately \$7.9 million in grants have been awarded to WA family and domestic violence service organisations. A quarter of the grants were awarded to Aboriginal Controlled Community Organisations (ACCOs), further building capacity in this sector to deliver culturally safe supports, including services that are specifically targeted at regional and remote parts of the State.</p> <p>WALGA continues to work closely with ALGA and Our Watch, the national peak body in the primary prevention of violence against women and their children in Australia. In consultation with ALGA and representatives from all Local Government Associations Our Watch is developing a suite of webinars and other resources targeting Local Government to support the ongoing roll out and implementation of the Prevention Toolkit. The new webinars will be delivered to the sector in March – June 2022.</p> <p>WALGA in collaboration with the Local Government Community Safety Network Steering Committee delivered an event for the sector on 18 May 2021 focusing on family and domestic violence.</p>		
<p>5 December 2018 Item 5.1 Proposed Removal by Main Roads WA of the "Letter of Approval" Restricted Access Vehicle Operating Condition</p>	<p>That WALGA:</p> <ol style="list-style-type: none"> 1. Opposes withdrawal of the "Letter of Approval" Restricted Access Vehicle Operating Condition until an acceptable alternative to Local Government is developed; 2. Supports the position that Local Governments not use provision of the Letter of Authority to charge transport operators to access the Restricted Access Vehicle network; 3. Supports the development of standard administrative procedures including fees and letter formats; and 4. Supports the practice of Local Governments negotiating maintenance agreements with freight owners/ generators in cases where the operations are predicted to cause extraordinary road damage as determined by the Local Government. 5. Advocates to Main Roads to establish a stakeholder working group to develop an appropriate mechanism through which the increased infrastructure costs from 	<p>On advice from the State Solicitors Office, Main Roads WA is intending to remove the CA07 condition that requires a transport operator to obtain a letter of approval from the relevant Local Government. Main Roads is proposing to replace the condition with a notification process (CA88). After consultation with Regional Road Groups and a Stakeholder Working Group, the overwhelming majority of participants are of the view that the proposed arrangement is not an acceptable alternative. WALGA has written to Main Roads WA stating that WALGA does not support the alternative and that the position adopted by State Council in December 2018 has not changed.</p> <p>WALGA has subsequently met with Main Roads who confirm that the status quo remains in place until further notice.</p>	Ongoing	Ian Duncan Executive Manager Infrastructure



MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
	<p>the use of heavy vehicles and those loaded in excess of limits (concessional loading) can be recovered from those benefiting, and redirected into the cost of road maintenance.</p> <p>RESOLUTION 132.7/2018</p>			
<p>5 December 2018 Item 4.1 State / Local Government Partnership Agreement on Waste Management and Resource Recovery</p>	<ol style="list-style-type: none"> 1. That State Council endorse investigating a State / Local Government Partnership Agreement on Waste Management and Resource Recovery. 2. That the item be referred to MWAC for is development and negotiation with the State Government. 3. A report regarding a proposed "State / Local Government Partnership Agreement on Waste Management and Resource Recovery" be brought back to the next meeting of State Council. <p>RESOLUTION 131.7/2018</p>	<p>A new Partners in Government Agreement between WALGA, LG Professionals and the State Government, endorsed by State Council, was signed on 20 September 2021. Focus areas of the Partners in Government Agreement will evolve over time. Current focus areas are: Economic Sustainability, Infrastructure, Community Support, Climate Action, the Local Government Act, Closing the Gap Agreement and National Cabinet.</p> <p>The WALGA Acting President and the MWAC Chair will seek a meeting with the new Environment Minister, Hon Reece Whitby and raise this issue.</p>	Ongoing	Nicole Matthews Acting Executive Manger Strategy, Policy and Planning

President's Report

March 2022



COVID-19 – Update

WALGA is continuing to support the sector through the latest phase of COVID-19 and preparations for the yet to be announced date for the reopening of WA's borders. While the number of new cases in the community has remained steady, it is most likely an underestimate given low testing numbers. I hosted a WALGA Sector Webinar on 3 February where the WA Country Health Service presented on the preparation for COVID in the regions and it was clear that there has been much planning, however workforce shortages will exacerbate what is like to be a challenging period over coming months across the State. Local Governments have again been tested in seeking to implement complex and sometimes contradictory State Directions on proof of vaccination, particularly in multi-use facilities at short notice. WALGA has responded to a large volume of queries from the sector and has raised these issues and the need for clear and timely information with both Ministers Templeman and Carey.

WALGA has continued to provide dedicated COVID-19 support and advocacy for the sector, including through:

- Direct engagement with the Chief Health Officer, Department of Health and Department of Premier and Cabinet regarding mandatory vaccination and proof of vaccination requirements under the Directions.
- Based on feedback from the sector WALGA strongly advocated for all Local Government owned and operated facilities and premises, and workers required to enter those facilities and premises to be covered by the mandatory vaccination Directions to remove confusion. This outcome would have provided Local Governments with a mandate to ensure employees are vaccinated and to enable the continued provision of critical and essential Local Government services when there is widespread community transmission of COVID-19 in WA. The Government did not progress this approach which has caused considerable confusion across the sector and significant employee relations challenges.
- Proof of vaccination entry requirements are also causing considerable confusion and implementation issues for the sector. WALGA has received a large volume of queries from Local Governments, particularly in relation to mixed use facilities, such as recreation centres, and is seeking urgent clarification.
- Responding to a large volume of COVID-19 related queries from the sector – more than 300 to WALGA Employee Relations and over 100 to WALGA COVID-19 Response from October 2021 to January 2022.

Rapid Anti-Gen Tests (RATs)

We are pleased to advise that more than 120,000 RATs will shortly be distributed to 98 WALGA Members throughout the State, a further example of Members utilising WALGA to harness the collective purchasing power of the sector.

This RATs sourcing project was initiated by WALGA in response to Member requests, initially in anticipation of a February 5 border opening. In addition to the cancellation of the border opening, a number of other changes have occurred throughout the ordering period, including Government and industry sourcing of RATs in large quantity volumes that will progressively reach the market over the coming months. Currently, the supply of RATs in Western Australia still remains scarce, yet preparatory measures within COVID plans commonly include obtaining stock of RATs. The price point obtained for this consignment remains

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significantly lower – around 25-30% - than other commercial supply options in the market, representing a direct collective cost saving to Members in excess of \$300,000.

Local Government Legislative Reform

An agenda item has been distributed on the sector's response to the Minister for Local Government's legislative reform proposals.

WALGA distributed a Discussion Paper to the sector on 24 November 2021, including commentary on the sector's current positions contained in the reform proposals together with recommendations on new positions required on matters not canvassed in the reforms.

WALGA received 65 submissions by close of response on Friday, 28 January 2022.

The overall response indicates majority support for many of the proposed reforms, most commonly where reforms align with current sector advocacy positions.

There was strong commentary from the sector on the following proposed reforms that are of concern:

- Item 6.6 Majority Independent Audit Committees – 89% Opposed
- Item 4.3 Introduction of Preferential Voting – 85% Opposed
- Item 4.4 Public Vote to Elect Mayor or President of Band 1 and 2 Local Governments – 66% Opposed
- Item 4.5 Tiered Limits on the Number of Councillors – 67% Opposed (Prefer 5 to 7 Elected Members for Local Governments with a population less than 5,000)
- Item 3.5 Chief Executive Officer Key Performance Indicators – 62% Opposed

There is significant commentary throughout the sector response that the proposed reforms lack necessary detail in terms of how they will be operationalized, and the associated implications to Local Government in terms of implementation cost and resourcing. WALGA supports the view that additional information is required and that it should be part of future consultation. It is recommended the Minister for Local Government provide assurance that the detail of each proposed reform be the subject of further consultation with the sector.

It is also recommended that once a comprehensive and detailed consultation process has concluded, that WALGA be included in the legislative drafting process to provide an operational perspective necessary to the development of a workable Local Government Act Amendment Bill.

Work Health and Safety Legislation

Following advocacy efforts by WALGA and other stakeholders, the Government announced that the commencement of the WHS legislation would be delayed from January to March 2022. WALGA and LGIS continue to work to support the Local Government sector with the transition to the new WHS legislation, in particular in relation to the management of volunteer Bushfire Brigades. On 9 February 2022 WALGA hosted a webinar information session for the sector, with presentations from LGIS and the Department of Mines, Industry Regulation and Safety (DMIRS) providing an overview of the requirements of the new legislation for Local Governments with responsibility for managing Bushfire Brigades, as well as the Department of Fire and Emergency Services (DFES) outlining the functionality of the Volunteer Hub. LGIS is developing a resource to support Local Governments due for release in mid-February, and WALGA has developed a dedicated webpage with relevant information and resources. WALGA continues to regularly engage with DFES on a number of matters relating to training and management of bushfire brigades.

Aboriginal Cultural Heritage Act

In December 2021 the new Aboriginal Cultural Heritage Act was passed by the Western Australian Parliament. On 17 February 2022 WALGA and the Department of Planning, Lands and Heritage (DPLH) hosted a webinar update for Local Government on the key aspects of the new legislation, opportunities for the sector to be involved in the design of the supporting resources including the Regulations, and the use

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of Aboriginal heritage agreements. WALGA will continue to engage with the sector and advocate to DPLH around the ongoing design of the heritage framework.

Submission to Salaries and Allowances Tribunal Remuneration Inquiry

State Council has endorsed WALGA's [submission](#) to the Salaries and Allowances Tribunal Remuneration Inquiry relating to Local Government Chief Executive Officers and Elected Members.

The [submission](#), which State Council endorsed by Flying Minutes due to the timing of the Inquiry, makes three recommendations relating to Elected Member remuneration and the Regional/Isolation Allowance that may be payable to Chief Executive Officers:

1. That Elected Member Fees and Allowances (including maximum reimbursable expenses) are increased by up to four percent.
2. That the maximum payable Regional/Isolation Allowance be increased for Local Governments that are particularly isolated, long distances from population centres with low amenity.
3. That the Salaries and Allowances Tribunal update and publish the methodology, criteria, and weightings for the Regional/Isolation Allowance.

I would like to highlight that recommendations 2 and 3 were initiated from GVROC.

2022 Local Government Honours Program

The Local Government Honours Program affords significant public recognition and celebration of the outstanding achievements and lasting contributions made by Elected Members and employees to their respective Councils, the Local Government sector and the wider community.

Nominations for this year's Program are now open. Following a thorough review of the Program last year, two new awards have been added, alongside four existing awards:

1. Local Government Medal
2. Life Membership
3. Eminent Service Award
4. Merit Award (*new for 2022*)
5. Local Government Distinguished Officer Award
6. Young Achievers Award (*new for 2022*)

The new Merit Award has combined two previous awards (Merit and Long & Loyal Service) and is intended to recognise notable contributions to WALGA, Local Government and/or the Local Government sector. The Young Achievers Award is open only to Elected Members and employees aged 35 years or younger, recognising notable commitment and demonstrated potential for professional success.

Nomination forms and further information can be found on the WALGA website. Nominations will close at 5:00pm on Friday, 24 June.

Acting President's Contacts

The Acting President's contacts since 1 December and scheduled before 2 March are as follows:

State Government Relations

- Minister for Housing; Lands; Homelessness; Local Government, Hon John Carey MLA
- Minister for Environment; Climate Action Hon Reece Whitby MLA
- Minister for Culture and the Arts; Sport and Recreation; International Education; Heritage, Hon David Templeman MLA
- State Road Funds to Local Government Advisory Committee x 2
 - Pre - meeting
 - Committee Meeting
- Department of Fire and Emergency Services x 2

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- COVID-19 Mandatory Vaccination Associations meeting
- COVID-19 Mandatory Vaccination Update
- WALGA and Department of Health Panel Webinar

Zone Meetings

- Goldfields Voluntary Regional Organisation of Councils meeting
- Northern Country Zone meeting
- Kimberley Country Zone meeting
- Pilbara Country Zone meeting
- Great Southern Country Zone meeting

Local Government Relations

- State Council Meeting
- Special State Council Meeting
- Finance and Services Committee Meeting
- Local Government House Trust
- LGIS Board Meeting
- ALGA:
 - Board meeting
 - Strategic Planning Meeting
- Municipal Waste Advisory Council meeting
- Regional Capitals Alliance WA meeting
- Meeting with City of Fremantle Mayor, Elected Members and Acting CEO
- Aboriginal Heritage Bill with President, Shire of Cue
- LGC22 Committee x 2
- Farewell event – Shire President and CEO, Shire of Chapman Valley
- Shire of Bruce Rock – bushfire emergency meeting with Shire President, CEO and Minister for Emergency Services

Please take care and keep safe.

President Cr Karen Chappel JP
Acting WALGA President

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8.2 WALGA SPECIAL COUNCIL MEETING - LOCAL GOVERNMENT REFORM PROPOSAL SUBMISSION

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	KRG01
AUTHOR:	Zone Executive
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

WALGA has finalised the Local Government Reform Proposal submission and is seeking endorsement from State Council. The Kimberley Zone provided feedback for the development of the WALGA submission.

BACKGROUND*Previous Considerations*

Nil.

COMMENT

WALGA has finalised the Local Government Reform Proposal submission and is seeking endorsement from State Council.

The recommendation is that the recommendations contained in the 'Local Government Reform Proposal Submission' be endorsed and, that WALGA:

- seek assurance from the Minister for Local Government that further detail on the proposed reforms will be provided to the sector for comment prior to the formulation of a draft Local Government Act Amendment Bill; and
- seek a formal commitment from the Minister for Local Government that WALGA actively participates in the legislative drafting process necessary to formulate a draft Local Government Act Amendment Bill.

The recommendations are largely consistent with the Kimberley Zone Submission to WALGA which supported most of the WALGA positions, some with caveats relevant to remote Shires.

The matters opposed in the Submission align in full or in part with matters raised by the Zone in their feedback to WALGA or as identified in WALGA's initial considerations and supported by the Kimberley Zone.

Item 6.6 Audit Committees – 89% Opposed

The proposed reform to require a majority of independent members on Audit Committees, and mandate that the Audit Committee chair be an independent person, was strongly challenged.

The fundamental purpose of an Audit Committee is to provide the vehicle for governance of a Local Government's affairs, a primary role of Council under section 2.7(1)(a) of the *Local Government Act 1995* ('the Act'). For this reason, the sector supports a Council Member majority on Audit Committees and acknowledges the role of the Office of the Auditor General as the independent auditor of Local Governments. The sector confirmed that appointing independent members to Audit Committees is supported and practiced, and that Audit Committees can elect an independent member as Chair under provisions of s.5.12 of the Act.

The sector supports the concept of shared regional Audit Committees on proviso there be a majority of Council Members, and the payment of meeting fees or defined reimbursements to independent Audit Committee members be legislatively authorised (State Council resolution no. 293.7/2021).

Item 4.3 Introduction of Preferential Voting – 85% Opposed

The sector remains in favour of the first past the post method of vote counting. Risk of the infiltration of party politics, and that preference swapping leading to alliances among candidates has potential for factionalisation of Councils were pre-eminent in the response. First past the post voting remains favoured on the grounds of its simplicity, efficiency, ease of voter understanding, transparency and candidates campaigning based on the merits of the individual. However, if 'first past the post' is not retained then optional preferential voting is preferred.

Item 4.4 Public Vote to Elect Mayor or President of Band 1 and 2 Local Governments – 66% Opposed

Retaining the discretion to choose between popularly-elected Mayors and Presidents of Band 1 and 2 Local Governments remains the favoured option. Respondents queried the lack of detailed benefit of the proposal to enshrine one system of election over another, commenting that the alternate method of election provided under s.2.11 and s.2.12 of the Act permits both a Local Government and electors of the district to exercise agency for change.

Item 4.5 Tiered Limits on the Number of Councillors – 67% Opposed

There is broad support for WALGA's proposed option that Local Governments with populations up to 5,000 be represented by between 5 and 7 Council Members. The remaining categories of representation are supported.

Item 3.5 Chief Executive Officer Key Performance Indicators – 62% Opposed

There is support for the reporting of CEO KPI's that reflect the strategic direction and operational function of the Local Government, to the exclusion of reporting KPI's of a confidential nature (i.e workplace or risk-based matters). There is also support for the exclusion of reporting performance review results which is regarded as a private matter between employer and employee to be maintained as a confidential record of the Local Government.

Other feedback provided by the KRG:

Item 3.4 Additional Online Registers

The Zone opposed the inclusion of leases if commercial details were to be included. The WALGA submission acknowledges the concern by stating the proposal generally being supported based on additional advice from the Minister about the information which will be captured in the registers.

Item 4.2 Ratepayer Satisfaction Surveys (Band 1&2)

Whilst the Zone supported surveys, concern was expressed about the broader community and challenges of literacy and numeracy. This has been acknowledged with WALGA suggesting it should be more inclusive than just ratepayers and should be a community satisfaction survey. The WALGA submission was silent on the issue of literacy levels.

The Special WALGA State Council meeting and the WALGA submission are attached.

CONSULTATION

Nil.

STATUTORY ENVIRONMENT

Local Government Act 1995

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

Governance Goal – A collaborative group demonstrating strong regional governance:

Effective governance protocols and systems for business efficiency and improved services through collaboration

VOTING REQUIREMENTS

Simple Majority

COMMITTEE RESOLUTION:

(REPORT RECOMMENDATION)

Minute No. KRG/0222/003

Moved: G Haerewa

Seconded: M Edwards

That the Kimberley Regional Group:

- 1. Notes the Special WALGA State Council meeting to be held on 23 February 2022, and;**
- 2. Endorses the WALGA Local Government Reform Proposal Submission.**

CARRIED UNANIMOUSLY 4/0

Attachments

1. State Council Special Meeting Agenda and Local Government Reform Proposal Submission.



State Council Agenda

Special Meeting

23 February 2022



NOTICE OF MEETING

Special meeting of the Western Australian Local Government Association (WALGA) State Council to be held via Microsoft Teams on **Wednesday, 23 February 2022** beginning at **4:00pm**.

1. ATTENDANCE, APOLOGIES & ANNOUNCEMENTS

1.1. Attendance

Members	Acting President of WALGA, Northern Country Zone - Chair Avon-Midland Country Zone Central Country Zone Central Metropolitan Zone Central Metropolitan Zone East Metropolitan Zone East Metropolitan Zone Goldfields Esperance Country Zone Gascoyne Country Zone Great Eastern Country Zone Great Southern Country Zone Kimberley Country Zone Murchison Country Zone North Metropolitan Zone North Metropolitan Zone North Metropolitan Zone Peel Country Zone Pilbara Country Zone South East Metropolitan Zone South East Metropolitan Zone South Metropolitan Zone South Metropolitan Zone South Metropolitan Zone South West Country Zone	President Cr Karen Chappel JP Cr Ken Seymour President Cr Phillip Blight Cr Paul Kelly Cr Helen Sadler Cr Catherine Ehrhardt Cr John Daw President Cr Laurene Bonza President Cr Cheryl Cowell President Cr Stephen Strange President Cr Chris Pavlovich Cr Chris Mitchell JP Cr Les Price Cr Frank Cvitan JP Mayor Mark Irwin Cr Russ Fishwick JP President Cr Michelle Rich Mayor Peter Long Cr Carl Celedin Mayor Ruth Butterfield Cr Doug Thompson Mayor Carol Adams OAM Mayor Logan Howlett JP President Cr Tony Dean
Secretariat	Chief Executive Officer EM Governance & Organisational Services EM Infrastructure Acting EM Strategy, Policy & Planning Principal Special Projects and Acting EM Communications Acting EM Commercial Manager Strategy & Association Governance Manager Governance & Procurement Chief Financial Officer Principal, Policy and Advocacy Executive Officer Governance	Mr Nick Sloan Mr Tony Brown Mr Ian Duncan Ms Nicole Matthews Ms Narelle Cant Mr Craig Hansom Mr Tim Lane Mr James McGovern Mr Rick Murray Ms Kelly McManus Ms Kathy Robertson
Observers	Deputy State Councillor, North Metropolitan Zone Deputy State Councillor, Central Country Zone Deputy State Councillor, Peel Country Zone Deputy State Councillor, South East Metropolitan Zone Deputy State Councillor, East Metropolitan Zone	Cr Felicity Farrelly President Cr Katrina Crute Cr Lauren Strange Cr Melissa Northcott Cr Paige McNeil

1.2. Apologies



1.3. Announcements

1.3.1. Acknowledgement of Country

WALGA acknowledges the Whadjuk Nyoongar people, the Traditional Custodians of the land on which we meet in person today and acknowledges the Traditional Custodians of the lands on which people are remotely participating in this meeting and pays respect to their Elders past, present and emerging.

1.3.2. Vale Troy Pickard

WA Local Government Association State Council and Staff are greatly saddened at the passing of former WALGA President Troy Pickard.

Mr Pickard was committed to bringing about positive change for his local communities in Stirling and Joondalup and a passionate advocate for the sector at both the State and National level as President of WALGA and the Australian Local Government Association.

Across his 15 years of service as an Elected Member, Troy made an immense contribution to the local communities of Stirling and Joondalup, both as a Councillor and in leadership roles of Deputy Mayor and Mayor.

Mr Pickard made great strides in representing the WA Local Government sector in his roles as WALGA President from 2010 and 2015 and Deputy President for three years prior; and on the national stage as ALGA President from 2014 to 2016 and Deputy President from 2010 to 2014.

He also achieved significant wins for the Local Government sector in his role as ALGA President including securing \$1.1 billion dollars in additional road funding, which formed the biggest single funding commitment from any Federal Government since Federation to the Local Government sector at the time.

Troy will be sadly missed and we offer our condolences to his family and friends.

2. DECLARATIONS OF INTEREST

Pursuant to our Code of Conduct, State Councillors must declare to the Chair any potential conflict of interest they have in a matter before State Council as soon as they become aware of it.



3. MATTER FOR DECISION

3.1. Local Government Reform Proposal Submission

By Tony Brown, Executive Manager, Governance and Organisational Services & James McGovern, Manager Governance and Procurement

RECOMMENDATION

1. That the recommendations contained in the 'Local Government Reform Proposal Submission' be endorsed.
2. That WALGA:
 - a. seek assurance from the Minister for Local Government that further detail on the proposed reforms will be provided to the sector for comment prior to the formulation of a draft Local Government Act Amendment Bill; and
 - b. seek a formal commitment from the Minister for Local Government that WALGA actively participates in the legislative drafting process necessary to formulate a draft Local Government Act Amendment Bill.

Executive Summary

- The Minister for Local Government, Hon. John Carey MLA, commenced the consultation period for the Local Government Reform Proposals on 10 November 2021.
- WALGA distributed a Discussion Paper to the sector on 24 November 2021, including commentary on the sector's current positions contained in the reform proposals together with recommendations on new positions required on matters not canvassed in the reforms.
- Feedback from Local Governments was initially requested by 5pm on Wednesday, 12 January 2022, however this was adjusted following the Minister's extension to the consultation period.
- WALGA received 65 submissions by close of response on Friday, 28 January 2022

Attachment

- Local Government Reform Proposal Submission

Policy Implications

The adoption of advocacy positions will inform WALGA policy positions and will be incorporated in WALGA's [Advocacy Positions Manual](#).

Budgetary Implications

Nil

Background

The proposed Local Government Reforms are based on six themes:

1. Earlier intervention, effective regulation and stronger penalties
2. Reducing red tape, increasing consistency and simplicity
3. Greater transparency and accountability
4. Stronger local democracy and community engagement
5. Clear roles and responsibilities
6. Improved financial management and reporting.

Information is available on the [Department of Local Government, Sport and Cultural Industries](#) website.

Comment

65 Local Governments responded by 28 January 2022, categorized by band as follows:

- Band 1 – 17%
- Band 2 – 15%
- Band 3 – 22%
- Band 4 – 46%



The overall response indicates majority support for many of the proposed reforms, most commonly where reforms align with current sector advocacy positions.

There was strong commentary from the sector on the following proposed reforms that were not supported:

Item 6.6 Audit Committees – 89% Opposed

The proposed reform to require a majority of independent members on Audit Committees, and mandate that the Audit Committee chair be an independent person, was strongly challenged. The fundamental purpose of an Audit Committee is to provide the vehicle for governance of a Local Government's affairs, a primary role of Council under Section 2.7(1)(a) of the *Local Government Act 1995* ('the Act'). For this reason, the sector supports a Council Member majority on Audit Committees and acknowledges the role of the Office of the Auditor General as the independent auditor of Local Governments. The sector confirmed that appointing independent members to Audit Committees is supported and practiced, and that Audit Committees can elect an independent member as Chair under provisions of s.5.12 of the Act. The sector supports the concept of shared regional Audit Committees on proviso there be a majority of Council Members, and the payment of meeting fees or defined reimbursements to independent Audit Committee members be legislatively authorised (State Council resolution no. 293.7/2021).

Item 4.3 Introduction of Preferential Voting – 85% Opposed

The sector remains in favour of the first past the post method of vote counting. Risk of the infiltration of party politics, and that preference swapping leading to alliances among candidates has potential for factionalisation of Councils were pre-eminent in the response. First past the post voting remains favoured on the grounds of its simplicity, efficiency, ease of voter understanding, transparency and candidates campaigning based on the merits of the individual. However, if 'first past the post' is not retained then optional preferential voting is preferred.

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Retaining the discretion to choose between popularly-elected Mayors and Presidents of Band 1 and 2 Local Governments remains the favoured option. Respondents queried the lack of detailed benefit of the proposal to enshrine one system of election over another, commenting that the alternate method of election provided under s.2.11 and s.2.12 of the Act permits both a Local Government and electors of the district to exercise agency for change.

Item 4.5 Tiered Limits on the Number of Councillors – 67% Opposed

There is broad support for WALGA's proposed option that Local Governments with populations up to 5,000 be represented by between 5 and 7 Council Members. The remaining categories of representation are supported.

Item 3.5 Chief Executive Officer Key Performance Indicators – 62% Opposed

There is support for the reporting of CEO KPI's that reflect the strategic direction and operational function of the Local Government, to the exclusion of reporting KPI's of a confidential nature (i.e workplace or risk-based matters). There is also support for the exclusion of reporting performance review results which is regarded as a private matter between employer and employee to be maintained as a confidential record of the Local Government.

Local Governments were requested to provide comment on the reform proposal under Item 5.7 'Remove WALGA from the Act'.

The basis of the reform proposal is a recommendation from the Local Government Review Panel that WALGA not be constituted under the Act, with the following comment:

The Panel deliberated the merits of WALGA being constituted under the Local Government Act and determined that it was not appropriate to incorporate a member body under this



*legislation. This created confusion as to the extent of the Minister's powers over the organisation and WALGA's level of independence.*¹

WALGA has concerns that unforeseen negative consequences might arise should the reform proposal proceed in the absence of surety for the protection of the preferred supplier program and mutual insurance scheme provisions that are currently embedded in the Act, the merits of which are supported by the Review Panel. WALGA will continue with the due diligence review of the broader implications of the proposal and will consult further with member Local Governments.

There is significant commentary throughout the sector response that the proposed reforms lack necessary detail in terms of how they will be operationalized, and the associated implications to Local Government in terms of implementation cost and resourcing. WALGA supports the view that additional information is required and that it should be part of future consultation. It is recommended the Minister for Local Government provide assurance that the detail of each proposed reform be the subject of further consultation with the sector.

It is also recommended that once a comprehensive and detailed consultation process has concluded, that WALGA participates in the legislative drafting process to provide an operational perspective necessary to the development of a workable Local Government Act Amendment Bill.

4. CLOSURE

There being no further business, the Chair declared the meeting closed at ___pm.

¹ Local Government Review Panel - Final Report 'Recommendations for a new Local Government Act for Western Australia' May 2020, page 46

Local Government Reform – Member Response

Local Government Reform Proposal

Submission

February 2022

Local Government Reform – Member Response

About WALGA

The WA Local Government Association (WALGA) is working for Local Government in Western Australia. As the peak industry body, WALGA advocates on behalf of 139 Western Australian Local Governments. As the united voice of Local Government in Western Australia, WALGA is an independent, membership-based organization representing and supporting the work and interests of Local Governments in Western Australia. WALGA provides an essential voice for 1,212 Elected Members, approximately 22,000 Local Government employees (16,500 Full Time Equivalent's) as well as over 2.5 million constituents of Local Governments in Western Australia.

Contacts

Nick Sloan
Chief Executive Officer
nsloan@walga.asn.au

Tony Brown
Executive Manager Governance and
Organisational Services
tbrown@walga.asn.au

James McGovern
Manager Governance and Procurement
jmcgovern@walga.asn.au

Local Government Reform – Member Response

Local Government Act Review Process

WALGA, through consultation with the Local Government Sector, endorsed sector advocacy positions relating to Local Government Act amendments in March 2019 and December 2020. These advocacy positions were developed considering (but not limited to):

- The Department of Local Government, Sport and Cultural Industries (DLGSC) consultation on Act Reform (2017-2020)
- The City of Perth Inquiry Report (mid 2020)
- The State Parliament's Select Committee Report into Local Government (late 2020)

In December 2020, WALGA endorsed the following principles for any review of the Local Government Act:

Local Government Reform – WALGA Principles

That the following key principles be embodied in the Local Government Act:

1. Uphold the general competence principle currently embodied in the Local Government Act
2. Provide for a flexible, principles-based legislative framework
3. Promote a size and scale compliance regime
4. Promote enabling legislation that empowers Local Government to carry out activities beneficial to its community taking into consideration Local Governments' role in creating a sustainable and resilient community through:
 - a. Economic development
 - b. Environmental protection, and
 - c. Social advancement
5. Avoid red tape and 'de-clutter' the extensive regulatory regime that underpins the Local Government Act, and
6. The State Government must not assign legislative responsibilities to Local Governments unless there is provision for resources required to fulfil the responsibilities.

It is worth noting that of the above principles, items 1, 2 and 3 are addressed in these legislative reform proposals and principles 4 and 5 are partially addressed.

Local Government Response

WALGA released the Local Government Reform Proposals – Summary of Proposed Reforms Discussion Paper on 24 November 2021, calling for a response by 28 January 2022.

This document is based on submissions made by 65 respondent Local Governments. The overall response indicates majority support for many of the proposed reforms, most commonly where reforms align with current sector advocacy positions.

Key Issues

The submissions included strong commentary on the following proposed reforms that are of concern:

Item 6.6 Audit Committees – 89% Opposed

The proposed reform to require a majority of independent members on Audit Committees, and mandate that the Audit Committee chair be an independent person, was strongly challenged. A fundamental purpose of an Audit Committee is to provide the vehicle for governance of a Local Government's affairs, and this links directly with the role of Council under Section 2.7(1)(a) of the *Local Government Act* ('the Act'). For this

Local Government Reform – Member Response

reason, the sector supports a Council Member majority on Audit Committees and acknowledges the role of the Office of the Auditor General as the independent auditor of Local Governments. The sector confirmed that appointing independent members to Audit Committees is supported and practiced, and that Audit Committees can elect an independent member as Chair under provisions of s.5.12 of the Act. The sector supports the concept of shared regional Audit Committees on proviso there be a majority of Council Members, and the payment of meetings fees or defined reimbursements to independent Audit Committee members be legislatively authorised.

Item 4.3 Introduction of Preferential Voting – 81% Opposed

The sector remains in favour of the first past the post method of vote counting. Risk of the infiltration of party politics, and that preference swapping leading to alliances amongst candidates has potential for factionalisation of Councils, were pre-eminent in the response. 'First past the post' voting remains favoured on the grounds of its simplicity, efficiency, ease of voter understanding, transparency and candidates campaigning based on the merits of the individual. However, if 'first past the post' is not retained, then optional preferential voting is preferred.

Item 4.4 Public Vote to Elect Mayor or President of Band 1 and 2 Local Governments – 67% Opposed

Retaining the discretion to choose between popularly-elected Mayors and Presidents of Band 1 and 2 Local Governments remains the favoured option. Respondents queried the lack of detailed benefit of the proposal to enshrine one system of election over another, commenting that the alternate method of election provided under s.2.11 and s.2.12 of the Act permits both a Local Government and electors of the district to exercise agency for change.

Item 4.5 Tiered Limits on the Number of Councillors – 65% Opposed

There is broad support for WALGA's proposed option that Local Governments with populations up to 5,000 be represented by between 5 and 7 Council Members. The remaining categories of representation are supported.

Item 3.5 Chief Executive Officer Key Performance Indicators – 66% Opposed

There is support for the reporting of CEO KPIs that reflect the strategic direction and operational function of the Local Government, to the exclusion of reporting KPIs of a confidential nature (i.e. workplace or risk-based matters). There is also support for the exclusion of reporting performance review results which is regarded as a private matter between employer and employee, to be maintained as a confidential record of the Local Government.

The following provides a detailed response to each legislative reform proposal.

Local Government Reform – Member Response

Theme 1: Early Intervention, Effective Regulation and Stronger Penalties

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
1.1 Early Intervention Powers		
<ul style="list-style-type: none"> It is proposed to establish a Chief Inspector of Local Government (the Inspector), supported by an Office of the Local Government Inspector (the Inspectorate). The Inspector would receive minor and serious complaints about elected members. The Inspector would oversee complaints relating to local government CEOs. Local Governments would still be responsible for dealing with minor behavioural complaints. The Inspector would have powers of a standing inquiry, able to investigate and intervene in any local government where potential issues are identified. The Inspector would have the authority to assess, triage, refer, investigate, or close complaints, having regard to various public interest criteria – considering laws such as the <i>Corruption, Crime and Misconduct Act 2003</i>, the <i>Occupational Safety and Health Act 1984</i>, the <i>Building Act 2011</i>, and other legislation. The Inspector would have powers to implement minor penalties for less serious breaches of the Act, with an appeal mechanism. The Inspector would also have the power to order a local government to address non-compliance with the Act or Regulations. The Inspector would be supported by a panel of Local Government Monitors (see item 1.2). 	<p>Current Local Government Position Items 1.1, 1.2 and 1.3 generally align with WALGA Advocacy Position 2.6.8 - 'Establish Office of Independent Assessor'</p> <p><i>The Local Government sector supports:</i></p> <ol style="list-style-type: none"> <i>Establishing an Office of the Independent Assessor to replace the Standards Panel to provide an independent body to receive, investigate and assess complaints against Elected Members and undertake inquiries.</i> <i>Remove the CEO from being involved in processing complaints.</i> <i>That an early intervention framework of monitoring to support Local Governments be provided with any associated costs to be the responsibility of the State Government.</i> <i>An external oversight model for local level behavioural complaints made under Council Member, Committee Member and Candidate Codes of Conduct, that is closely aligned to the Victorian Councillor Complaints Framework.</i> <p>Comment The Local Government sector is in favour of early intervention and a swift response to potentially disruptive or dysfunctional behaviours. The Proposed Reforms state 'Local Governments would still be responsible for dealing with minor behavioural complaints' and therefore do not go as far as the Sector's recent request for an external oversight model for the independent assessment of local level complaints (State Council Res:</p>	<p>Member Response: 95% support the proposed reform.</p> <p>Indicative Member Comments: <i>'Support the establishment of a Chief Inspector of Local Government, supported by an Office of the Local Government Inspector. Early intervention is supported, and the introduction of the Inspectorate will support a swift response to disruptive or dysfunctional behaviours.'</i></p> <p><i>The City does have concern with the local government being responsible for dealing with minor behavioural complaints and submits to the Department that this also be within the scope of the Inspectorate.</i></p> <p><i>The City does not support the process of peer decision making for behavioural complaints due to the potential to increase animosity or conflict within local governments. Professional intervention at the earliest opportunity by an independent body is preferred.</i></p> <p><i>These matters should be dealt with by the Inspectorate in completeness with the ability to recoup complaint costs from local governments per current practice with the Local Government Standards Panel.'</i></p> <p><i>'Request the Minister to explore alternate mechanisms for resolving minor behavioural complaints.'</i></p>

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
<ul style="list-style-type: none"> The existing Local Government Standards Panel would be replaced with a new Conduct Panel (see item 1.3). Penalties for breaches to the Local Government Act and Regulations will be reviewed and are proposed to be generally strengthened (see item 1.4). These reforms would be supported by new powers to more quickly resolve issues within local government (see items 1.5 and 1.6). 	<p>264.5/2021 – September 2021). However this will be mitigated with the Inspector able to respond to a Local Government having unresolved matters by appointing a monitor to assist the Local Government.</p> <p>It is expected the Local Government Inspector would be funded by the State Government, however it is noted that the cost of the Local Government Monitors and the Conduct Panel would be borne by the Local Government concerned.</p> <p>Recommendation</p> <ol style="list-style-type: none"> Support the proposed reforms as they align with the sectors position on external oversight and support. Request the Minister to explore alternate mechanisms for resolving local level complaints. 	<p><i>'Support the Reforms, subject to appropriate resourcing to ensure the reforms achieve the intended outcome and subject to amendments so that all complaints, including current Code of Conduct Division 3 behaviour complaints, are handled external to the local government.'</i></p> <p><i>'More information and a clearer understanding, of how 'Early Intervention Powers', 'Local Government Monitors' and other related reforms will be implemented, is needed before council can form an informed response or position.'</i></p> <p>Updated Recommendation – Items 1.1 to 1.3</p> <ol style="list-style-type: none"> Support the proposed reforms as they align with the sectors position on external oversight and support. Request the Minister to explore alternate mechanisms for resolving local level complaints.
1.2 Local Government Monitors		
<ul style="list-style-type: none"> A panel of Local Government Monitors would be established. Monitors could be appointed by the Inspector to go into a local government and try to resolve problems. The purpose of Monitors would be to proactively fix problems, rather than to identify blame or collect evidence. Monitors would be qualified specialists, such as: 	<p>As above</p>	<p>Member Response: 97% support the proposed reform.</p> <p>Indicative Member Comments: <i>'The Shire supports these proposed reforms in principle but wishes to raise several issues that need further detail and/or clarification:</i></p> <ol style="list-style-type: none"> <i>What will be the financial impost on Local Governments if monitors are appointed?</i> <i>What would be the basis of granting Local Government requests to appoint monitors?</i> <i>How will conflicts of interest be managed?</i>

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
<ul style="list-style-type: none"> ○ Experienced and respected former Mayors, Presidents, and CEOs - to act as mentors and facilitators ○ Dispute resolution experts - to address the breakdown of professional working relationships ○ Certified Practising Accountants and other financial specialists - to assist with financial management and reporting issues ○ Governance specialists and lawyers - to assist councils resolve legal issues ○ HR and procurement experts - to help with processes like recruiting a CEO or undertaking a major land transaction. ● Only the Inspector would have the power to appoint Monitors. ● Local governments would be able to make requests to the Inspector to appoint Monitors for a specific purpose. <p>Monitor Case Study 1 – Financial Management The Inspector receives information that a local government is not collecting rates correctly under the <i>Local Government Act 1995</i>. Upon initial review, the Inspector identifies that there may be a problem. The Inspector appoints a Monitor who specialises in financial management in local government. The Monitor visits the local government and identifies that the system used to manage rates is not correctly issuing rates notices. The Monitor works with the local government to rectify the error, and issue corrections to impacted ratepayers.</p> <p>Monitor Case Study 2 – Dispute Resolution The Inspector receives a complaint from one</p>		<p>4. <i>What happens if the mediation fails? Will there be an appeal process?</i></p> <p>5. <i>What authority will monitors have?</i></p> <p><i>'Support though wish to seek further clarity on who can make complaints.'</i></p> <p><i>'It would be appropriate for the pool of monitors include people located in the regions and not be metropolitan based only. Will there be a cost to access Monitors as the pool aims to be highly qualified to assist, this may come at a high price?'</i></p>

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
<p>councillor that another councillor is repeatedly publishing derogatory personal attacks against another councillor on social media, and that the issue has not been able to be resolved at the local government level. The Inspector identifies that there has been a relationship breakdown between the two councillors due to a disagreement on council.</p> <p>The Inspector appoints a Monitor to host mediation sessions between the councillors. The Monitor works with the councillors to address the dispute. Through regular meetings, the councillors agree to a working relationship based on the council's code of conduct. After the mediation, the Monitor occasionally makes contact with both councillors to ensure there is a cordial working relationship between the councillors.</p>		
<p>1.3 Conduct Panel</p>		
<ul style="list-style-type: none"> • The Standards Panel is proposed to be replaced with a new Local Government Conduct Panel. • The Conduct Panel would be comprised of suitably qualified and experienced professionals. Sitting councillors will not be eligible to serve on the Conduct Panel. • The Inspector would provide evidence to the Conduct Panel for adjudication. • The Conduct Panel would have powers to impose stronger penalties – potentially including being able to suspend councillors for up to three months, with an appeal mechanism. 	<p>As above</p>	<p>Member Response: 98% support the proposed reform.</p> <p>Indicative Member Comments: <i>'Presume the Conduct Panel will be more efficient and effective than the Standards Panel, noting that some Councillors would view adverse findings of the Standards Panel as badges of honour, rather than a genuine form of punishment for improper behaviour. Procedural fairness will be crucial to the success of the Panel, as will simplicity of process.'</i></p> <p><i>'Support proposed reforms in principle and requests the following be given consideration.'</i></p>

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
<ul style="list-style-type: none"> For very serious or repeated breaches of the Local Government Act, the Conduct Panel would have the power to recommend prosecution through the courts. Any person who is subject to a complaint before the Conduct Panel would have the right to address the Conduct Panel before the Panel makes a decision. 		<ol style="list-style-type: none"> What constitutes evidence and how would it be gathered? How many professionals are proposed to be appointed to the panel? What is the definition of 'suitably qualified professional'? The context of the local government is important, i.e. larger vs smaller, metro vs regional, coastal vs inland, demographics, and should be considered when appointing members to the Conduct Panel. How will conflicts of interest be managed?
<p>1.4 Review of Penalties</p>		
<ul style="list-style-type: none"> Penalties for breaching the Local Government Act are proposed to be strengthened. It is proposed that the suspension of councillors (for up to three months) is established as the main penalty where a councillor breaches the Local Government Act or Regulations on more than one occasion. Councillors who are disqualified would not be eligible for sitting fees or allowances. They will also not be able to attend meetings, or use their official office (such as their title or council email address). It is proposed that a councillor who is suspended multiple times may become disqualified from office. Councillors who do not complete mandatory training within a certain timeframe will also not be able to receive sitting fees or allowances. 	<p>Current Local Government Position Items 1.4 and 1.5 expand upon Advocacy Position 2.6.9 - 'Stand Down Proposal'</p> <p><i>WALGA supports, in principle, a proposal for an individual elected member to be 'stood down' from their duties when they are under investigation, have been charged, or when their continued presence prevents Council from properly discharging its functions or affects the Council's reputation, subject to further policy development work being undertaken. Further policy development of the Stand Down Provisions must involve active consultation with WALGA and specific consideration of the following issues of concern to the Sector:</i></p> <ol style="list-style-type: none"> That the Department of Local Government endeavour to ensure established principles of natural justice and procedural fairness are embodied in all aspects of the proposed Stand Down Provisions; and 	<p>Member Response: 98% support the proposed reform.</p> <p>Indicative Member Comment: <i>'Support a review of penalties and note there is limited information provided in terms of the scale of the penalty to be applied and what breaches/offending is prescribed. The penalty should be commensurate with the seriousness of the offence or history of offending and set as an "up to X months" etc so the penalty is scalable. Councillors who are suspended should not get sitting fees or allowances while subject to a suspension. The City supports clarity and certainty around when a councillor will be disqualified for multiple offences.'</i></p> <p>Update Recommendation - Item 1.4 Supported</p>

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
	<p>2. <i>That activities associated with the term ‘disruptive behaviour’, presented as reason to stand down a defined Elected Member on the basis their continued presence may make a Council unworkable, are thoroughly examined and clearly identified to ensure there is awareness, consistency and opportunity for avoidance.</i></p> <p>Comment The Local Government sector has long-standing advocacy positions supporting stronger penalties as a deterrent to disruptive Council Member behaviours. Clear guidance will be required to ensure there is consistent application of the power given to Presiding Members.</p> <p>Recommendation Supported</p>	
1.5 Rapid Red Card Resolutions		
<ul style="list-style-type: none"> • It is proposed that Standing Orders are made consistent across Western Australia (see item 2.6). Published recordings of all meetings would also become standard (item 3.1). • It is proposed that Presiding Members have the power to “red card” any attendee (including councillors) who unreasonably and repeatedly interrupt council meetings. This power would: <ul style="list-style-type: none"> ○ Require the Presiding Member to issue a clear first warning ○ If the disruptions continue, the Presiding Member will have the power to “red card” that person, who must be silent for the 	<p>As above</p>	<p>Member Response: 94% support the proposed reform.</p> <p>Indicative Member Comment: <i>‘Question if a red card is considered to be contemporary best practice for corporate businesses or not for profit boards.’</i></p> <p><i>‘Support the principle of Rapid Red Card Resolutions and requests the regulations provide clear guidance to ensure consistent application of the power given to presiding members. There is the potential for this power to be abused, therefore consideration should be given to the ability for</i></p>

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
<p>rest of the meeting. A councillor issued with a red card will still vote, but must not speak or move motions</p> <ul style="list-style-type: none"> ○ If the person continues to be disruptive, the Presiding Member can instruct that they leave the meeting. ● Any Presiding Member who uses the “red card” or ejection power will be required to notify the Inspector. ● Where an elected member refuses to comply with an instruction to be silent or leave, or where it can be demonstrated that the presiding member has not followed the law in using these powers, penalties can be imposed through a review by the Inspector. 		<p><i>other councillors to call point of order to overrule the presiding member by absolute majority.'</i></p> <p><i>'Requiring a 'red carded member' to sit silent for the rest of the meeting is not supported, they should be given a first and final warning and be able to speak to and move motions as to do otherwise may infringe implied political freedom of speech and may be unconstitutional (see: McCloy v NSW [2015] HCA 34). There should be clarity about when a member can be directed to leave the chamber (first and final warning and then you are out, but ejection by Presiding Member should also be subject to a point of order too). A Mayor should not only have to notify the Inspector of an ejection but provide the video and/or audio recording.'</i></p> <p>Update Recommendation - Item 1.5 Supported subject to a provision permitting council members to call a point of order to overrule the presiding member by absolute majority.</p>
<p>1.6 Vexatious Complaint Referrals</p>		
<ul style="list-style-type: none"> ● Local governments already have a general responsibility to provide ratepayers and members of the public with assistance in responding to queries about the local government's operations. Local governments should resolve queries and complaints in a respectful, transparent and equitable manner. ● Unfortunately, local government resources can become unreasonably diverted when a person makes repeated vexatious queries, especially after a local government has 	<p>Current Local Government Position Item 1.6 <u>expands upon</u> Advocacy Position 2.6.11 – 'Vexatious complainants in relation to FOI applications' WALGA advocates for the Freedom of Information Act 1992 (WA) to be reviewed, including consideration of:</p> <ol style="list-style-type: none"> 1. Enabling the Information Commissioner to declare vexatious applicants similar to the provisions of section 114 of the Right to Information Act 2009 (QLD); 	<p>Member Response: 95% support the proposed reform.</p> <p>Indicative Member Comment: <i>'This should encompass an entity as well as a person to deal with vexatious complainant-like conduct from organised groups who have the capacity to consume an inordinate amount of City resources. In respect to 3), supported provided that the function is optional rather than mandatory and the CEO still retains the ability to make their</i></p>

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
<p>already provided a substantial response to the person's query.</p> <ul style="list-style-type: none"> It is proposed that if a person makes repeated complaints to a local government CEO that are vexatious, the CEO will have the power to refer that person's complaints to the Inspectorate, which after assessment of the facts may then rule the complaint vexatious. 	<p>2. <i>Enabling an agency to recover reasonable costs incurred through the processing of a Freedom of Information access application where the application is subsequently withdrawn; and</i></p> <p>3. <i>Modernisation to address the use of electronic communications and information.</i></p> <p>Comment The Act has been expanded significantly in recent years to permit an increased level of public involvement, scrutiny and access to information relating to the decisions, operations and affairs of Local Government in WA. Introducing a means to limit capacity for unreasonable complainants to negatively impact Local Governments will provide a necessary balance between the openness and transparency of the sector and the reasonable entitlement of citizens to interact with their Local Government.</p> <p>Recommendation Supported</p>	<p><i>own determination as to whether a complainant is vexatious in accordance with Council policy.'</i></p> <p><i>'Vexatious complaints are a problem in Local Government and establishing a system to deal effectively with them is considered important. It may be worth considering a specific provision which grants the power to a CEO to determine vexatious complaints in accordance with set criteria to increase efficiency.'</i></p> <p>Updated Recommendation – Item 1.6 Supported</p>

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
1.7 Minor Other Reforms		
<ul style="list-style-type: none"> Potential other reforms to strengthen guidance for local governments are being considered. For example, one option being considered is the potential use of sector-wide guidance notices. Guidance notices could be published by the Minister or Inspector, to give specific direction for how local governments should meet the requirements of the Local Government Act and Regulations. For instance, the Minister could publish guidance notices to clarify the process for how potential conflicts of interests should be managed. It is also proposed (see item 1.1) that the Inspector has the power to issue notices to individual local governments to require them to rectify non-compliance with the Act or Regulations. 	<p><u>Current Local Government Position</u> Item 1.7 aligns with Advocacy Position 2.6 - 'Support DLGSC as service provider / capacity builder'</p> <p><i>WALGA supports the continuance of the Department of Local Government, Sport and Cultural Industries as a direct service provider of compliance and recommend the Department fund its capacity building role through the utilisation of third party service providers. In addition, WALGA calls on the State Government to ensure there is proper resourcing of the Department of Local Government, Sport and Cultural Industries to conduct timely inquiries and interventions when instigated under the provisions of the Local Government Act 1995.</i></p> <p>Comment Operational guidance from the Department of Local Government, Sport and Cultural Industries leads to consistent understanding and application of statutory provisions by Local Government. The proposed reform that the Inspector issue non-compliance notices appears to replicate the Minister's powers under Section 9.14A – 'Notice to prevent continuing contravention'</p> <p>Recommendation Supported</p>	<p>Member Response: 97% support the proposed reform.</p> <p>Indicative Member Comment: <i>'Guidance notes are useful as long as they are reviewed and updated and they remain current and relevant. Some existing Department guidelines have not been reviewed for many years yet remain available as a resource on the DLGSC website.'</i></p> <p><i>'Guidance notices and templates would be appreciated and valued by smaller Local Governments. Important that the authors of such notices consider the capacity and resourcing challenges across the sector so that guidance materials do not place unrealistic expectations on smaller Local Governments. Recommend peak bodies (WALGA, LG Professionals WA) are engaged in this process to ensure the outcomes are operationally practical and suitable.'</i></p> <p><u>Updated Recommendation – Item 1.7 Supported</u></p>

Local Government Reform – Member Response

Theme 2: Reducing Red Tape, Increasing Consistency and Simplicity

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
2.1 Resource Sharing		
<ul style="list-style-type: none"> Amendments are proposed to encourage and enable local governments, especially smaller regional local governments, to share resources, including Chief Executive Officers and senior employees. Local governments in bands 2, 3 or 4 would be able to appoint a shared CEO at up to two salary bands above the highest band. For example, a band 3 and a band 4 council sharing a CEO could remunerate to the level of band 1. 	<p>Current Local Government Position Item 2.1 <u>aligns</u> with Advocacy Position 2.6 – Local Government Legislation – ‘Avoid red tape and ‘de-clutter’ the extensive regulatory regime that underpins the Local Government Act’ and Advocacy Position 2.3.1 - ‘Regional Collaboration’.</p> <p><i>Local Governments should be empowered to form single and joint subsidiaries, and beneficial enterprises. In addition, compliance requirements of Regional Councils should be reviewed and reduced.</i></p> <p>Comment The proposed reforms will rely upon statutory provisions that enable and enhance regional collaboration. Recent over-regulation of Regional Subsidiaries in 2016 resulted in no subsidiaries being formed since that time.</p> <p>Recommendation Supported</p>	<p>Member Response: 97% support the proposed reform.</p> <p>Indicative Member Comments: <i>‘It is noted the objective of this proposed reform is to encourage resource sharing practices among smaller regional local governments. It is not practical for band 1 local governments to implement practices such as sharing a CEO, however, such practices will be beneficial to smaller regional local governments and will encourage regional collaboration.’</i></p> <p><i>‘Increased support for shared resource arrangements is welcomed. The proposal could also link to the innovation proposal (Item 2.3) and a principle based on sustainability, whereby collaboration between Local Governments (beyond boundaries and geographic restrictions) are encouraged, and there is potential to seek greater legislative freedom/flexibility (potentially with Inspectorate/Ministerial sign-off).’</i></p> <p>Updated Recommendation – Item 2.1 Supported</p>
2.2 Standardisation of Crossovers		
<ul style="list-style-type: none"> It is proposed to amend the <i>Local Government (Uniform Local Provisions) Regulations 1996</i> to standardise the process for approving crossovers for residential properties and residential developments on local roads. 	<p>Current Local Government Position</p> <p>Comment WALGA developed the Template Crossover Guideline and Specification resource in 2017 and have been part of the Minister’s working group on</p>	<p>Member Response: 94% support the proposed reform.</p> <p>Indicative Member Comments: <i>‘Provided there is consideration for regional areas and further disparity is not created for Shires with rural or</i></p>

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
<ul style="list-style-type: none"> A Crossover Working Group has provided preliminary advice to the Minister and DLGSC to inform this. The DLGSC will work with the sector to develop standardised design and construction standards. 	<p>red tape reduction that has been looking at standardisation of crossovers.</p> <p>Recommendation Supported</p>	<p><i>semi-rural residential.</i></p> <p>Updated Recommendation – Item 2.2 Supported</p>
2.3 Introduce Innovation Provisions		
<ul style="list-style-type: none"> New provisions are proposed to allow exemptions from certain requirements of the <i>Local Government Act 1995</i>, for: <ul style="list-style-type: none"> Short-term trials and pilot projects Urgent responses to emergencies. 	<p>Current Local Government Position There is currently no advocacy position in relation to Item 2.3.</p> <p>Comment It is arguable communities expect all levels of Government will apply innovative solutions to complex and emerging issues difficult to resolve by traditional means. Exemptions constructed with appropriate checks and balances, particularly where expenditure of public funds are concerned, has potential to facilitate efficient and effective outcomes.</p> <p>Recommendation Supported</p>	<p>Member Response: 98% support the proposed reform.</p> <p>Indicative Member Comments: <i>‘Provided the inclusion of legislation does not result in more red tape. Very limited information has been provided on this point considering the many commercial, health, tourism or land projects Councils are regularly requested to engage in.’</i></p> <p><i>‘Consideration should be given to allowing local governments to maintain an interest in corporations in certain circumstances.’</i></p> <p>Updated Recommendation – Item 2.3 Supported</p>
2.4 Streamline Local Laws		
<ul style="list-style-type: none"> It is proposed that local laws would only need to be reviewed by the local government every 15 years. Local laws not reviewed in the timeframe would lapse, meaning that old laws will be automatically removed and no longer applicable. Local governments adopting Model Local 	<p>Current Local Government Position Items 2.4, 2.5 and 2.6 <u>expand upon</u> Advocacy Position 2.6.35 - ‘Local law-making process should be simplified’.</p> <p><i>The Local Law making process should be simplified as follows:</i></p> <ul style="list-style-type: none"> <i>The requirement to give state-wide notice</i> 	<p>Member Response: 98% support the proposed reform.</p> <p>Indicative Member Comments: <i>‘Support the simplification of the local law-making process and the application of model local laws. However, as with guidance notes, model local laws need to be reviewed and updated to remain current’</i></p>

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
<p>Laws will have reduced advertising requirements.</p>	<p><i>should be reviewed, with consideration given to Local Governments only being required to provide local public notice;</i></p> <ul style="list-style-type: none"> • <i>Eliminate the requirement to consult on local laws when a model is used;</i> • <i>Consider deleting the requirement to review local laws periodically. Local Governments, by administering local laws, will determine when it is necessary to amend or revoke a local law; and</i> • <i>Introduce certification of local laws by a legal practitioner in place of scrutiny by Parliament's Delegated Legislation Committee.</i> <p>Comment Proposed reforms meet the Sector's preference for simplified local law-making processes. Model local laws are supported, whilst recognising the models themselves will require review by State Government departments with the relevant administrative responsibility. For example, the Model Local Law (Standing Orders) 1998 formed the basis of many Local Government meeting procedures local law but no review was completed. This model was superseded by individual local laws with added contemporary provisions. This pattern will repeat itself if model local laws are not reviewed to remain contemporary to the Sector's requirements.</p> <p>Recommendation Supported</p>	<p><i>and relevant. There also needs to be the opportunity for Local Government to modify model local laws to meet local needs.'</i></p> <p><i>'Supported in part. Item 2 is not supported. The proposed automatic deletion is not supported and should be replaced with an automatic roll over to a model local law so that there is no vacuum of regulation that could affect public safety. The City welcomes further information for local governments consideration with respect to the proposed Model Local Laws.'</i></p> <p><i>'It is highly desirable that the model local laws are reviewed to ensure they are appropriate for smaller local governments (so that smaller local governments can enjoy the efficiency gains from having templates and reduced advertising requirements). Scalability should be considered in the drafting of any model local laws, i.e. potentially different models for Bands 1 & 2 vs Bands 3 & 4.'</i></p> <p><u>Updated Recommendation – Items 2.4 to 2.6 Supported</u></p>

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
2.5 Simplifying Approvals for Small Business and Community Events		
<ul style="list-style-type: none"> • Proposed reforms would introduce greater consistency for approvals for: <ul style="list-style-type: none"> ○ alfresco and outdoor dining ○ minor small business signage rules ○ running community events. 	As above	<p>Member Response: 97% support the proposed reform.</p> <p>Indicative Member Comments: <i>'As long as there is engagement to develop rules for events and signage. The health guidelines (which leave much discretion for Environmental Health Officers) are often not practical for regional areas. It would be counterproductive to be stuck with "An ambulance is required to hold a market day and sell cupcakes because you are 200+km from a primary healthcare facility". Differentiated service models in regional areas need to be better understood by people who only know what it's like to live in a metropolitan area.'</i></p> <p><i>'Support, subject to further clarification. It is recommended that Council support this reform, however it is unclear as to what the ramifications are in terms of:</i></p> <ul style="list-style-type: none"> · practical impacts on existing and future alfresco and outdoor dining areas; · the level of risk the local government would be assuming; and · whether such a reform impacts on the Shire's level of insurance.'
2.6 Standardised Meeting Procedures, Including Public Question Time		
<ul style="list-style-type: none"> • To provide greater clarity for ratepayers and applicants for decisions made by council, it is proposed that the meeting procedures and standing orders for all local government meetings, including for public question time, are standardised across the State. 	As above	<p>Member Response: 98% support the proposed reform.</p> <p>Indicative Member Comments: <i>'The standardisation of the standing orders is supported either through a local law or regulations,</i></p>

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
<ul style="list-style-type: none"> Regulations would introduce standard requirements for public question time, and the procedures for meetings generally. Members of the public across all local governments would have the same opportunities to address council and ask questions. 		<p><i>provided that sufficient flexibility is given and that the requirements are not overly complex, onerous or prescriptive.'</i></p> <p><i>'There is a degree of standardisation through current legislation. However, standardisation creates a one-size-fits-all situation which has created either inefficiencies or additional workloads across the sector. This is a problem the current legislative proposals are seeking to undo so it is important that similar problems are not created with these proposals.'</i></p>
<p>2.7 Regional Subsidiaries</p>		
<ul style="list-style-type: none"> Work is continuing to consider how Regional Subsidiaries can be best established to: <ul style="list-style-type: none"> Enable Regional Subsidiaries to provide a clear and defined public benefit for people within member local governments Provide for flexibility and innovation while ensuring appropriate transparency and accountability of ratepayer funds Where appropriate, facilitate financing of initiatives by Regional Subsidiaries within a reasonable and defined limit of risk Ensure all employees of a Regional Subsidiary have the same employment conditions as those directly employed by member local governments. 	<p>Current Local Government Position Item 2.7 <u>aligns</u> with Advocacy Position 2.3.1 - 'Regional Collaboration': <i>Local Governments should be empowered to form single and joint subsidiaries, and beneficial enterprises. In addition, compliance requirements of Regional Councils should be reviewed and reduced.</i></p> <p>Comment Under the Regional Subsidiary model, two or more Local Governments can establish a regional subsidiary to undertake a shared service function on behalf of its member Local Governments. The model provides increased flexibility when compared to the Regional Local Government model because regional subsidiaries are primarily governed and regulated by a charter rather than legislation. While the regional subsidiary model's governance structure is primarily representative, it allows independent and commercially focussed directors to be appointed to the board of management.</p>	<p>Member Response: 97% support the proposed reform.</p> <p>Indicative Member Comments: <i>'Supported in part. With respect to employee conditions, not all local governments have the same Enterprise Agreements and henceforth different conditions and benefits apply. The employees of a regional subsidiary should have the Local Government Award as their base conditions with the ability for their own enterprise agreement to be negotiated.'</i></p> <p><i>'Support proposed reforms and the submission from NEWROC which incorporates the following governance model:</i></p> <ul style="list-style-type: none"> <i>• use of a charter as the primary governance and regulatory instrument (approved by the Minister)</i> <i>• regular assessment of performance so that elected representatives on the Board have the necessary skills and qualifications to deliver upon the charter and strategic priorities of the regional subsidiary</i>

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
	<p>A key advantage of the regional subsidiary model is the use of a charter, as opposed to legislation, as the primary governance and regulatory instrument. Accordingly, the legislative provisions governing the establishment of regional subsidiaries should be light, leaving most of the regulation to the regional subsidiary charter, which can be adapted to suit the specific circumstances of each regional subsidiary.</p> <p>Recommendation Supported</p>	<ul style="list-style-type: none"> • <i>policies and procedures within the regional subsidiary to reduce risk and improve oversight</i> • <i>regular financial reporting and annual audits to members and communities.</i> <p><i>'Where Regional Subsidiaries are established as shared service centres for difficult to recruit skill sets the legislation should treat them as if a local government was employing a consultant. A regional subsidiary should only need to report back to the member local governments rather than the Department. It should be up to the member local governments to ensure the good governance of the subsidiary, not the State Government. This approach would simplify compliance.'</i></p> <p><u>Updated Recommendation – Item 2.7</u> Supported subject to the use of a charter as the primary governance and regulatory instrument.</p>

Local Government Reform – Member Response

Theme 3: Greater Transparency & Accountability

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
3.1 Recordings and Live-Streaming of All Council Meetings		
<ul style="list-style-type: none"> It is proposed that all local governments will be required to record meetings. Band 1 and 2 local governments would be required to livestream meetings, and make video recordings available as public archives. Band 1 and 2 are larger local governments are generally located in larger urban areas, with generally very good telecommunications infrastructure, and many already have audio-visual equipment. Band 1 and 2 local governments would be required to livestream meetings, and make video recordings available as public archives. Several local governments already use platforms such as YouTube, Microsoft Teams, and Vimeo to stream and publish meeting recordings. Limited exceptions would be made for meetings held outside the ordinary council chambers, where audio recordings may be used. Recognising their generally smaller scale, typically smaller operating budget, and potential to be in more remote locations, band 3 and 4 local governments would be required to record and publish audio recordings, at a minimum. These local governments would still be encouraged to livestream or video record meetings. All council meeting recordings would need to 	<p>Current Local Government Position Item 3.1 expands upon Advocacy Position 2.6 – ‘Promote a size and scale compliance regime’ and Advocacy Position 2.6.31 - ‘Attendance at Council Meetings by Technology’</p> <p><i>A review of the ability of Elected Members to log into Council meetings should be undertaken.</i></p> <p>Comment Local Governments introducing electronic meeting procedures and the means for remote public attendance in response to the COVID-19 pandemic led to a swift uptake of streaming Council meetings. The proposed reform that Band 1 and 2 Local Governments will be required to livestream meetings may be problematic where technical capability such as reliable bandwidth impacts the district.</p> <p>Recommendation Supported</p>	<p>Member Response: 66% support the proposed reform. 32% oppose the proposed reform.</p> <p>Indicative Member Comments:</p> <ol style="list-style-type: none"> ‘Support Band 1 and 2 live streaming and video recordings; Support Band 3 and 4 audio recordings; Reject the need to provide recordings of confidential matters to the department for archiving.’ <p>‘Council generally supports the proposed reforms with the following additional comment.</p> <ol style="list-style-type: none"> Given the potential cost impact to smaller local government to retain the audio recordings a reasonable time frame should be set for their retention. Live streaming of meetings should not encourage attendance remotely by Councillors and attendance in-person should be the default position. Forwarding the recorded confidential part of the meeting to the Department for record keeping appears to be an unnecessary impost with no valid reason given for this proposal. If meetings are livestreamed why would there be a requirement to publish the recording when the minutes are published.’ <p>‘Support the principle of recording and live-streaming all Council meetings for band 1 and 2</p>

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
<p>be published at the same time as the meeting minutes. Recordings of all confidential items would also need to be submitted to the DLGSC for archiving.</p>		<p><i>local governments. The proposal lacks some detail which the City would like the opportunity to make further submissions with respect to. Of particular concern is the requirement to record confidential items and the submission of those recordings to the DLGSC for archiving, particularly pertaining to confidential legal advice. There is insufficient information available regarding the controls to be put in place to ensure confidential recordings remain confidential, and what the purpose is for archiving by the DLGSC, how Freedom of Information will be treated by the DLGSC, how access will be authorised and local governments notified.'</i></p> <p><i>'The City is not supportive of submitting recordings of confidential items to the Department. Confidential items may include legal advice which is subject to legal privilege. Such privilege is at risk of being lost by the dissemination of the advice.'</i></p> <p>Updated Recommendation – Item 3.1</p> <ol style="list-style-type: none"> 1. Support live streaming the ordinary and special council meetings of Band 1 and 2 Local Governments and audio recording the ordinary and special council meetings of Band 3 and 4 Local Governments. 2. Do not support archiving the recordings of confidential matters by the Department of Local Government, Sport and Cultural Industries.

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
3.2 Recording All Votes in Council Minutes		
<ul style="list-style-type: none"> To support the transparency of decision-making by councillors, it is proposed that the individual votes cast by all councillors for all council resolutions would be required to be published in the council minutes, and identify those for, against, on leave, absent or who left the chamber. Regulations would prescribe how votes are to be consistently minuted. 	<p>Current Local Government Position There is currently no advocacy position in relation to Item 3.2.</p> <p>Comment There is an evolving common practice that Council Minutes record the vote of each Council Member present at a meeting.</p> <p>Recommendation Supported</p>	<p>Member Response: 90% support the proposed reform.</p> <p>Indicative Member Comments: <i>'It makes sense that the individual votes cast by all councillors for all council resolutions would be required to be published in the council minutes, and identify those for, against, on leave, absent or who left the chamber.'</i></p> <p>Updated Recommendation – Item 3.2 Supported</p>
3.3 Clearer Guidance for Meeting Items that may be Confidential		
<ul style="list-style-type: none"> Recognising the importance of open and transparent decision-making, it is considered that confidential meetings and confidential meeting items should only be used in limited, specific circumstances. It is proposed to make the Act more specific in prescribing items that may be confidential, and items that should remain open to the public. Items not prescribed as being confidential could still be held as confidential items only with the prior written consent of the Inspector. All confidential items would be required to be audio recorded, with those recordings submitted to the DLGSC (see Item 3.1). 	<p>Current Local Government Position There is currently no advocacy position in relation to Item 3.3.</p> <p>Comment Clarifying the provisions of the Act has broad support within the sector. New reforms requiring Local Governments to video or audio record Council meetings (Item 3.1) will add to the formal record of proceedings that includes written Minutes. While being supported, the requirement to provide audio recordings of confidential matters to the DLGSC is queried on the basis that written and audio records can be readily accessed from a Local Government if required.</p> <p>Recommendation Supported</p>	<p>Member Response: 93% support the proposed reform.</p> <p>Indicative Member Comments: <i>'Support greater transparency and the proposed reforms in principle. Further detail is required about what is likely to be prescribed, and the probable timeframe required for prior written consent of the Inspector.'</i></p> <p>Updated Recommendation – Item 3.3 Supported</p>

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
3.4 Additional Online Registers		
<ul style="list-style-type: none"> • It is proposed to require local governments to report specific information in online registers on the local government’s website. Regulations would prescribe the information to be included. • The following new registers, each updated quarterly, are proposed: <ul style="list-style-type: none"> ○ Lease Register to capture information about the leases the local government is party to (either as lessor or lessee) ○ Community Grants Register to outline all grants and funding provided by the local government ○ Interests Disclosure Register which collates all disclosures made by elected members about their interests related to matters considered by council ○ Applicant Contribution Register accounting for funds collected from applicant contributions, such as cash-in-lieu for public open space and car parking ○ Contracts Register that discloses all contracts above \$100,000. 	<p><u>Current Local Government Position</u> There is currently no advocacy position in relation to Item 3.4.</p> <p>Comment This proposal follows recent Act amendments that ensure a range of information is published on Local Government websites. WALGA has sought clarity that the contracts register excludes contracts of employment.</p> <p>Recommendation Supported</p>	<p>Member Response: 87% support the proposed reform. 13% oppose the proposed reform.</p> <p>Indicative Member Comments: <i>‘Supported for Tier 1 and 2 LGs. Whilst the need for transparency is understood, this creates an additional administrative burden for smaller local governments who are already struggling with compliance-related workload. Annual publication of these registers, rather than quarterly, would be far more achievable for smaller LGs.’</i></p> <p><i>‘The proposals are generally supported based on additional advice from the Minister about the information which will be captured in the registers.’</i></p> <p><u>Updated Recommendation – Item 3.4</u> Supported</p>
3.5 Chief Executive Officer Key Performance Indicators (KPIs) be Published		
<ul style="list-style-type: none"> • To provide for minimum transparency, it is proposed to mandate that the KPIs agreed as performance metrics for CEOs: <ul style="list-style-type: none"> ○ Be published in council meeting minutes as soon as they are agreed prior to (before the start of the annual period) 	<p><u>Current Local Government Position</u> There is currently no advocacy position in relation to Item 3.5.</p> <p>Comment In principle, this proposal has some merit and would be particularly effective if all CEO KPIs</p>	<p>Member Response: 30% support the proposed reform. 66% oppose the proposed reform.</p> <p>Indicative Member Comments: <i>‘Council would support the IPR (strategic direction) KPI’s being published online but don’t</i></p>

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
<ul style="list-style-type: none"> ○ The KPIs and the results be published in the minutes of the performance review meeting (at the end of the period) ○ The CEO has a right to provide written comments to be published alongside the KPIs and results to provide context as may be appropriate (for instance, the impact of events in that year that may have influenced the results against KPIs). 	<p>consistently reflect Strategic Community Plans and Corporate Business Plans of Local Governments, together with KPIs reflective of the CEO's statutory functions under Section 5.41 of the Act. This approach would inform the community of the CEO's performance related to the strategic direction and operational function of the Local Government.</p> <p>In practice, the drafting of statutory provisions will require sensitive consideration of certain KPIs i.e. those relating to issues affecting the workplace or identified risk-based concerns, to reflect the way Audit Committees currently deal with some internal control, risk and legislative compliance issues confidentially. This approach will protect the interests of Local Governments and other parties associated with such KPIs. It would be prudent for exemptions to be provided, based on matters of confidentiality. The proposed reforms and recent Act amendments signal a clear intent to permit closer community involvement and scrutiny of Local Government. However, negative consequences are likely if Local Government Council's responsibility as the employing authority of the CEO became blurred due to perceived community entitlement to comment, question and influence KPIs and the performance review process. Additionally, the publication of CEO KPI's will elevate this employment position to a high degree of public scrutiny seldom evident in the public or private sector, if at all. It is worth investigating whether the proposed reforms considered whether this factor could impact on the recruitment of CEO's, particularly from outside the Local Government sector. The results of performance reviews</p>	<p><i>support the results of the CEO performance reviews being published online. KPIs published online, have no background, knowledge of how they are prepared and so could result in unnecessary criticism from the community. Could result in the performance review being undertaken by the community, not the Council.'</i></p> <p><i>'Support the publication of an overview of CEO KPIs but does not support publication of the results of the CEO's performance review. The community elects the councillors who are responsible for the employment and management of the CEO. Additionally, the publication of CEO KPI's will elevate this employment position to a high degree of public scrutiny seldom evident in the public or private sector, if at all. The results of performance reviews should be confidential information between the employer and employee and should not be published, and should remain within the confidential human resource records of the organisation.'</i></p> <p><i>'Supportive of the KPIs set for a CEO being published where they align to the local government's strategic direction and subject to exemptions which do not require KPIs of a confidential or sensitive nature to be published. Not supportive of proposals to publish results of CEO performance reviews. Organisation performance review results should be published through strategic and corporate reporting and through the annual report process.'</i></p> <p><i>'The City opposes publishing of CEO KPIs. It would not be appropriate on the basis that it may</i></p>

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
	<p>should be confidential information between the employer and employee and should not be published and should remain within the confidential human resource records of the organisation.</p> <p>Recommendation</p> <ol style="list-style-type: none"> 1. Conditionally Support the reporting of CEO KPIs that are consistent with the strategic direction and operational function of the Local Government, subject to exemptions for publishing KPI's of a confidential nature; 2. Do not support the results of performance reviews being published. 	<p><i>result in personal information or sensitive information on internal working of the City being disclosed. Furthermore, it may result in the review being politicised review, being carried in a public arena.'</i></p> <p>Updated Recommendation – Item 3.5</p> <ol style="list-style-type: none"> 1. Conditionally support the reporting of CEO KPIs that are consistent with the strategic direction and operational function of the Local Government, subject to exemptions for publishing KPI's of a confidential nature; 2. Do not support the results of performance reviews being published.

Local Government Reform – Member Response

Theme 4: Stronger Local Democracy and Community Engagement

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
4.1 Community and Stakeholder Engagement Charters		
<ul style="list-style-type: none"> It is proposed to introduce a requirement for local governments to prepare a community and stakeholder engagement charter which sets out how local government will communicate processes and decisions with their community. A model Charter would be published to assist local governments who wish to adopt a standard form. 	<p>Current Local Government Position Items 4.1 and 4.2 generally align with Advocacy Position 2.6.34 - ‘Support responsive, aspirational and innovative community engagement principles’</p> <p><i>The Local Government sector supports:</i></p> <ol style="list-style-type: none"> Responsive, aspirational and innovative community engagement principles Encapsulation of aims and principles in a community engagement policy, and The option of hosting an Annual Community Meeting to present on past performance and outline future prospects and plans. <p>Comment As indicated in Item 4.1 commentary, many Local Governments have already developed stakeholder engagement charters, or similar engagement strategies, that reflect their unique communities of interest. The development of guidance by the DLGSC, based on standards such as the International Standard for Public Participation practice, is supported in favour of taking a prescriptive approach or conducting a survey for the sake of a survey. Item 4.2 has potential to provide benchmarking of community satisfaction levels across Band 1 and 2 Local Governments.</p> <p>Recommendation Supported</p>	<p>Member Response: 87% support the proposed reform.</p> <p>Indicative Member Comments: ‘Suggest multiple model charters relevant to banding.’</p> <p>‘Council supports the adoption of a community and stakeholder engagement charter that benefits the community’s understanding of the Local Government’s processes and decisions.’</p> <p>‘Supported, however maintain that a proposed model Charter must take into account the varying needs and geographical factors across the sector. The sector must be consulted on the content of the proposed Charter. A community engagement charter, which includes minimum standards for community engagement, allows a streamlined opportunity for local governments to communicate clearly when, how and on what matters the community will be engaged. A charter can help councils identify the matters on which to engage, evaluate the resources needed and provide guidance on the best methods to engage on a particular issue. Council has previously adopted policy COMD 2 Community Engagement.’</p> <p>Updated Recommendation – Item 4.1 Supported</p>

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
4.2 Ratepayer Satisfaction Surveys (Band 1 and 2 local governments only)		
<ul style="list-style-type: none"> It is proposed to introduce a requirement that every four years, all local governments in bands 1 and 2 hold an independently-managed ratepayer satisfaction survey. Results would be required to be reported publicly at a council meeting and published on the local government’s website. All local governments would be required to publish a response to the results. 	<p>As above</p>	<p>Member Response: 85% support the proposed reform.</p> <p>Indicative Member Comments: <i>‘Supportive although suggest it should be more inclusive to be a community satisfaction survey rather than just ratepayers.’</i></p> <p>Updated Recommendation – Item 4.2 Support the conduct of community, rather than ratepayer, satisfaction surveys.</p>
4.3 Introduction of Preferential Voting		
<ul style="list-style-type: none"> Preferential voting is proposed be adopted as the method to replace the current first past the post system in local government elections. In preferential voting, voters number candidates in order of their preferences. Preferential voting is used in State and Federal elections in Western Australia (and in other states). This provides voters with more choice and control over who they elect. All other states use a form of preferential voting for local government. 	<p>Current Local Government Position Item 4.3 does not align with Advocacy Position 2.5.1 – ‘First Past the Post voting system’</p> <p><i>The Local Government sector supports:</i></p> <ol style="list-style-type: none"> Four year terms with a two year spill Greater participation in Local Government elections The option to hold elections through: <ul style="list-style-type: none"> Online voting Postal voting, and In-person voting Voting at Local Government elections to be voluntary The first past the post method of counting votes <p>Comment It should be noted that the sector’s advocacy against compulsory voting and ‘All in, All out’ 4</p>	<p>Member Response: 14% support the proposed reform. 81% oppose the proposed reform.</p> <p>Indicative Member Comments: <i>‘Not convinced that the introduction of preferential voting will not discourage party politics and other alliances forming. Could the notion of optional preferential voting be considered?’</i></p> <p><i>‘Council supports the First Past the Post (FPTP) system as opposed to the differential voting system. The FPTP has been used very effectively in the past and reduces the potential for ‘groups’ or ‘tickets’ to form as part of an election campaign. A FPTP system encourages candidates to campaign on their own merits.’</i></p> <p><i>‘Simply put, there is too great of a risk moving to preferential voting as it will allow for the infiltration</i></p>

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
	<p>year terms has been successful and these items are not included in the reform proposals.</p> <p>The introduction of preferential voting will be a return to the system of voting prior to the <i>Local Government Act 1995</i>. The Local Government Advisory Board reported on voting systems in 2006 (<i>Local Government Structural Reform in Western Australia: Ensuring the Future Sustainability of Communities</i>) and provided the following comments in support of both first past the post voting and preferential voting:</p> <p><i>Comments in support of retaining first past the post include:</i></p> <ul style="list-style-type: none"> • Quick to count. Preferential voting is time consuming to count. • Easily understood. • Removes politics out of campaigning. Preferential will encourage alliances formed for the distribution of preferences and party politics into local government. • Preferential voting allows election rigging through alliances or ‘dummy’ candidates. • In a preferential system, the person that receives the highest number of first preference votes does not necessarily get elected.’ <p><i>Comments in support of replacing first past the post include:</i></p> <ul style="list-style-type: none"> • Preferential voting is more democratic and removes an area of confusion. • Preferential voting ensures that the most popular candidates are elected who best reflect the will of the voters. • Preferential system should be introduced. In FPP elections, candidates work together to get votes for each other. Preferential would make it 	<p><i>of party politics and ultimately drive up the costs associated with elections. Online voting needs to be implemented as a priority over voting system.’</i></p> <p><i>‘Do not support the introduction of preferential voting, particularly given there is no proposal to make LG voting compulsory. The existing FPTP system functions well and assists in limiting the formation of political factions in Councils.’</i></p> <p><i>‘Not Supported as preferential voting has been tried before and removed. First past the post is:</i></p> <ul style="list-style-type: none"> - Simple - Quick to count - Doesn’t promote factionalism - Transparent’ <p><i>‘Strongly opposes the introduction of preferential voting. It is a long-standing position of objection by WALGA and the sector generally that preferential voting is not supported nor needed in local government. We support WALGA’s position. Preferential voting in other jurisdictions in Australia is in effect on the premise that voting is compulsory. Compulsory voting should be mandated if preferential voting is adopted. There are no relevant case studies in Australia to reference for preferential voting where voting is not compulsory, so the success of this approach cannot be measured. It is not supported.’</i></p> <p><i>‘Council continues to support Optional Preferential voting, as outlined in its submissions to Phase 1- 27 September 2017 and Phase 2 – 30 January 2019 of the most recent review of the Local Government Act 1995. It should be noted that optional preferential voting was also the</i></p>

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
	<p><i>more difficult for this practice to take place.</i></p> <ul style="list-style-type: none"> <i>• FPP does not adequately reflect the wishes of electors when there are three candidates or more.</i> <i>• FPP is unsuitable when there is more than one vacancy.</i> <i>• Allows for a greater representation from a range of interest groups and prevents domination of elections by mainstream party politics.'</i> <p>The Sector supports first past the post voting for its simplicity and fundamental apolitical nature, therefore the proposed reforms are not supported. Feedback is sought to ensure the advocacy position for first past the post elections remains the preferred option.</p> <p>Recommendation Not currently supported - Local Government feedback requested</p>	<p><i>recommendation of the Local Government Review Panel.'</i></p> <p><i>'Generally support WALGA recommendation(s) It is the Councils position that FPP is a less political form of counting votes, the most popular candidate attains the highest number of votes, the second most popular candidate achieves the second highest number of votes, and so on. In rural and remote settings nearly everyone knows all of the candidates personally and so there is unlikely to be unknown candidates sneaking in to power. Preference deals to alter the result to ensure that aligned parties / candidates are elected will politicise what is supposed to be a community role, not a party political one. There is evidence of this leading to poor outcomes for communities and for unwanted pressures on staff and CEOs. Broader political aspirations should not affect the decision making process to the detriment of staff and the wider community. Council does not support this change.'</i></p> <p>Updated Recommendation – Item 4.3</p> <ol style="list-style-type: none"> 1. Support first past the post method of counting votes. 2. However, if 'first past the post' is not retained then optional preferential voting is preferred.
<p>4.4 Public Vote to Elect the Mayor and President</p>		
<ul style="list-style-type: none"> • Mayors and Presidents of all local governments perform an important public leadership role within their local communities. 	<p>Current Local Government Position Item 4.4 does not align with Advocacy Position 2.5.2 - 'Election of Mayors and Presidents be at the discretion of Local Government.' <i>Local</i></p>	<p>Member Response: 21% support the proposed reform. 67% oppose the proposed reform.</p>

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
<ul style="list-style-type: none"> Band 1 and 2 local governments generally have larger councils than those in bands 3 and 4. Accordingly, it is proposed that the Mayor or President for all band 1 and 2 councils is to be elected through a vote of the electors of the district. Councils in bands 3 and 4 would retain the current system. A number of Band 1 and Band 2 councils have already moved towards Public Vote to Elect the Mayor and President in recent years, including City of Stirling and City of Rockingham. 	<p><i>Governments should determine whether their Mayor or President will be elected by the Council or elected by the community.</i></p> <p>Comment There are 43 Band 1 and 2 Local Governments with 22 popularly electing the Mayor or President: Band 1 - 15 Band 2 - 7</p> <p>The remaining 21 Local Governments have a Council-elected Mayor or President. The cited examples of the City of Rockingham and City of Stirling electors determining by referendum to change the process for electing the Mayor are examples of the current system working as intended. There is no evidence of elector support for uniform direct election of Mayors.</p> <p>Recommendation Not currently supported - Local Government feedback requested</p>	<p>Indicative Member Comments: <i>'Removing the discretion from local government and requiring bands 1 and 2 Mayors and Presidents to be directly elected while bands 3 and 4 are elected by Councillors neither provides consistency as some will be one or another or discretion of Councillors. The decisions of Councillors should be respected in this regard as this more likely to be reflective of their community's preference. This is not supported.'</i></p> <p><i>'The City does not support a requirement for the role of Mayor or President to be determined by electors. The City considers that its current system of having the Mayor elected directly by Council assists in ensuring the Mayor has the support of the majority of Council. Further, it assists in avoiding party politics.'</i></p> <p><i>A review of all recent election results for the City shows that City's chosen Mayor (in election years during which they are a candidate) has received the highest number of votes from the community for their seat as a Councillor. The City is supportive of introducing further ability of local governments to address and stand down 'rogue' Mayors.'</i></p> <p>Updated Recommendation – Item 4.4 Support retaining the current provision, that the election of Mayors and Presidents be at the discretion of each Local Government.</p>

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
4.5 Tiered Limits on the Number of Councillors		
<ul style="list-style-type: none"> • It is proposed to limit the number of councillors based on the population of the entire local government. • Some smaller local governments have already been moving to having smaller councils to reduce costs for ratepayers. • The Local Government Panel Report proposed: <ul style="list-style-type: none"> ○ For a population of up to 5,000 – five councillors (including the President) ○ population of between 5,000 and 75,000 – five to nine councillors (including the Mayor/President) ○ population of above 75,000 – nine to fifteen councillors (including Mayor). 	<p>Current Local Government Position Item 4.5 does not align with Advocacy Position 2.5.1 – ‘Councils consist of between six and 15 (including the Mayor/President)’ <i>Local Governments being enabled to determine the number of Elected Members required on the Council between six and 15 (including the Mayor/President)</i></p> <p>Comment The proposed reform to restrict Local Governments with populations under 5,000 to 5 Council Members does not reflect the varied communities of interest within this grouping. Some Local Governments are essentially regional centres such as the Shires of Katanning (9), Dandaragan (9), Merredin (9), Moora (9) and Northampton (9) (current Councillor numbers bracketed). Local Governments such as the Shire of Ngaanyatjarraku (9) manage substantial land areas, manage isolated communities such as the Shire of Meekatharra (7) and culturally diverse communities such as the Shire of Christmas Island (9). Some Local Governments with populations up to 5,000 warrant a greater number of Councillors to effectively share the representative role that Council Members play within their communities. The additional proposed reforms in population categories over 5,000 generally reflect the current Councillor numbers.</p> <p>Recommendation Recommend 5 to 7 Council Members for populations up to 5,000 and support the remaining proposed reforms.</p>	<p>Member Response: 30% support the proposed reform. 65% oppose the proposed reform.</p> <p>Indicative Member Comments: <i>‘Suggest that the number of councillors for districts with up to 5,000 electors should be set at between 5 to 7 councillors with the decision determined by the local government.’</i> <i>‘Council does not have enough information to form a position on the ‘tiered limits of number of councillors. More information is needed to understand the application of the proposed reform relating to how the number of elected members is determined within the individual ranges given. For instance, is it intended that there will be bands within each tier?’</i> <i>‘Council supports a population of up to 5,000 being permitted to have between 5-7 Councillors, whilst supporting the remaining proposed reforms.’</i> <i>‘The City supports this Reform, subject to Tier 2 having 7 to 9 Councillors and Tier 3 having a maximum of 13 Councillors. The rationale for this view is that the increase in the number of elected members should be equally relative to the population. Further, the City views 15 Councillors as a significant number that may, without benefit, place an increased financial and resourcing burden on the ratepayer.’</i></p> <p>Updated Recommendation – Item 4.5 Recommend 5 to 7 Council Members for populations up to 5,000 and support the remaining proposed reforms.</p>

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
4.6 No Wards for Small Councils (Band 3 and 4 Councils only)		
<ul style="list-style-type: none"> It is proposed that the use of wards for councils in bands 3 and 4 is abolished. Wards increase the complexity of elections, as this requires multiple versions of ballot papers to be prepared for a local government's election. In smaller local governments, the population of wards can be very small. These wards often have councillors elected unopposed, or elect a councillor with a very small number of votes. Some local governments have ward councillors elected with less than 50 votes. There has been a trend in smaller local governments looking to reduce the use of wards, with only 10 councils in bands 3 and 4 still having wards. 	<p>Current Local Government Position There are no advocacy positions in relation to Items 4.6, 4.7, 4.8 or 4.9.</p> <p>Comment The proposed reform to discontinue wards in Band 3 and 4 Local Governments brings alignment with the majority and provides that affected Local Governments will no longer have to conduct 8 year ward reviews or make representation to the Local Government Advisory Board to revert to a no wards system. Remaining proposed reforms will improve and clarify election processes.</p> <p>Recommendation Supported</p>	<p>Member Response: 77% support the proposed reform.</p> <p>Indicative Member Comments: <i>'The main issue with this recommended change is for Local Governments that have vast areas and numerous towns/areas that are basically very different to the remainder of the shire.'</i></p> <p><i>'Object to the proposal. Councils and the communities they represent should decide if they retain wards or abolish. The circumstances of each LG district are different and the option should be available.'</i></p> <p>Updated Recommendation – Items 4.6 to 4.9 Supported</p>
4.7 Electoral Reform – Clear Lease Requirements for Candidate and Voter Eligibility		
<ul style="list-style-type: none"> Reforms are proposed to prevent the use of “sham leases” in council elections. Sham leases are where a person creates a lease only to be able to vote or run as a candidate for council. The City of Perth Inquiry Report identified sham leases as an issue. Electoral rules are proposed to be strengthened: <ul style="list-style-type: none"> A minimum lease period of 12 months will be required for anyone to register a person to vote or run for council. Home based businesses will not be eligible to register a person to vote or run 	<p>As above</p>	<p>Member Response: 98% support the proposed reform.</p> <p>Indicative Member Comments: <i>'Council strongly supports the introduction of tightened rules that provide clear lease requirements for candidate nomination and elector enrolment provisions.'</i></p> <p><i>'Council notes the Department has identified issues surrounding sham leases following recent inquiries. The proposed reforms for Candidate and Voter Eligibility are supported.'</i></p>

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
<p>for council, because any residents are already the eligible voter(s) for that address.</p> <ul style="list-style-type: none"> ○ Clarifying the minimum criteria for leases eligible to register a person to vote or run for council. • The reforms would include minimum lease periods to qualify as a registered business (minimum of 12 months), and the exclusion of home based businesses (where the resident is already eligible) and very small sub-leases. • The basis of eligibility for each candidate (e.g. type of property and suburb of property) is proposed to be published, including in the candidate pack for electors. 		
4.8 Reform of Candidate Profiles		
<ul style="list-style-type: none"> • Further work will be undertaken to evaluate how longer candidate profiles could be accommodated. • Longer candidate profiles would provide more information to electors, potentially through publishing profiles online. • It is important to have sufficient information available to assist electors make informed decisions when casting their vote. 	As above	<p>Member Response: 95% support the proposed reform.</p> <p>Indicative Member Comments: <i>'Supported, and note there is limited detail regarding the proposed reforms while further work is to be undertaken to evaluate how longer candidate profiles could be accommodated. To extend candidate profiles in a significant manner may decrease voter participation, genuine engagement, and equity to those drawing a later ballot position. The use of technology may assist to avoid excessively sized voter packs.'</i></p>

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
4.9 Minor Other Electoral Reforms		
<ul style="list-style-type: none"> • Minor other electoral reforms are proposed to include: <ul style="list-style-type: none"> ○ The introduction of standard processes for vote re-counts if there is a very small margin between candidates (e.g. where there is a margin of less than 10 votes a recount will always be required) ○ The introduction of more specific rules concerning local government council candidates' use of electoral rolls. 	<p>As above</p>	<p>Member Response: 88% support the proposed reform.</p> <p>Indicative Member Comments: <i>'The standardisation and clarification of elections is supported. Other reforms are suggested including on-line voting through a secure central portal in addition to either in person or mail in voting, making it easier for individuals to check their eligibility to vote (through an online service) and to register to vote.'</i></p>

Local Government Reform – Member Response

Theme 5: Clear Roles and Responsibilities

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
5.1 Introduce Principles in the Act		
<ul style="list-style-type: none"> It is proposed to include new principles in the Act, including: <ul style="list-style-type: none"> The recognition of Aboriginal Western Australians Tiering of local governments (with bands being as assigned by the Salaries and Allowances Tribunal) Community Engagement Financial Management. 	<p>Current Local Government Position Item 5.1 generally aligns with Advocacy Position 2.6 - Legislative Intent <i>Provide flexible, principles-based legislative framework.</i></p> <p>Recommendation Supported</p>	<p>Member Response: 95% support the proposed reform.</p> <p>Updated Recommendation – Item 5.1 Supported</p>
5.2 Greater Role Clarity		
<ul style="list-style-type: none"> The Local Government Act Review Panel recommended that roles and responsibilities of elected members and senior staff be better defined in law. It is proposed that these roles and responsibilities are further defined in the legislation. These proposed roles will be open to further consultation and input. <p>These roles would be further strengthened through Council Communications Agreements (see item 5.3).</p> <p>5.2.1 - Mayor or President Role</p> <ul style="list-style-type: none"> It is proposed to amend the Act to specify the roles and responsibilities of the Mayor or President. While input and consultation will inform precise wording, it is proposed that the Act is amended to generally outline that the Mayor or President is responsible for: 	<p>Current Local Government Position Item 5.2 aligns with Advocacy Position 2.6.36 - 'Roles and Responsibilities'</p> <p><i>That clarification of roles and responsibilities for Mayors/ Presidents, Councillors and CEOs be reviewed to ensure that there is no ambiguity.</i></p> <p>Recommendation Supported</p> <p>5.2.1 As above</p>	<p>Member Response: 98% support the proposed reform.</p> <p>Indicative Member Comments: <i>'Greater clarification between the roles of Mayor/President; Council; Councillors and the CEO is supported. As above, this should be principles based rather than prescriptive. The proposed reforms appear to be very prescriptive and inaccessible. Much of this information could be provided as guidance notes and not need to be legislated.'</i></p> <p>Updated Recommendation – Item 5.2 Supported</p> <p>5.2.1 – Mayor or President Role Member Response: 100% support the proposed reform.</p>

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
<ul style="list-style-type: none"> ○ Representing and speaking on behalf of the whole council and the local government, at all times being consistent with the resolutions of council ○ Facilitating the democratic decision-making of council by presiding at council meetings in accordance with the Act ○ Developing and maintaining professional working relationships between councillors and the CEO ○ Performing civic and ceremonial duties on behalf of the local government <p>Working effectively with the CEO and councillors in overseeing the delivery of the services, operations, initiatives and functions of the local government.</p> <p>5.2.2 - Council Role</p> <ul style="list-style-type: none"> • It is proposed to amend the Act to specify the roles and responsibilities of the Council, which is the entity consisting of all of the councillors and led by the Mayor or President. • While input and consultation will inform precise wording, it is proposed that the Act is amended to generally outline that the Council is responsible for: <ul style="list-style-type: none"> ○ Making significant decisions and determining policies through democratic deliberation at council meetings ○ Ensuring the local government is adequately resourced to deliver the local governments operations, services and functions - including all functions that support informed decision-making by council ○ Providing a safe working environment for the CEO; ○ Providing strategic direction to the CEO; 	<p>5.2.2 As above</p>	<p>5.2.2 – Council Role Member Response: 100% support the proposed reform.</p>

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
<p>Monitoring and reviewing the performance of the local government.</p> <p>5.2.3 - Elected Member (Councillor) Role</p> <ul style="list-style-type: none"> • It is proposed to amend the Act to specify the roles and responsibilities of all elected councillors. • While input and consultation will inform precise wording, it is proposed that the Act is amended to generally outline that every elected councillor is responsible for: <ul style="list-style-type: none"> ○ Considering and representing, fairly and without bias, the current and future interests of all people who live, work and visit the district (including for councillors elected for a particular ward) ○ Positively and fairly contribute and apply their knowledge, skill, and judgement to the democratic decision-making process of council ○ Applying relevant law and policy in contributing to the decision-making of the council ○ Engaging in the effective forward planning and review of the local governments' resources, and the performance of its operations, services, and functions ○ Communicating the decisions and resolutions of council to stakeholders and the public ○ Developing and maintaining professional working relationships with all other councillors and the CEO ○ Maintaining and developing their knowledge and skills relevant to local government ○ Facilitating public engagement with local government. 	<p>5.2.3 As above</p>	<p>5.2.3 – Elected Member Role Member Response: 100% support the proposed reform.</p>

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
<p>It is proposed that elected members should not be able to use their title (e.g. “Councillor”, “Mayor”, or “President”) and associated resources of their office (such as email address) unless they are performing their role in their official capacity.</p> <p>5.2.4 - CEO Role</p> <ul style="list-style-type: none"> • The <i>Local Government Act 1995</i> requires local governments to employ a CEO to run the local government administration and implement the decisions of council. • To provide greater clarity, it is proposed to amend the Act to specify the roles and responsibilities of all local government CEOs. • While input and consultation will inform precise wording, it is proposed that the Act is amended to generally outline that the CEO of a local government is responsible for: <ul style="list-style-type: none"> ○ Coordinating the professional advice and assistance necessary for all elected members to enable the council to perform its decision-making functions ○ Facilitating the implementation of council decisions ○ Ensuring functions and decisions lawfully delegated by council are managed prudently on behalf of the council ○ Managing the effective delivery of the services, operations, initiatives and functions of the local government determined by the council ○ Providing timely and accurate information and advice to all councillors in line with the Council Communications Agreement (see item 5.3) ○ Overseeing the compliance of the 	<p>5.2.4 As above</p>	<p>5.2.4 – CEO Role Member Response: 98% support the proposed reform.</p> <p><u>Updated Recommendation – Items 5.2.1 to 5.2.4</u> Supported</p>

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
<p>operations of the local government with State and Federal legislation on behalf of the council</p> <ul style="list-style-type: none"> o Implementing and maintaining systems to enable effective planning, management, and reporting on behalf of the council. 		
<p>5.3 Council Communication Agreements</p>		
<ul style="list-style-type: none"> • In State Government, there are written Communication Agreements between Ministers and agencies that set standards for how information and advice will be provided. • It is proposed that local governments will need to have Council Communications Agreements between the council and the CEO. • These Council Communication Agreements would clearly specify the information that is to be provided to councillors, how it will be provided, and the timeframes for when it will be provided. • A template would be published by DLGSC. This default template will come into force if a council and CEO do not make a specific other agreement within a certain timeframe following any election. 	<p>Current Local Government Position There is no advocacy position in relation to Item 5.3.</p> <p>Comment The availability of information not already in the public domain to Councillors under Section 5.92 of the Act can become contentious in the absence of a clear statement in support of the function the Council Member is performing. This can place CEO's in the invidious position of ruling on the availability of a record of the Local Government, when it is also their function under Section 5.41(h) of the Act to 'ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law'. Consistent availability of information motivates this proposed reform and it does not appear that individual Council Communication Agreements will be a means to that end. There is a better case for a uniform approach in the form of a regulated Agreement, in much the same way that the Communication Agreements between Ministers and agencies are based on provisions of the <i>Public Sector Management Act 1994</i>.</p> <p>Recommendation Support a consistent, regulated Communications Agreement.</p>	<p>Member Response: 92% support the proposed reform.</p> <p>Indicative Member Comments: <i>'Overall supports the proposed reforms providing the agreement relevant to the size and scale of the community and a 'one size fits all' approach is not taken.'</i></p> <p><i>'The Council Member – Requests/Contact with City Employees policy provides direction to Council Members on the procedure for submitting requests for information or action from Administration on matters concerning the Local Government. Support a consistent regulated communication agreement which would replace this policy. To be consistent with the LG Act, we suggest this could be referred to as a Council policy rather than differentiated as an "Agreement".'</i></p> <p>Updated Recommendation – Item 5.3 Support a consistent, regulated Communications Agreement.</p>

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
<p>5.4 Local Governments May Pay Superannuation Contributions for Elected Members</p>		
<ul style="list-style-type: none"> It is proposed that local governments should be able to decide, through a vote of council, to pay superannuation contributions for elected members. These contributions would be additional to existing allowances. Superannuation is widely recognised as an important entitlement to provide long term financial security. Other states have already moved to allow councils to make superannuation contributions for councillors. Allowing council to provide superannuation is important part of encouraging equality for people represented on council – particularly for women and younger people. Providing superannuation to councillors recognises that the commitment to elected office can reduce a person's opportunity to undertake employment and earn superannuation contributions. 	<p>Current Local Government Position There is no advocacy position in relation to Item 5.4.</p> <p>Comment WALGA was in the process of consulting with the sector when this reform was announced. The feedback to date from Local Governments varied. The proposed discretionary approach will permit Local Governments to exercise general competence powers to make their own determination on paying superannuation to Council Members.</p> <p>Recommendation Supported</p>	<p>Member Response: 63% support the reform. 30% oppose the reform.</p> <p>Indicative Member Comments: <i>'Supported. Elected Members should receive superannuation contributions to encourage equality for people represented on Council, and it recognises the commitment to elected office can reduce the opportunity for an Elected Member to undertake employment and earn superannuation contributions. It is for this reason Council support superannuation contributions for Elected Members, on the proviso that it is mandated in legislation.'</i></p> <p><i>'Not supported. The provision of superannuation may blur the lines between Council Members and staff members. Council Members are not employees. Making payment of superannuation optional would not provide equity across the sector with some local governments choosing to pay and others not. Optional payments may politicise the decision of a local government.'</i></p> <p>Updated Recommendation – Item 5.4 Supported</p>
<p>5.5 Local Governments May Establish Education Allowances</p>		
<ul style="list-style-type: none"> Local governments will have the option of contributing to the education expenses for councillors, up to a defined maximum value, for tuition costs for further education that is directly related to their role on council. 	<p>Current Local Government Position Item 5.5 generally aligns with Advocacy Position 2.8 - Elected Member Training <i>Support Local Governments being required to establish an Elected Member Training Policy to</i></p>	<p>Member Response: 97% support the proposed reform.</p> <p>Indicative Member Comments:</p>

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
<ul style="list-style-type: none"> Councils will be able to decide on a policy for education expenses, up to a maximum yearly value for each councillor. Councils may also decide not to make this entitlement available to elected members. Any allowance would only be able to be used for tuition fees for courses, such as training programs, diplomas, and university studies, which relate to local government. Where it is made available, this allowance will help councillors further develop skills to assist with making informed decisions on important questions before council, and also provide professional development opportunities for councillors. 	<p><i>encourage training and include budgetary provision of funding for Elected Members;</i> Comment The proposal augments recent Act amendments that require Local Governments to adopt a professional development policy for Council Members. Many Local Governments now budget for training requirements that align with the policy statement.</p> <p>Recommendation Supported</p>	<p><i>Supported. Many local governments have a policy position with respect to local government contributions for Elected Member education expenses. This initiative falls under the general competency doctrine provided by the Local Government Act and could be dealt with at a policy level, however the City supports a streamlined approach to Elected Member education allowances.</i></p> <p><i>'Strongly support the provisions of expanded and more appropriate professional development for elected members to undertake training that better equips them to undertake the role.'</i></p> <p>Updated Recommendation – Item 5.5 Supported</p>
<p>5.6 Standardised Election Caretaker period</p>		
<ul style="list-style-type: none"> A statewide caretaker period for local governments is proposed. All local governments across the State would have the same clearly defined election period, during which: <ul style="list-style-type: none"> Councils do not make major decisions with criteria to be developed defining 'major' Incumbent councillors who nominate for re-election are not to represent the local government, act on behalf of the council, or use local government resources to support campaigning activities. <p>There are consistent election conduct rules for all candidates.</p>	<p>Current Local Government Position There is no advocacy position in relation to Item 5.6</p> <p>Comment WALGA developed a template Caretaker Policy in 2017 on request for a consistent approach. There are no know instances where Caretaker Policy have led to unforeseen or unmanageable consequences impacting on decision-making functions.</p> <p>Recommendation Supported</p>	<p>Member Response: 78% support the proposed reform.</p> <p>Indicative Member Comments: <i>'Consultation required. Local Governments should choose whether to have a caretaker period policy. Further considerations should include how existing Elected Members that are candidates carry out Council duties and any restrictions imposed.'</i></p> <p><i>'It is observed that a caretaker period would mean that during a significant part of each two years, Council cannot make decisions and that this would distract from the "requirement for Councillors to act in the best interests of the</i></p>

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
		<p><i>district and the residents at all times”, including the run up to each election.’</i></p> <p>Updated Recommendation – Item 5.6 Supported</p>
5.7 Remove WALGA from the Act		
<ul style="list-style-type: none"> The Local Government Panel Report recommended that WALGA not be constituted under the <i>Local Government Act 1995</i>. Separating WALGA out of the Act will provide clarity that WALGA is not a State Government entity. 	<p>Current Local Government Position There is no advocacy position in relation to Item 5.7.</p> <p>Comment WALGA is conducting its own due diligence on this proposal, previously identified in the Local Government Review Panel Report. The outcome of this reform would require a transition of WALGA from a body constituted under the Act to an incorporated association. It is important to the Local Government sector that the provisions relating to the mutual self-insurance scheme and tender exempt prequalified supply panels remain in the Act and are not affected by this proposal. Further work is being carried out by WALGA to fully understand the effect this proposal will have on WALGA and the sector.</p> <p>Recommendation WALGA to undertake its due diligence on this proposal and advise the sector accordingly.</p>	<p>Member Response: 57% support the proposed reform. 25% conditionally support the proposed reform. 18% oppose the reform proposal.</p> <p>Indicative Member Comments: <i>‘If this is to occur, it is important to the Local Government sector that the provisions relating to the mutual self-insurance scheme and tender exempt prequalified supply panels remain in the Act and are not affected by this proposal. Further work is being carried out by WALGA to fully understand the effect this proposal will have on WALGA and the sector. Support recommendation that WALGA undertake its due diligence on this proposal and advise the sector accordingly.’</i></p> <p><i>‘Undecided. While understanding that it is not appropriate to incorporate WALGA in the LG Act, the retention of WALGA’s current preferred supplier program and mutual insurance coverage is a high priority. These WALGA programs reduce the Shire’s financial and compliance costs significantly.’</i></p>

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
		<p>Updated Recommendation – Item 5.7</p> <ol style="list-style-type: none"> 1. Support for this proposal is subject to WALGA undertaking further due diligence on the broader implications of the proposal and subsequent consultation with the sector. 2. Any proposed reforms ensure that: <ol style="list-style-type: none"> a) The Local Government Act retain statutory provisions permitting WALGA to provide the sector with the mutual self-insurance scheme and preferred supplier program tender exemptions; and b) There be no disadvantages to WALGA’s capacity to provide services and represent the interests of the sector.
5.8 CEO Recruitment		
<ul style="list-style-type: none"> • It is proposed that DLGSC establishes a panel of approved panel members to perform the role of the independent person on CEO recruitment panels. • Councils will be able to select an independent person from the approved list. Councils will still be able to appoint people outside of the panel with the approval of the Inspector. 	<p>Current Local Government Position There is no advocacy position in relation to Item 5.8.</p> <p>Comment The proposed reform augments the CEO Standards in relation to recruitment introduced in February 2021.</p> <p>Recommendation Supported</p>	<p>Member Response: 68% support the reform. 26% oppose the reform.</p> <p>Indicative Member Comments: <i>‘Only supported in the instance that there is no additional cost associated with the recruitment and use of a panel member. Whilst an incredibly important decision, CEO recruitment is already a significant expense for smaller local governments and this requirement has the potential to increase it.’</i></p> <p>Updated Recommendation – Item 5.8 Supported on the proviso that no cost is associated with the use of the panel approved.</p>

Local Government Reform – Member Response

Theme 6: Improved Financial Management and Reporting

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
6.1 Model Financial Statements and Tiered Financial Reporting		
<ul style="list-style-type: none"> The Minister strongly believes in transparency and accountability in local government. The public rightly expects the highest standards of integrity, good governance, and prudent financial management in local government. It is critically important that clear information about the financial position of local governments is openly available to ratepayers. Financial information also supports community decision-making about local government services and projects. Local governments differ significantly in the complexity of their operations. Smaller local governments generally have much less operating complexity than larger local governments. The Office of the Auditor General has identified opportunities to improve financial reporting, to make statements clearer, and reduce unnecessary complexity. Recognising the difference in the complexity of smaller and larger local governments, it is proposed that financial reporting requirements should be tiered – meaning that larger local governments will have greater financial reporting requirements than smaller local governments. It is proposed to establish standard templates for Annual Financial Statements for band 1 and 2 councils, and simpler, clearer financial statements for band 3 and 4. Online Registers, updated quarterly (see item 3.4), would provide faster and greater 	<p>Current Local Government Position Items 6.1 and 6.2 generally align with Advocacy Position 2.6 – Support a size and scale compliance regime and Advocacy Position 2.6.24 – Financial Management and Procurement.</p> <p><i>The Local Government sector:</i></p> <ol style="list-style-type: none"> Requests the Minister for Local Government to direct the Department of Local Government to prepare a Model set of Financial Statements and Annual Budget Statements for the Local Government sector, in consultation with the Office of the Auditor General. Requests the Department of Local Government to re-assess the amount of detail required to be included in annual financial reports, in particular for small and medium sized entities as suggested by the Office of Auditor General. <p>Comment The Sector has a long-standing position for a broad review of the financial management and reporting provisions of the Act, which remain largely unchanged since commencing in 1996.</p> <p>Recommendation Supported</p>	<p>Member Response: 98% support the proposed reform. Note: Currently a work in progress and subject to future sector consultation.</p> <p>Updated Recommendation – Item 6.1 Supported</p>

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
<p>transparency than current annual reports. Standard templates will be published for use by local governments.</p> <ul style="list-style-type: none"> • Simpler Strategic and Financial Planning (item 6.2) would also improve the budgeting process. 		
6.2 Simplify Strategic and Financial Planning		
<ul style="list-style-type: none"> • Having clear information about the finances of local government is an important part of enabling informed public and ratepayer engagement and input to decision-making. • The framework for financial planning should be based around information being clear, transparent, and easy to understand for all ratepayers and members of the public. • In order to provide more consistency and clarity across the State, it is proposed that greater use of templates is introduced to make planning and reporting clearer and simpler, providing greater transparency for ratepayers. • Local governments would be required to adopt a standard set of plans, and there will be templates published by the DLGSC for use or adaption by local governments. • It is proposed that the plans that are required are: <ul style="list-style-type: none"> ○ Simplified Council Plans that replace existing Strategic Community Plans and set high-level objectives, with a new plan required at least every eight years. These will be short-form plans, with a template available from the DLGSC ○ Simplified Asset Management Plans to 	<p>As above</p>	<p>Member Response: 93% support the proposed reform.</p> <p>Indicative Member Comments: <i>'This may need a tiered approach rather than a 'one size fits all' template approach. Most small LG Plans service the organisation and community better the simpler they are.'</i></p> <p><i>'Support the current integrated planning framework and see no significant reason for change. It allows for LGs of any size to prepare plans that meet their needs and are within their capacity to be able to complete them.'</i></p> <p><i>Asset management plans can be as simple or as complex as a local government chooses, as can long-term financial plans and integrated rates and revenue systems. It is not clear as to the approach relating to Asset Management Plans. Recommended that there is a basic template that can be used for councils that are not reasonably progressed in this space, whilst councils who have moved to higher level of competency can utilise their own processes as long as the basic template information can be provided in summary form. Suggestion that Tier 1 and 2 LGs review every 4 years.'</i></p>

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
<p>consistently forecast costs of maintaining the local government’s assets. A new plan will be required at least every ten years, though local governments should update the plan regularly if the local government gains or disposes of major assets (e.g. land, buildings, or roads). A template will be provided, and methods of valuations will be simplified to reduce red tape</p> <ul style="list-style-type: none"> ○ Simplified Long Term Financial Plans will outline any long term financial management and sustainability issues, and any investments and debts. A template will be provided, and these plans will be required to be reviewed in detail at least every four years ○ A new Rates and Revenue Policy (see item 6.3) that identifies the approximate value of rates that will need to be collected in future years (referencing the Asset Management Plan and Long Term Financial Plan) – providing a forecast to ratepayers (updated at least every four years) ○ The use of simple, one-page Service Proposals and Project Proposals that outline what proposed services or initiatives will cost, to be made available through council meetings. These will become Service Plans and Project Plans added to the yearly budget if approved by council. This provides clear transparency for what the functions and initiatives of the local government cost to deliver. Templates will be available for use by local governments 		<p><i>‘Not currently supported - local government consultation required before any new requirements and templates are introduced to determine the content and the resource implications.’</i></p> <p><i>‘Standard template plans for reporting is supported however this should not restrict larger local governments from developing and using more comprehensive and detailed plans.’</i></p> <p><u>Updated Recommendation – Item 6.2 Supported</u></p>

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
6.3 Rates and Revenue Policy		
<ul style="list-style-type: none"> The Rates and Revenue Policy is proposed to increase transparency for ratepayers by linking rates to basic operating costs and the minimum costs for maintaining essential infrastructure. A Rates and Revenue Policy would be required to provide ratepayers with a forecast of future costs of providing local government services. The Policy would need to reflect the Asset Management Plan and the Long Term Financial Plan (see item 6.2), providing a forecast of what rates would need to be, to cover unavoidable costs. A template would be published for use or adaption by all local governments. <p>The Local Government Panel Report included this recommendation.</p>	<p>Current Local Government Position Item 6.3 generally aligns with Advocacy Position 2.1.6 - Rate Setting and WALGA's Rate Setting Policy Statement. <i>Councils' deliberative rate setting processes reference their Integrated Planning Framework – a thorough strategic, financial and asset management planning process – and draw upon the community's willingness and capacity to pay.</i></p> <p>Recommendation Supported</p>	<p>Member Response: 90% support the proposed reform.</p> <p>Indicative Member Comments: <i>'Support the introduction of the Rates and Revenue Policy to improve transparency and access to simplified information by ratepayer. The provision of a template for use or adaption by local governments will support efficient adoption of this requirement.'</i></p> <p><i>'Support, however should be included in the Long Term Financial Plan. Do not support a separate rates and revenue policy and recommend that there is a section in the LTFP that captures the objectives that the DLGSC are aiming to achieve. This will ensure the forecast is included in the LTFP.'</i></p> <p>Updated Recommendation – Item 6.3 Supported</p>
6.4 Monthly Reporting of Credit Card Statements		
<ul style="list-style-type: none"> The statements of a local government's credit cards used by local government employees will be required to be tabled at council at meetings on a monthly basis. This provides oversight of incidental local government spending. 	<p>Current Local Government Position There is no advocacy position in relation to Item 6.4.</p> <p>Comment This proposed reform reflects widespread common practice for credit card transactions to be included in monthly financial reports and lists of accounts paid.</p> <p>Recommendation Supported</p>	<p>Member Response: 98% support the proposed reform.</p> <p>Indicative Member Comment: <i>'Support monthly reporting of credit card statements and notes that these statements are already provided by the Local Government.'</i></p> <p>Updated Recommendation – Item 6.4 Supported</p>

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
6.5 Amended Financial Ratios		
<ul style="list-style-type: none"> Financial ratios will be reviewed in detail, building on work already underway by the DLGSC. The methods of calculating ratios and indicators will be reviewed to ensure that the results are accurate and useful. 	<p>Current Local Government Position Item 6.5 aligns with Advocacy Position 2.6.25 - Review and reduce financial ratios. <i>Advocate to the Minister for Local Government to amend the Local Government (Financial Management) Regulations 1996 to prescribe the following ratios:</i></p> <ul style="list-style-type: none"> a. Operating Surplus Ratio, b. Net Financial Liabilities Ratio, c. Debt Service Coverage Ratio, and d. Current Ratio. <p>Recommendation Supported</p>	<p>Member Response: 95% support the proposed reform.</p> <p>Note: Currently a work in progress and subject to future sector consultation.</p> <p>Updated Recommendation – Item 6.5 Supported</p>
6.6 Audit Committees		
<ul style="list-style-type: none"> To ensure independent oversight, it is proposed the Chair of any Audit Committee be required to be an independent person who is not on council or an employee of the local government. Audit Committees would also need to consider proactive risk management. To reduce costs, it is proposed that local governments should be able to establish shared Regional Audit Committees. The Committees would be able to include council members but would be required to include a majority of independent members and an independent chairperson. 	<p>Current Local Government Position Item 6.6 does not align with Advocacy Position 2.2.4 – Accountability and Audit</p> <p><i>That audit committees of Local Government, led and overseen by the Council, have a clearly defined role with an Elected Member majority and chair.</i></p> <p>Comment The Sector’s view is well established, that the Council must maintain, and be seen by the community to have, majority involvement and investment in the purpose of an Audit Committee. There is sector support for some independent members on the Audit Committee, however not a majority.</p>	<p>Member Response: 9% support the reform proposal. 89% oppose the reform proposal.</p> <p>Indicative Member Comments: <i>‘Do not support a majority of the Audit Committee, and the chair, being independent members. Councillors should be the majority on the Audit Committee as it currently struggles to have one or two independent members for the existing audit committee. Council supports the opportunity to share a Regional Audit Committee with neighbouring local governments.’</i></p> <p><i>‘Partial support WALGA position with:</i></p> <ul style="list-style-type: none"> 1. strong opposition to the majority independent committee members for the audit committee noting the number (lack of)

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
	<p>The dual effect of the proposed reform is to guarantee a place for a majority of independent persons on Audit Committees, with the additional requirement that an independent person Chair this Committee. Presently, not all Local Government Audit Committees are able to include an independent person. This may be for a variety of reasons not least of which is a lack of suitable, available candidates with the required qualification, skill and experience.</p> <p>It would be counter-productive if the proposed reforms led to the appointment of unsuitable independent persons to a skills-based role. The concept of Regional Audit Committees has apparent merit in this case but there is no detail regarding practicalities; for example, is the Regional Audit Committee intended to include the same independent persons who will meet separately with each Local Government within the region?</p> <p>There is too little certainty that the imperative question of appropriate representation will be managed as a consequence of the proposed reforms for it to be supported.</p> <p>The proposal for the Audit Committees to also consider proactive risk management is supported.</p> <p>Recommendation</p> <ol style="list-style-type: none"> 1. Do not support majority independent members of the Audit Committee 2. Support Audit Committees of Local Government with an Elected Member majority including independent 	<p><i>of qualified independent persons in small communities.</i></p> <ol style="list-style-type: none"> <i>2. strong opposition to independent chair, again noting the number of qualified independent persons in small communities.'</i> <p><i>'Support the current provisions in how local government Audit Committees are formed and their role. A local government may choose to appoint independent members to an Audit Committee and that independent member may be appointed as Chair. OAG now oversees all local government financial audits and conducts performance audits. The OAG involvement has seen increased audit costs for the sector and an additional layer of oversight. Depending on the size of an organisation some local governments have a dedicated Internal Audit Function. Independent audit committee members will come at a cost. The formation and member composition should be based on the local government's risk profile not imposed by law.'</i></p> <p><i>'Does not support the majority of Audit Committee members being independent - this erodes the role of Councillors and the fundamentals of democracy.'</i></p> <p>Updated Recommendation – Item 6.6</p> <ol style="list-style-type: none"> 1. Support the role of the Office of the Auditor General as the responsible entity for independent oversight of Local Government audits. 2. Support Audit Committees of Local Government <u>with an Elected Member majority including independent members,</u>

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
	<p>members, and to consider proactive risk management issues</p>	<p>and to consider proactive risk management issues.</p> <ol style="list-style-type: none"> 3. Support the proposal to establish shared regional Audit Committees 4. Support the appointment of an independent member as chair of the Audit Committee to remain at the discretion of each Local Government. 5. Support the payment of meeting fees or defined reimbursements to independent Audit Committee members.
<p>6.7 Building Upgrade Finance</p>		
<ul style="list-style-type: none"> • Reforms would allow local governments to provide loans to third parties for specific building improvements - such as cladding, heritage and green energy fixtures. • This would allow local governments to lend funds to improve buildings within their district. • Limits and checks and balances would be established to ensure that financial risks are proactively managed. 	<p><u>Current Local Government Position</u> Item 6.7 aligns with Advocacy Position 2.6.26 - Building Upgrade Finance.</p> <p><i>The Local Government Act 1995 should be amended to enable a Building Upgrade Finance mechanism in Western Australia.</i></p> <p>Comment Building Upgrade Finance would enable Local Governments to guarantee finance for building upgrades for non-residential property owners. In addition to building upgrades to achieve environmental outcomes, Local Governments have identified an opportunity to use this approach to finance general upgrades to increase the commercial appeal of buildings for potential tenants. In this way, BUF is viewed as means to encourage economic investment to meet the challenges of a soft commercial lease market and achieve economic growth.</p> <p>Recommendation Supported</p>	<p>Member Response: 69% support the current Sector position.</p> <p>Indicative Member Comment: <i>'Supported, subject to robust regulatory controls being in place to prevent abuse such as nepotism or conflicts of interest. The City supports the principles behind local governments providing loans to third parties for specific building improvements which would allow local governments to lend funds to improve buildings within their district, however it is noted such practices would require sufficient governance controls in place to ensure financial risks are managed, and the process is equitable and in the best interests of the community.'</i></p> <p><i>'Not supported. The guarantee mechanism transfers risk from the market to the local government when banks or commercial entities do not see potential for value realisation.'</i></p> <p><u>Updated Recommendation – Item 6.7 Supported</u></p>

Local Government Reform – Member Response

PROPOSED REFORMS	WALGA COMMENTS	RECOMMENDATIONS
6.8 Cost of Waste Service to be Specified on Rates Notices		
<ul style="list-style-type: none"> It is proposed that waste charges are required to be separately shown on rate notices (for all properties which receive a waste service). This would provide transparency and awareness of costs for ratepayers. 	<p><u>Current Local Government Position</u> There is no advocacy position in relation to Item 6.8.</p> <p>Comment This proposed reform will require a relatively simple calculation,</p> <p>Recommendation Supported</p>	<p>Member Response: 95% support the current Sector position.</p> <p>Indicative Member Comment: <i>'Support this proposed reform and already provide this information on rates notice.'</i></p> <p><i>'Support this reform, noting this will require a relatively simple change and improve costs awareness for rate payers.'</i></p> <p><u>Updated Recommendation – Item 6.8</u> Supported</p>

Local Government Reform – Member Response

Additional Reform Proposals

In December 2020, WALGA State Council considered the sector's feedback on the discussion paper 'Advocacy Positions for a New Local Government Act: Key Issues from Recent Inquiries into Local Government' (Rec: 142.6/2020).

It is **recommended** that the Local Government Reform Proposals process be conducted in alignment with the following WALGA advocacy position.

Legislative Intent

That the following key principles be embodied in the Local Government Act:

1. Uphold the general competence principle currently embodied in the Local Government Act
2. Provide for a flexible, principles-based legislative framework
3. Promote a size and scale compliance regime
4. Promote enabling legislation that empowers Local Government to carry out activities beneficial to its community taking into consideration Local Governments' role in creating a sustainable and resilient community through:
 - a. Economic development;
 - b. Environmental protection; and
 - c. Social advancement
5. Avoid red tape and 'de-clutter' the extensive regulatory regime that underpins the Local Government Act, and
6. The State Government must not assign legislative responsibilities to Local Governments unless there is provision for resources required to fulfil the responsibilities.

It is **recommended** that the following additional advocacy positions be included in the sector's response:

Rating Exemptions

That an independent review of all rate exemptions be undertaken.

Fees and Charges

That:

1. An independent review be undertaken to remove fees and charges from legislation and regulation; and
2. Local Government be empowered to set fees and charges for Local Government services.

Financial Management and Procurement

That the Local Government sector:

- Supports Local Governments being able to use freehold land to secure debt; and
- Supports the alignment of Local Government procurement thresholds, rules and policies with the State Government.

Local Government Reform – Member Response

Disposal of Property Exemption

Regulation 30 (3) of the *Local Government (Functions and General) Regulations 1996* should not include any financial threshold limitation on a disposition where it is used exclusively to purchase other property. The current limit is \$75,000 and this type of activity commonly applies to a trade-in situation.

Tender Exemption General Practitioner Services

That the reform proposals provide for inclusion of a tender exemption for General Practitioner (GP) services under Part 4, Division 2 of the *Local Government (Functions and General) Regulations 1996*, to support Local Governments to secure and retain necessary primary health care services for their communities.

Technical Amendment Proposals

WALGA's Governance and Organisational Service team monitors the Local Government Act and associated regulations for inconsistencies and potential error. The following matters are proposed for inclusion in the reform process.

Part 4 – Elections and other Polls

<p>s.4.9 <i>Election day for extraordinary elections</i></p>	<p>Section 4.9(1)(a) provides that the President/Mayor may exercise authority to determine the extraordinary election day, if not already fixed under paragraph (b), with s.4.9(1)(b) stating 'if a day has not already been fixed under paragraph (a)'</p> <p>Additionally, s.4.17 provides for Council to determine, with approval of the Electoral Commissioner, to allow a vacancy to remain unfilled. This has potential to lead to a further anomaly in the exercise of power under s.4.9(1)(a) and (b).</p> <p><i>Recommend legislative amendment that brings chronological order to the decision-making powers for considering vacancies and determination of extraordinary election day.</i></p>
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Part 5 – Administration

<p>s.5.36(4) & (5A) Admin. r.18A(2) <i>Local government employees</i></p>	<p>Administration Regulations, Schedule.2, clause 6 requires a Local Government to advertise the position of CEO <u>if the position is vacant</u>. Regulations do not, however, prescribe classes of persons under s.5.36(5A). Compliance with Admin.r.18A(2) advertising is unrealistic when a CEO leaves the Local Governments employment with little or no notice period.</p> <p>The WALGA Template Policy for Temporary Employment or Appointment of CEO (s.5.39C), includes protocols for Temporary CEO appointments.</p> <p><i>Recommend regulations be made under s.5.36(5A) prescribing classes of persons as a 'temporary CEO appointed under short term contract, where the person appointed is NOT an existing employee of the Local Government'.</i></p>
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Local Government Reform – Member Response

<p>s.5.94</p> <p><i>Public can inspect certain local government information</i></p>	<p>The Act requires public access or inspection rights for documents that contain personal information, i.e. electoral roll, owner / occupier, rate record [s.5.94(m) and (s)]. The Act only limits the right to access this information where the CEO is unable to be satisfied that the information will not be used for a commercial purpose [Admin.r.29B].</p> <p>WALGA members have expressed concern of the risks that may extend to information when combined with other personal information, for example, cyber security / identity theft risks or personal safety risks.</p> <p><i>Recommend there be an analysis of the public benefit versus public risk arising from statutory provisions that requires public disclosure of documents containing personal details (i.e. electoral rolls, rate record) in the context of the potential for this information to be manipulated or misused for improper purposes.</i></p>
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Local Government (Administration) Regulations 1996

<p>Admin.r. 29D</p> <p><i>Period for which information to be kept on official website</i></p>	<p>Requires list of council members and staff positions that provide primary and annual returns to be kept on the website for 5 years. S.5.88(3) requires returns to be removed from the register when a person is no longer relevant. Admin.r.29D is inconsistent with s.5.88(3), meaning that the names and positions will remain on the website despite the returns being removed from the Financial Interests Register.</p> <p><i>Recommend amending Admin.r.29D so that it is consistent with s.5.88(3).</i></p>
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8.3 WALGA ZONE STATUS REPORT

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	KRG01
AUTHOR:	Zone Executive
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

This Status Report provides an update on the WALGA response to relevant Kimberley Zone Resolutions.

BACKGROUND*Previous Considerations*

Joint Meeting November 2021	Item 8.2
Joint Meeting 28 August 2021	Item 8.3
Joint Meeting 28 June 2021	Item 9.8
Joint Meeting 20 April 2021	Item 11.1

COMMENT

Following the submission of resolutions from the Kimberley Zone, WALGA has provided responses in the attached Zone Status Report November 2021 (attached). The following summary is provided for each of the resolutions submitted to WALGA.

Kimberley Zone Item 9.8 29 June 2021 Rating of Aboriginal Land

KIMBERLEY REGIONAL GROUP RESOLUTION:
(REPORT RECOMMENDATION)

Minute No. KRG/0621/010

Moved: Cr G Haerewa

Seconded: Cr M Edwards

That the Kimberley Regional Group writes to WALGA to:

1. Highlight the emerging issue of the rating process on Aboriginal lands, and
2. Request that WALGA write to the State Government to seek clarification about how land uses on Aboriginal Lands should be treated across a range of contexts and tenures.

CARRIED UNANIMOUSLY 4/0**WALGA Response**

The issue of Rating Exemptions is one of the main areas of WALGA's advocacy in respect to Local Government Act amendments. The rating exemptions that are of concern for the sector relate to the following:

- Rating of Charitable Purpose properties

- Department of Housing: Leasing to Charitable Organisations
- Government Trading Entities
- State Agreement Act projects
- State Owned Unallocated Crown Land

On this basis, the Local Government sector supports an independent review of all rating exemptions to enhance equity among ratepayers in the community.

The State Government has been advised of the WALGA position and a copy of the WALGA Rating Review Advocacy item is attached.

Kimberley Zone Item 11.1 20 April 2021 Disaster relief and recovery funding arrangements

KIMBERLEY REGIONAL GROUP RESOLUTION:
(REPORT RECOMMENDATION)

Minute No. KRG/0421/007

Moved: Cr D Menzel

Seconded: Cr M Edwards

That the Kimberley Zone:

- 1. Express dissatisfaction with current disaster relief and recovery funding arrangements and call for urgent action from the State Government to investigate and address these shortcomings.*
- 2. Seek WALGA advocacy to support the motion.*

CARRIED UNANIMOUSLY 4/0

WALGA Response

WALGA has endorsed advocacy positions seeking improvements to disaster relief and recovery funding including assessment periods, eligibility of certain costs and improving resilience of reconstructed infrastructure. Regular meetings with DFES and Main Roads officers are on-going. Detailed evidence of examples where the process is not effective have been collected and continue to be. Timelines for decision-making and an escalation process would seem to be an important addition to the process.

Note: The KRG met with the Hon Stephen Dawson MLC to discuss the roll out of the disaster relief funding arrangements in WA.

CONSULTATION

Nil.

STATUTORY ENVIRONMENT

Local Government Act 1995

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

Governance Goal – A collaborative group demonstrating strong regional governance:

Effective governance protocols and systems for business efficiency and improved services through collaboration

Recognition of Kimberley Local Government issues and opportunities

Built Environment Goal – Improved and secure transport, communications, community and essential services:

Improved regional arterial road network, ports and airports

Economy Goal – A sustainable and diverse economy:

Sustainable Local Government revenue

Improved regional infrastructure

VOTING REQUIREMENTS

Simple Majority

COMMITTEE RESOLUTION:

(REPORT RECOMMENDATION)

Minute No. KRG/0222/004

Moved: Cr C Mitchell

Seconded: G Haerewa

That the Kimberley Zone notes the WALGA Zone Status Report February 2022.

CARRIED UNANIMOUSLY 4/0

Attachments

There are no attachments for this report.

9. REPORTS FROM KIMBERLEY REGIONAL GROUP

9.1 BUSINESS PLAN PROGRESS REPORT

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	KRG01
AUTHOR:	Zone Executive
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

The Strategic Community Plan and Business Plan for the period 2020-2024 was adopted in June 2021. This report provides an update on progress towards the achievement of the Business Plan which has a four year horizon.

BACKGROUND

Previous Considerations

Nil.

COMMENT

The Strategic Community Plan and Business Plan for the period 2021-2025 was adopted in June 2021. The summary report attached provides an update on progress towards the achievement of the Business Plan.

Key matters addressed in the Business Plan include:

- Liaison with the Department and meeting with the Hon Minister Papalia MLA in relation to the process for adding people to the Banned Drinkers Register and exceptionally high crime levels across the Kimberley. Meeting request for the Hon Tony Buti MLA re alcohol restrictions.
- Organisation and position statement development for meeting with the Hon Sue Ellery MLC to improve educational outcomes and school attendance.
- Meeting with the Hon John Carey MLA in relation to poor affordability and substandard social housing in the Kimberley.
- Meeting with the Hon Stephen Dawson in relation to the rollout of the Disaster Relief Funding in Western Australia.

The attached report provides the linkages to the Strategic Community Plan and Business Plan for the period 2020-2024.

CONSULTATION

Nil.

STATUTORY ENVIRONMENT

Local Government Act 1995

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

Governance Goal – A collaborative group demonstrating strong regional governance:

Effective governance protocols and systems for business efficiency and improved services through collaboration

Secure funding for regional initiatives

Recognition of Kimberley Local Government issues and opportunities

Alignment and integration of regional and local priorities for member Councils.

Natural Environment Goal – Responsible management of the environment:

Integrated waste management

Built Environment Goal – Improved and secure transport, communications, community and essential services:

Liveable towns supporting regional communities

Improved regional arterial road network, ports and airports

Adequate land supply

High standard of infrastructure planning

Reliable and adequate power and communications.

Community Goal – A vibrant community based on equity, inclusion and opportunity for all:

Innovative and joined up approach to housing development, ownership and design through community participation

Improved Kimberley regional outcomes in health

Improved Kimberley regional outcomes in education

Greater participation in the community and workforce

Better alcohol management across the Kimberley.

Economy Goal – A sustainable and diverse economy:

Generational advantage that captures the wealth for the region

Improved outcomes in employment

Improved regional infrastructure

VOTING REQUIREMENTS

Simple Majority

COMMITTEE RESOLUTION:

(REPORT RECOMMENDATION)

Minute No. KRG/0222/005

Moved: M Edwards

Seconded: G Haerewa

That the Kimberley Regional Group notes the Business Plan Update as attached.

CARRIED UNANIMOUSLY 4/0

Attachments

1. Business Plan Update February 2022

ACTIVITY AGAINST THE BUSINESS PLAN

NOTE: Only matters in the Business Plan responded to this period are reported.

Our People

Goal 1: A vibrant community based on equity, inclusion and opportunity for all.

OUTCOME	STRATEGY	ACTIONS
1.1 Substance abuse and associated harm is reduced.	1.1.2 Advocate for fit for purpose and consistent alcohol management systems in the Kimberley.	1.1.2.1 Meet with relevant Ministers to discuss next steps to reduce alcohol related harm. 1.1.2.2 Meet with State Government officers to discuss next steps to reduce alcohol related harm.
ACTION: Meeting with the Minister for Police, the Hon Paul Papalia and staff within the Department of Local Government, Sport and Cultural Industries in relation to the Banned Drinkers Register. Request for meeting with the Minister for Racing and Gaming, the Hon Tony Buti in relation to the Banned Drinkers Register rollout.		
1.2 Kimberley regional health outcomes improve.	1.2.1 Advocate for key health equipment, such as dialysis machines, to be available throughout the Kimberley.	1.2.1.1 Correspond and meet with relevant Ministers to discuss timeframes in relation to budget items and election promises.
ACTION: Ongoing liaison to establish a follow up meeting with the local member.		
1.3 Crime is reduced both across the region and by location	1.3.2 Advocate for improved management of youth anti-social behaviour including funding for diversion programs.	1.3.2.1 Monitor funding allocated or committed to the provision of diversion programs across the Kimberley.
ACTION: Development of a 14 point position statement on creating a "Youth Friendly Kimberley" which includes management of anti-social behavior. Meeting with the Minister for Police the Hon Paul Papalia MLA on record crime rates in the Kimberley. Meeting scheduled with the Minister for Corrective Services the Hon Bill Johnston.		
1.5 School attendance improves with a higher number of students graduating year 12.	1.5.1 Advocate for fit for purpose education facilities and pedagogy to improve school attendance and outcomes.	1.5.1.1. Develop and advocacy document to support the provision of fit-for-purpose education facilities and pedagogy.
	1.5.2 Advocate for enhanced post	1.5.2.1 Develop an advocacy document (in conjunction with

	school employment pathways.	1.5.1.1) to support the provision of enhanced post school employment pathways.
1.5.1.1 Meeting scheduled with the Minister for Education, the Hon Sue Ellery MLC, in relation to poor educational outcomes in the Kimberley and strategies to improve attendance rates.		
1.6 Fit for purpose housing is available to meet individual and community needs.	1.6.1 Advocate for appropriate housing typology, location and volume to meet the changing needs of the community.	1.6.1.1 Monitor housing availability and affordability. 1.6.1.2 Advocate for improved housing affordability and availability when stock levels fall below market expectations.
ACTION: Initial data analysis for a background paper on housing shortages and meeting with the Minister for Housing, the Hon John Carey.		

Our Place

Goal 2.

Our region will become a leader in creating a sense of place and liveability whilst preserving history, culture and our unique environment.

OUTCOME	STRATEGY	ACTIONS
2.1 Our towns provide a variety of public spaces that welcome local residents and visitors with shaded spaces and safe access.	2.1.1 Advocate for funding to support master planning and urban renewal.	2.1.1.1 Ensure the Infrastructure Prospectus remains up to date. 2.1.1.2 Advocate to relevant Ministers in relation to the Infrastructure Prospectus.
2.3 We have liveability attractors including sufficient and fit for purpose recreation areas, aquatic facilities, libraries, sporting facilities and a variety of leisure experiences.	2.3.1 Advocate for funding for liveability attractors.	2.3.1.1 Ensure the Infrastructure Prospectus remains up to date.
ACTION: Ongoing promotion		
2.5 A reduced ecological footprint for the region (cont).	2.5.4 Advocate for affordable and reliable energy with a lower carbon footprint.	2.5.4.1 Develop an advocacy paper on energy with that will deliver affordable and reliable energy with a lower carbon footprint.
ACTION: In progress – waiting for additional information.		

Our Prosperity

Goal 3.

The potential of the Kimberley as a strong and diversified economy is realised with benefits retained in the region and the opportunity to participate available to all.

OUTCOME		STRATEGY	ACTIONS
3.1	The Kimberley region is prosperous with a diversified and sustainable economy.	3.1.1 Advocate for the infrastructure required to attract and retain business and projects in the region.	3.1.1.1 Monitor the Kimberley Infrastructure Prospectus and update annually.
			3.1.1.2 Advocate for agreed infrastructure to attract and retain business and projects in the Kimberley.
ACTION: Ongoing. Letters of support for nbn projects in Wyndham and Fitzroy Crossing.			
3.2	Local businesses and jobs are enhanced through opportunity created through private and government investment.	3.2.2 Advocate for local jobs creation in all new projects to reduce reliance on a FIFO workforce.	3.2.2.1 Promote opportunities and benefits in the Kimberley for the use of a local workforce.
			3.2.2.2. Monitor and identify current and potential barriers to a local workforce and advocate mitigation of those issues.
ACTION: Ongoing			
3.5	Our infrastructure is protected from known and potential threats.	3.5.1 Advocate for improved protection and recovery from natural and other disasters.	3.5.1.1 Advocate for appropriate processes and timeframes for state responses to disasters including funding for recovery projects.
			3.5.2 Advocate for improved Protection from global threats.
			3.5.2.1 Monitor global threats and provide and intermittent report on any increased threat.
			3.5.2.2 Advocate on the vulnerability of the north of the State to hostile actions towards key infrastructure.
ACTION: Nil this period			

Our Performance

Goal 4

As a collective, we will support the delivery of excellence in governance and service delivery that is relevant and of value.

Outcomes		Strategy		Action	
4.1	Shire resources are maximised.	4.1.1	Facilitate shared tendering and contracting where regional benefit can be achieved.	4.1.1.1	Identify projects where shared tendering and contracting processes will be mutually beneficial.
ACTION: Ongoing support for the Kerbside tender contract review – noting the deferral due to the longer timeframes for the purchase of vehicles for proponents.					

9.2 CONSULTANT REPORT

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	KRG01
AUTHOR:	Zone Executive
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

This report provides an overview of the activity undertaken by the consultant to support the activities of the WALGA Kimberley Country Zone (Zone) and the Kimberley Regional Group (KRG).

BACKGROUNDPrevious Considerations

Nil.

COMMENT

- Coordination of the Zone response on the Local Government Reform Submission.
- Development of discussion papers associated with crime, housing and youth.
- Liaison with Ministers and members of parliament including:
 - The Hon Steve Dawson, Minister for Emergency Services.
 - The Hon John Carey MLA, Minister for Housing.
 - Hon Tony Buti MLA Minister for Aboriginal Affairs; Racing & Gaming.
 - Hon Sue Ellery MLC, Minister for Education.
 - Hon Simone McGurk, Minister for Child Protection, Prevention of Family and Domestic Violence.
 - Hon Bill Johnston, Minister for Corrective Services.
 - Member for the Kimberley, Davina D'Anna.
- Preparation of media speaking points and media liaison.
- Follow up on the Defence Industry media articles and submission to the NWDA.
- Follow-up on the regional connectivity program and liaison with NBN Co.
- Organisation of the February meeting including change of venue.
- Request for extension for submissions by licensees in relation to the availability of packaged liquor in the Kimberley.

The full report has been circulated under separate cover.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Governance Goal – A collaborative group demonstrating strong regional governance:

Alignment and integration of regional and local priorities for member Councils.

VOTING REQUIREMENTS

Simple Majority

COMMITTEE RESOLUTION:

(REPORT RECOMMENDATION)

Minute No. KRG/0222/006

Moved: D Menzel

Seconded: Cr C Mitchell

That the Kimberley Regional Group notes the Consultant Report provided by ATEA Consulting.

CARRIED UNANIMOUSLY 4/0

The Chair acknowledged the departing Executive Officer, Debra Goostrey, and thanked her for her outstanding efforts during her tenure.

Attachments

There are no attachments for this report.

9.3 STRATEGIC POSITION

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	KRG01
AUTHOR:	Zone Executive
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil

SUMMARY:

To develop a strategic position in relation to the rising antisocial behaviour and crime across the region.

BACKGROUND*Previous Considerations*

Nil

COMMENT

The Kimberley Regional Group provides leadership across the region and are seeking to establish a strategic position in relation to the complex matters driving the record levels of crime and anti-social behaviour across the region.

Draft papers have been developed and circulated separately based on feedback received from the KRG.

This item facilitates the suspension of standing orders to enable free discussion of the issues and development of an agreed position for dissemination to Government and other key stakeholders.

CONSULTATION

Nil

STATUTORY ENVIRONMENT*Local Government Act 1995***FINANCIAL IMPLICATIONS**

Nil

STRATEGIC IMPLICATIONS

Governance Goal – A collaborative group demonstrating strong regional governance:

Effective governance protocols and systems for business efficiency and improved services through collaboration

Secure funding for regional initiatives

Effective engagement with Aboriginal governance structures

Recognition of Kimberley Local Government issues and opportunities

Alignment and integration of regional and local priorities for member Councils.

Community Goal – A vibrant community based on equity, inclusion and opportunity for all:

Innovative and joined up approach to housing development, ownership and design through community participation

Improved Kimberley regional outcomes in health

Improved Kimberley regional outcomes in education

Greater participation in the community and workforce

Better alcohol management across the Kimberley.

Economy Goal – A sustainable and diverse economy:

Generational advantage that captures the wealth for the region

Improved outcomes in employment

Improved regional infrastructure

VOTING REQUIREMENTS

Simple Majority

REFER ITEM:

Minute No. KRG/0222/007

Moved: D Menzel

Seconded: Cr C Mitchell REPORT

RECOMMENDATION:

That the Kimberley Regional Group;

1. Notes the item, and;

2. Suspends standing orders to enable free discussion of key issues.

That item be referred back to Council at the next most suitable meeting of Council.

CARRIED UNANIMOUSLY 4/0

Attachments

Nil

10. CORRESPONDENCE

10.1 CORRESPONDENCE OUT

To	Subject
Hon Bill Johnston MLA	Request for meeting regarding the Kimberley Juvenile Justice Strategy
Hon Simone McGurk MLA	Improving opportunities for youth and families in the Kimberley
Hon Sue Ellery MLC	Improving Educational Opportunities for Youth in the Kimberley
Hon Tony Butil MLA	Improving Opportunities for Kimberley Youth, BDR
Hon Tony Butil MLA	Congratulations on Ministerial Appointment
Hon Stephen Dawson MLC	Congratulations on Ministerial Appointment and Disaster Relief Funding Arrangements
Hon John Carey	Congratulations on Ministerial Appointment and housing issues in the Kimberley
Hon Reece Whitby MLA	Congratulations on Ministerial Appointment
Mark Davis NBN Co	Support Fitzroy Crossing Fibre to the Premise Project Funding Application
Mark Davis NBN Co	Support Wyndham Fibre to the Premise Project Funding Application

Attachments

1. Correspondence Out



1 February 2022

Hon Simone McGurk
Minister for Child Protection; Women's Interests;
Prevention of Family and Domestic Violence;
Community Services
8th Floor, Dumas House
2 Havelock Street
WEST PERTH WA 6005

By email: Minister.McGurk@dpc.wa.gov.au

Dear Minister

Re Meeting on improving Opportunities for Youth and Families in the Kimberley

On behalf of member Shires, I write to request a meeting with you to discuss the deteriorating outcomes for some youth and families in the Kimberley with rising domestic violence, child neglect and antisocial behaviour.

The Kimberley Regional Group (KRG) is an alliance of the four Shires of the Kimberley, being the Shire of Broome, the Shire of Derby West Kimberley, the Shire of Halls Creek and the Shire of Wyndham East Kimberley. Collaboratively the group seeks to support outcomes for the region through improved social, economic and cultural outcomes.

The causational factors for the increasingly desperate situation in the Kimberley are complex and we seek to collaborate with the State Government to find meaningful solutions for individuals, families and communities.

It is recognised that your portfolio is only part of the broader work being undertaken to achieve better outcomes in the Kimberley, however the deteriorating situation has prompted our request to meet with you. We look forward to discussing how the Shires can engage and support the process of improving the lives of residents in our Shires in the short, medium and longer term and contributing to a "Youth Friendly" Kimberley moving forward.

We will make contact with your office to establish a meeting with preference given to Monday 14, Tuesday 15 or Wednesday 16th of February as the Kimberley Shires are meeting in Perth. Alternatively, contact can be made with Debra Goostrey by email on debra.goostrey@kimberleyzone.com.au or by phone on 0439 380 266.

Your sincerely

Cr David Menzel
Chair
Kimberley Regional Group

Kimberley Regional Group and Kimberley Zone
PO Box 44, Broome 6725 | (08) 9191 3456 | 0439380266



1 February 2022

Hon Sue Ellery MLC
Minister for Education and Training
Leader in the Legislative Council
12th Floor, Dumas House
2 Havelock Street
WEST PERTH WA 6005

By email: Minister.Ellery@dpc.wa.gov.au

Dear Minister

Re Meeting on improving Educational Opportunities for Youth in the Kimberley

On behalf of member Shires, I write to request a meeting with you to discuss the educational outcomes and school attendance in the Kimberley.

The Kimberley Regional Group (KRG) is an alliance of the four Shires of the Kimberley, being the Shire of Broome, the Shire of Derby West Kimberley, the Shire of Halls Creek and the Shire of Wyndham East Kimberley. Collaboratively the group seeks to support outcomes for the region through improved social, economic and cultural outcomes.

Education is fundamental to the success of young people and we seek to collaborate with the State Government to increase the level of school attendance. This is seen as pivotal to reducing anti-social behaviour, which is causing high levels of anguish across the region, and developing employment ready youth who are equipped to lead positive lives.

It is recognised that your portfolio is only part of the broader work being undertaken to achieve better opportunities for Kimberley youth, however the deteriorating situation has prompted our request to meet with you. We look forward to discussing how the Shires can engage and support the process of improving education outcomes in the short, medium and longer term.

We will make contact with your office to establish a meeting with preference given to Monday 14, Tuesday 15 or Wednesday 16th of February as the Kimberley Shires are meeting in Perth. Alternatively, contact can be made with Debra Goostrey by email on debra.goostrey@kimberleyzone.com.au or by phone on 0439 380 266.

Your sincerely

Cr David Menzel
Chair
Kimberley Regional Group

Kimberley Regional Group and Kimberley Zone
PO Box 44, Broome 6725 | (08) 9191 3456 | 0439380266



1 February 2022

Hon Tony Buti MLA
Minister for Aboriginal Affairs; Racing and Gaming
Citizenship and Multicultural Interests
5th Floor, Dumas House
2 Havelock Street
WEST PERTH WA 6005

By email: Minister.Buti@dpc.wa.gov.au

Dear Minister

Re Meeting on Improving Opportunities for Kimberley Youth

On behalf of member Shires, I write to request a meeting with you to discuss a range of matters relating to the spiralling antisocial behaviour in the Kimberley and the implementation of the Banned Drinkers Register. Your role as Minister for Aboriginal Affairs and Minister for Racing and Gaming are central to finding solutions in the region.

The Kimberley Regional Group (KRG) is an alliance of the four Shires of the Kimberley, being the Shire of Broome, the Shire of Derby West Kimberley, the Shire of Halls Creek and the Shire of Wyndham East Kimberley. Collaboratively the group seeks to support outcomes for the region through improved social, economic and cultural outcomes.

The Banned Drinkers Register trial and associated takeaway alcohol management system was jointly funded by the Kimberley Shires and the State Government. When the trial was being sought, there was strong support for improved and streamlined approaches to placing persons on the system that committed offences under the influence of alcohol, including family violence and anti-social behaviour. The model in the Northern Territory provides a pathway for consideration, with immediate short term intervention by police and other referral agencies, as well as longer term bans similar to those in place currently in Western Australia. The former Minister, the Hon Paul Papalia had indicated his interest in the approach prior to the 2021 election and has spoken positively about the reform more recently. Your role as Minister for Aboriginal Affairs is also pivotal as approximately 50 percent of residents identify as Aboriginal. A copy of a previous letter to you, which provides further information, is attached for background.

It is recognised that your portfolio is only part of the broader work being undertaken to achieve better opportunities for Kimberley residents, however the deteriorating situation with violent break-ins, property destruction and car thefts has prompted our request to meet with you as a matter of urgency.

We will make contact with your office to establish a meeting with preference given to Monday 14, Tuesday 15 or Wednesday 16th of February as the Kimberley Shires are meeting in Perth. Alternatively, contact can be made with Debra Goostrey by email on debra.goostrey@kimberleyzone.com.au or by phone on 0439 380 266.

Your sincerely

Cr David Menzel
Chair
Kimberley Regional Group

Kimberley Regional Group and Kimberley Zone
PO Box 44, Broome 6725 | (08) 9191 3456 | 0439380266

COPY



10 January 2022

Hon Tony Buti MLA
Minister for Finance; Racing and Gaming; Aboriginal Affairs; Citizenship and Multicultural Affairs
5th Floor, Dumas House
2 Havelock Street
WEST PERTH WA 6005

By email: Minister.Buti@dpc.wa.gov.au

Dear Minister

Congratulations on your appointment as Minister for Racing and Gaming and Aboriginal Affairs.

On behalf of member Shires, I would like to congratulate you on your appointment as Minister for Racing and Gaming; Aboriginal Affairs and your ongoing role as Minister for Finance; Citizenship and Multicultural Affairs.

The Kimberley Regional Group (KRG) is an alliance of the four Shires of the Kimberley, being the Shire of Broome, the Shire of Derby West Kimberley, the Shire of Halls Creek and the Shire of Wyndham East Kimberley. Collaboratively the group seeks to support outcomes for the region through improved social, economic and cultural outcomes.

The portfolios of Aboriginal Affairs and Racing and Gaming are of vital importance in the Kimberley.

As you may be aware, the Kimberley, along with the Pilbara, is undertaking a trial of the Banned Drinkers Register (BDR) and Takeaway Alcohol Management System (TAMS) with roll out in the Goldfields region imminent.

The KRG has been working with member Shires and the regional Liquor Accords in relation to the effective management of alcohol in the Kimberley including the use of Voluntary Alcohol Restrictions, TAMS, and the introduction of the BDR. The KRG is strongly supportive of the BDR Project and has jointly funded this initiative with the State Government.

In summary there are two key issues which the KRG believes should be progressed being:

1. The replacement of the Liquor Control (Section 31)(Kimberley) restrictions with negotiated voluntary restrictions; and
2. Transparent and routine arrangements for placing individuals on the Banned Drinkers Register.

The voluntary restrictions, combined with the Banned Drinkers Register, are seen to provide an appropriate and sustainable response to the issues experience in the Kimberley. As such, we have previously requested that the current Liquor Control (Section 31)(Kimberley) restrictions be lifted in the West Kimberley where the voluntary restrictions have been adopted by the Liquor Accords. In the East Kimberley, the restrictions would revert to the underpinning Section 64 restrictions, noting that the overlay of the Section 31 has created some confusion as aspects of both have primacy.

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Voluntary Alcohol restrictions were the genesis of alcohol management proposals in the West Kimberley. Voluntary restrictions vary and are applied frequently, at the request of Police, by licensees across locations in the Kimberley region. Our licensees continue to work collaboratively with police and believe that the voluntary restrictions, that are adaptable to meet different circumstances, provide an operating environment that is responsive to community needs and support law enforcement whilst being sustainable for the business.

The Liquor Control (Section 31) (Kimberley) response was requested by the KRG in April 2020 when significant increases in welfare payments exacerbated existing itinerant problem drinker issues in areas without restrictions, such as Broome and Derby. At the time the request was made the Voluntary Restrictions were not formally adopted by Liquor Accords and the impact of COVID-19 was not yet known. The request was conditional on, amongst other things, consultation with the Liquor Accords, noting the intent to move towards finalisation of the voluntary restrictions.

Transparent and routine arrangements for placing individuals on the Banned Drinkers Register is an imperative that the KRG believes should be considered as a matter of urgency by the State Government, noting that as of the 19th November 2021 there were only 25 people restricted from purchasing takeaway alcohol through either a Barring Notice (2) or a Prohibition order (23). In addition, there are 27 Voluntary additions to the register which may represent those seeking to stem their personal use or may be people seeking to avoid being asked to purchase alcohol for others.

In the previous government, Minister Papalia indicated that he was open to more a formal arrangement for ensuring that alcohol fuelled violence perpetrators and those that on-sell alcohol illegally are routinely added to the BDR. We would like to draw your attention to the extensive policy adopted in the Northern Territory, with routine processes for adding individuals to the BDR and transparent, public monthly reporting of numbers in geographical areas. The Northern Territory pathway model includes:

1. Police Pathways
 - Protective Custody (Includes Contravention-Protective Custody)
 - Alcohol Related Offence
 - Alcohol Protection Order (historical reporting category)
 - Infringement
 - Courts Pathway
2. Corrections Pathway
3. BDR Corrections Pathway
 - Self-Referral
 - Authorised Person Referral.

It should be noted that the Police Pathway comprises the largest element in the Northern Territory contributing 1,842 people on the register, with the Courts Pathway second (938 persons), followed by the Authorised Person Referral (216 persons) the corrections pathway third (126 persons). Self-Referral (75 persons) is a minor proportion. To put these categories into perspective, Self-Referral in the Northern Territory represents just 2.3% of those on the BDR however in the Kimberley it represents 51.9%.

Whilst the KRG believes that the BDR is the most targeted and potentially the most sustainable approach to the management of alcohol in the Kimberley, it will not function efficiently if there is a highly constrained and lengthy process that sees few individuals added to the BDR. The Northern Territory approach, with the option of more responsive durations than currently used in Western Australia, would allow Police and agencies a greater range of options to effectively manage local alcohol fuelled violence and social disruption in a highly targeted manner.

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We recognise that this is likely to be a cross portfolio matter which includes both the Minister for Police and the Attorney General with advice from the Minister for Prevention of Family and Domestic Violence, however we believe that in the first instance it is appropriate to provide a briefing to you as your portfolio includes the management of alcohol.

We also welcome your appointment as Minister for Aboriginal Affairs. The issues in relation to this portfolio are complex, challenging and often have multi-portfolio aspects. We would welcome the opportunity to discuss the experience in the Kimberley and the active role of Local Governments in finding solutions. The KRG looks forward to working with you to realise the potential of this region for current and future generations.

We will make contact your office to establish a meeting. Alternatively, contact can be made with Debra Goostrey by email on debra.goostrey@kimberleyzone.com.au or by phone on 0439 380 266.

Your sincerely

A handwritten signature in black ink that reads "David Menzel".

Cr David Menzel
Chair
Kimberley Regional Group



Kimberley Regional Group and Kimberley Zone
PO Box 44, Broome 6725 | (08) 9191 3456 | 0439380266



10 January 2022

Hon John Carey MLA
Minister for Housing; Lands; Homelessness; Local Government
7th Floor, Dumas House 2 Havelock Street,
WEST PERTH WA 6005

By email: Minister.Carey@dpc.wa.gov.au

Dear Minister

Congratulations on your additional Ministerial portfolios: Lands and Homelessness.

On behalf of member Shires, I would like to congratulate you on your appointment as Minister for Lands and Homelessness which, along with your current portfolios of Housing and Local Government, are of key interest to the Kimberley Regional Group (KRG).

The KRG is an alliance of the four Shires of the Kimberley, being the Shire of Broome, the Shire of Derby West Kimberley, the Shire of Halls Creek and the Shire of Wyndham East Kimberley. Collaboratively the group seeks to support outcomes for the region through improved social, economic and cultural outcomes.

Housing and homelessness, including housing overcrowding and inadequate housing, remain key issues in the Kimberley and impact on the intergenerational prospects of many of our residents. The Lands Portfolio is also of vital importance as we have significant areas of Unallocated Crown Land (UCL), Aboriginal Lands Trust estate properties and Pastoral Stations where diversification opportunities will support economic growth, local jobs and positive pathways for our youth.

We would welcome the opportunity to discuss your important portfolios and will make contact with your office to establish a meeting. Alternatively, contact can be made with Debra Goostrey by email on debra.goostrey@kimberleyzone.com.au or by phone on 0439 380 266.

Your sincerely

Cr David Menzel
Chair
Kimberley Regional Group



Kimberley Regional Group and Kimberley Zone
PO Box 44, Broome 6725 | (08) 9191 3456 | 0439380266



10 January 2022

Hon Reece Whitby MLA
Minister for Environment and Climate Action
7th Floor, Dumas House 2 Havelock Street,
WEST PERTH WA 6005

By email: Minister.Whitby@dpc.wa.gov.au

Dear Minister

Congratulations on your appointment as Minister Environment and Climate Action.

On behalf of member Shires, I would like to congratulate you on your appointment as Minister for Environment and Climate Action.

The Kimberley Regional Group (KRG) is an alliance of the four Shires of the Kimberley, being the Shire of Broome, the Shire of Derby West Kimberley, the Shire of Halls Creek and the Shire of Wyndham East Kimberley. Collaboratively the group seeks to support outcomes for the region through improved social, economic and cultural outcomes.

The portfolio of Environment and Climate Action is of particular importance in the Kimberley. As the most isolated region in Western Australia there is a critical imperative for economic development, jobs and growth to support our local population in balance with the preservation of our iconic landscape, flora and fauna in a period of changing conditions.

We look forward to continuing the strong working relationship with your office established through the introduction of the Banned Drinkers Register Trial and the implementation of the Takeaway Alcohol Management System under your previous portfolio.

Your sincerely

Cr David Menzel
Chair
Kimberley Regional Group



Kimberley Regional Group and Kimberley Zone
PO Box 44, Broome 6725 | (08) 9191 3456 | 0439380266



10 January 2022

Hon Stephen Dawson MLC
Minister for Emergency Services; Innovation and ICT; Medical Research; Volunteering
Deputy Leader of the Legislative Council
12th Floor, Dumas House 2 Havelock Street,
WEST PERTH WA 6005

By email: Minister.Dawson@dpc.wa.gov.au

Dear Minister

**Congratulations on your appointment as Minister Emergency Services; Innovation and ICT;
Medical Research; Volunteering.**

On behalf of member Shires, I would like to congratulate you on your appointment as Minister for Emergency Services; Innovation and ICT; Medical Research; Volunteering.

The Kimberley Regional Group (KRG) is an alliance of the four Shires of the Kimberley, being the Shire of Broome, the Shire of Derby West Kimberley, the Shire of Halls Creek and the Shire of Wyndham East Kimberley. Collaboratively the group seeks to support outcomes for the region through improved social, economic and cultural outcomes.

The portfolio of Emergency Services is of particular importance in the Kimberley where we are subject to significant bushfire risk in the dry season and major rainfall events in the wet season which makes many roads impassable, isolating communities.

We would welcome the opportunity to discuss the rollout of the Disaster Relief Funding Arrangements in Western Australia (DRFAWA) which have seen significant delays in the consideration and finalisation of approvals for vital repair works for infrastructure damaged in flood events. Your Ministerial portfolio of Volunteering is also of keen interest.

We will contact your office to establish a meeting. Alternatively, contact can be made with Debra Goostrey by email on debra.goostrey@kimberleyzone.com.au or by phone on 0439 380 266.

Your sincerely

Cr David Menzel
Chair
Kimberley Regional Group

Kimberley Regional Group and Kimberley Zone
PO Box 44, Broome 6725 | (08) 9191 3456 | 0439380266



10 January 2022

Hon Tony Buti MLA
Minister for Finance; Racing and Gaming; Aboriginal Affairs; Citizenship and Multicultural Affairs
5th Floor, Dumas House
2 Havelock Street
WEST PERTH WA 6005

By email: Minister.Buti@dpc.wa.gov.au

Dear Minister

Congratulations on your appointment as Minister for Racing and Gaming and Aboriginal Affairs.

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The voluntary restrictions, combined with the Banned Drinkers Register, are seen to provide an appropriate and sustainable response to the issues experience in the Kimberley. As such, we have previously requested that the current Liquor Control (Section 31)(Kimberley) restrictions be lifted in the West Kimberley where the voluntary restrictions have been adopted by the Liquor Accords. In the East Kimberley, the restrictions would revert to the underpinning Section 64 restrictions, noting that the overlay of the Section 31 has created some confusion as aspects of both have primacy.

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1. Police Pathways
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 - Authorised Person Referral.

It should be noted that the Police Pathway comprises the largest element in the Northern Territory contributing 1,842 people on the register, with the Courts Pathway second (938 persons), followed by the Authorised Person Referral (216 persons) the corrections pathway third (126 persons). Self-Referral (75 persons) is a minor proportion. To put these categories into perspective, Self-Referral in the Northern Territory represents just 2.3% of those on the BDR however in the Kimberley it represents 51.9%.

Whilst the KRG believes that the BDR is the most targeted and potentially the most sustainable approach to the management of alcohol in the Kimberley, it will not function efficiently if there is a highly constrained and lengthy process that sees few individuals added to the BDR. The Northern Territory approach, with the option of more responsive durations than currently used in Western Australia, would allow Police and agencies a greater range of options to effectively manage local alcohol fuelled violence and social disruption in a highly targeted manner.

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We recognise that this is likely to be a cross portfolio matter which includes both the Minister for Police and the Attorney General with advice from the Minister for Prevention of Family and Domestic Violence, however we believe that in the first instance it is appropriate to provide a briefing to you as your portfolio includes the management of alcohol.

We also welcome your appointment as Minister for Aboriginal Affairs. The issues in relation to this portfolio are complex, challenging and often have multi-portfolio aspects. We would welcome the opportunity to discuss the experience in the Kimberley and the active role of Local Governments in finding solutions. The KRG looks forward to working with you to realise the potential of this region for current and future generations.

We will make contact your office to establish a meeting. Alternatively, contact can be made with Debra Goostrey by email on debra.goostrey@kimberleyzone.com.au or by phone on 0439 380 266.

Your sincerely

Cr David Menzel
Chair
Kimberley Regional Group



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10 January 2022

ATTENTION MR MARK DAVIS
COMMUNITY ENGAGEMENT MANAGER (NORTH-WEST REGION WA)
NBN LOCAL

By email: markdavis@nbnco.com.au

Dear Mark

LETTER OF SUPPORT – FITZROY CROSSING FIBRE TO THE PREMISE PROJECT FUNDING APPLICATION

The Kimberley Regional Group (KRG) would like to express our support for the Shire of Derby West Kimberley (SDWK) and NBN Co's joint application to seek funding to upgrade the Fitzroy Crossing townsite from NBN satellite to fixed line technology through the Federal Government's Regional Connectivity Funding Program.

The KRG is an alliance of the four Shires of the Kimberley, being the Shire of Broome, the Shire of Derby West Kimberley, the Shire of Halls Creek and the Shire of Wyndham East Kimberley. Collaboratively the group seeks to support outcomes for the region through improved social, economic and cultural outcomes.

Connectivity has been a long-standing issue and challenge across the Kimberley region and continues to impact the economic and social growth of the region. Within SDWK, access to fixed line broadband is limited outside of the major centre of Derby, with regional residents and businesses often dependent on satellite broadband for internet connectivity. Increasingly, new residents and businesses look to internet connectivity as a key criterion when considering the liveability or economic viability of locating in this area.

Telecommunications and digital connectivity present a significant obstacle for Fitzroy Crossing and the broader region in achieving its promise of significant economic development and growth. In this regard, the KRG supports the application for the town of Fitzroy Crossing to change from NBN satellite to fixed line technology to assist the community in gaining improved connectivity for economic and social development outcomes.

This technology upgrade project is expected to generate considerable social and economic benefits for Fitzroy Crossing and the broader region as well as supporting the attraction and retention of key staff in this remote location through improved communications capacity. Upgrading the fibre infrastructure has the potential to unlock significant business opportunities including the capacity to download and upload large files quickly and concurrent use of multiple devices online. This will support the emerging Aboriginal tourism ventures as well as pastoral and other businesses in the region. Importantly, the children attending school will have the opportunity for fast reliable broadband at home to improve their educational outcomes over the longer term. This is vital in a region of significant social disadvantage.

Thank you for your engagement and I trust you receive a favourable response to your proposal.

Your sincerely

Cr David Menzel
Chair
Kimberley Regional Group

Kimberley Regional Group and Kimberley Zone
PO Box 44, Broome 6725 | (08) 9191 3456 | 0439380266



10 January 2022

ATTENTION MR MARK DAVIS
COMMUNITY ENGAGEMENT MANAGER (NORTH-WEST REGION WA)
NBN LOCAL

By email: markdavis@nbnco.com.au

Dear Mark

LETTER OF SUPPORT – WYNDHAM FIBRE TO THE PREMISE PROJECT FUNDING APPLICATION

The Kimberley Regional Group (KRG) would like to express our support for the Shire of Wyndham East Kimberley (SWEK) and NBN Co's joint application to seek funding to upgrade the Wyndham townsite from NBN satellite to fixed line technology through the Federal Government's Regional Connectivity Funding Program.

The KRG is an alliance of the four Shires of the Kimberley, being the Shire of Broome, the Shire of Derby West Kimberley, the Shire of Halls Creek and the Shire of Wyndham East Kimberley. Collaboratively the group seeks to support outcomes for the region through improved social, economic and cultural outcomes.

Connectivity has been a long-standing issue and challenge across the Kimberley region and continues to impact the economic and social growth of the region. Within SWEK, access to fixed line broadband is limited outside of the major centre of Kununurra, with regional residents and businesses often dependent on satellite broadband for internet connectivity. Increasingly, new residents and businesses look to internet connectivity as a key criterion when considering the liveability or economic viability of locating in this area.

Telecommunications and digital connectivity present a significant obstacle for Wyndham and the broader region in achieving its promise of significant economic development and growth. In this regard, the KRG supports the application for the town of Wyndham to change from NBN satellite to fixed line technology to assist the community in gaining improved connectivity for economic and social development outcomes.

This technology upgrade project is expected to generate considerable social and economic benefits for Fitzroy Crossing and the broader region as well as supporting the attraction and retention of key staff in this remote location through improved communications capacity. Upgrading the fibre infrastructure has the potential to unlock significant business opportunities including the capacity to download and upload large files quickly and concurrent use of multiple devices online.

Thank you for your engagement and I trust you receive a favourable response to your proposal.

Your sincerely

Cr David Menzel
Chair
Kimberley Regional Group

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PO Box 44, Broome 6725 | (08) 9191 3456 | 0439380266

11. GENERAL BUSINESS

12. MATTERS BEHIND CLOSED DOORS

Nil

13. MEETING CLOSURE

The Chairperson closed the meeting at 4:28pm.