

# State Council

## Full Minutes

4 May 2022

Regional Meeting

Hosted by the South Metropolitan Zone

## ORDER OF PROCEEDINGS

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### OPEN and WELCOME

The Chair declared the meeting open at **12:30pm**.

### PAPERS

State Councillors were distributed the following papers under separate cover:

- Item 5.4 Development Assessment Panel Reforms;
- Item 5.5 Finance and Services Committee Minutes;
- Item 5.6 Selection Committee Minutes - CONFIDENTIAL;
- Item 5.7 LGIS Board Minutes – CONFIDENTIAL;
- Item 5.8 WALGA President's Allowance and LGIS Director Fee – CONFIDENTIAL;
- CEO's Report to State Council for May 2022;
- President's Report for May 2022 (previously emailed to Zones).

## 1. ATTENDANCE, APOLOGIES & ANNOUNCEMENTS

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### 1.1 Attendance

<b>Members</b>	WALGA President – <b>Chair</b>	President Cr Karen Chappel JP
	WALGA Deputy President, Central Metropolitan Zone	Cr Paul Kelly
	Avon-Midland Country Zone	Cr Ken Seymour
	Central Country Zone	President Cr Phillip Blight
	Central Metropolitan Zone	Cr Helen Sadler
	East Metropolitan Zone	Cr Catherine Ehrhardt
	East Metropolitan Zone	Cr John Daw
	Goldfields Esperance Country Zone	President Cr Laurene Bonza
	Gascoyne Country Zone	President Cr Cheryl Cowell
	Great Eastern Country Zone	President Cr Stephen Strange
	Great Southern Country Zone	President Cr Chris Pavlovich
	Kimberley Country Zone	Cr Chris Mitchell JP
	Murchison Country Zone	Cr Les Price
	Northern Country Zone	President Cr Moira Girando JP
	North Metropolitan Zone	Cr Frank Cvitan JP
	North Metropolitan Zone	Mayor Mark Irwin
	North Metropolitan Zone	Cr Russ Fishwick JP
	Peel Country Zone	President Cr Michelle Rich
	Pilbara Country Zone	Mayor Peter Long
	South East Metropolitan Zone	Cr Melissa Northcott
<b>Ex Officio</b>	South Metropolitan Zone	Cr Doug Thompson
	South Metropolitan Zone	Mayor Carol Adams OAM
<b>Secretariat</b>	South Metropolitan Zone	Mayor Logan Howlett JP
	South West Country Zone	President Cr Tony Dean
	Local Government Professionals WA President	Ms Annie Riordan
	Chief Executive Officer	Mr Nick Sloan
	EM Governance & Organisational Services	Mr Tony Brown
	EM Infrastructure	Mr Ian Duncan
	Acting EM Strategy, Policy & Planning	Ms Nicole Matthews
	Acting EM Commercial	Mr Craig Hansom

Acting EM Communications  
Manager Strategy & Association  
Governance  
Chief Financial Officer  
Manager Governance  
Policy Manager Planning and Building  
Policy Manager Resilient Communities  
Executive Officer Governance

Ms Narelle Cant  
Mr Tim Lane  
  
Mr Rick Murray  
Mr James McGovern  
Mr Chris Hossen  
Ms Susie Moir  
Ms Kathy Robertson

The Chair welcomed:

- State Councillors and Deputy State Councillor Cr Melissa Northcott, South East Metropolitan Zone
- LG Professionals WA President, Ms Annie Riordan
- Deputy State Councillor President Cr Michael Bennett, South West Country Zone (observer)
- Mr Tom Griffiths, South West Group (observer)
- WALGA Secretariat
- Elected Members and CEOs from the South Metropolitan Zone (observers)

## 1.2 Apologies

- The Rt. Hon. Lord Mayor Basil Zempilas
- State Councillor Cr Carl Celedin, South East Metropolitan Zone
- State Councillor Mayor Ruth Butterfield, South East Metropolitan Zone

## 1.3 Announcements

- 1.3.1** WALGA acknowledges the Whadjuk Nyoongar People who are the Traditional Custodians of this land we meet on and pays respects to their Elders past and present.
- 1.3.2** WALGA thanked the South Metropolitan Zone and the City of Cockburn for hosting today's Regional State Council meeting and Zone Forum.
- 1.3.3** State Council welcomed President Cr Moira Girando JP who was recently confirmed as the new State Council representative from the Northern Country Zone.

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## 2. MINUTES OF THE PREVIOUS MEETINGS

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### 2.1 Minutes of meeting held 2 March 2022

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Moved: Cr Paul Kelly  
Seconded: Mayor Logan Howlett

That the Minutes of the WALGA State Council meeting held on [Wednesday, 2 March 2022](#) be confirmed as a true and correct record of proceedings.

**RESOLUTION 332.4/2022**

**CARRIED**

#### 2.1.1 Business arising from the Minutes of the meeting held 2 March 2022

Nil.

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### 2.2 Minutes of the special meeting held 30 March 2022

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Moved: Cr Paul Kelly  
Seconded: Mayor Logan Howlett

That the Minutes of the WALGA State Council special meeting held on [Wednesday, 30 March 2022](#) be confirmed as a true and correct record of proceedings.

**RESOLUTION 332.4/2022**

**CARRIED**

#### 2.2.1 Business arising from the Minutes of the special meeting held 30 March 2022

Nil.

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### 2.3 Flying Minute – Western Power Access Arrangement Review Submission

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*WALGA Deputy President Cr Paul Kelly declared an interest in this item and did not vote.*

Moved: President Cr Phil Blight  
Seconded: Cr John Daw

That the [Flying Minute – Western Power Access Arrangement Review Submission](#) be confirmed as a true and correct record of proceedings.

**RESOLUTION 333.4/2022**

**CARRIED**

#### 2.3.1 Business arising from the Flying Minute – Western Power Access Arrangement Review Submission

Nil.

### **3. DECLARATION OF INTEREST**

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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.

- WALGA Deputy President Cr Paul Kelly declared an interest in item 2.3: Flying Minute: Western Power Access Arrangement Review Submission
- Mayor Carol Adams declared an impartiality interest in item 5.2: Local Government Grant Scheme Funding
- WALGA President Cr Karen Chappel declared an interest in item 5.8: WALGA President's Allowance and LGIS Director Fee
- Cr Chris Mitchell declared an interest in 5.6: Selection Committee Minutes
- Cr Russ Fishwick declared an interest in 5.6: Selection Committee Minutes
- Cr John Daw declared an interest in 5.6: Selection Committee Minutes

### **4. EMERGING ISSUES**

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Nil.

# Full Minute Items

<b>5. MATTERS FOR DECISION .....</b>	<b>8</b>
5.1 Submission to Statutory Review of the Food Act 2008 (05-031-01-0006 BW).....	8
5.2 Local Government Grant Scheme Funding (05-024-03-0006 VJ).....	17
5.3 Draft Active Travel to School Roadmap (05-001-03-0051 SDS).....	24
5.4 Development Assessment Panel Reforms (05-036-03-0020 CH).....	35
5.5 Finance and Services Committee Minutes (01-006-03-0006 TB).....	52
5.6 Selection Committee Minutes (01-006-03-0011 CO) – CONFIDENTIAL.....	53
5.7 LGIS Board Minutes – CONFIDENTIAL .....	55
5.8 WALGA President’s Allowance and LGIS Director Fee – CONFIDENTIAL (TB) .....	57
<b>6. MATTERS FOR NOTING / INFORMATION.....</b>	<b>59</b>
6.1 Draft National Plan to End Violence Against Women and Children (05 086-03-0004 VB) ..	59
6.2 Feedback on Community Disaster Resilience Strategy Discussion Paper (05-024-02-0067 VJ).....	62
6.3 2021 CoastWA Local Government Survey (06-085-01-0002 LS).....	64
6.4 Update on draft WA Public Libraries Strategy 2022-2026 (05-012-03-0001 SM).....	67
6.5 Local Government Management Arrangements (LEMA) Review Project (05-024-03-0040 SR) .....	70
6.6 Comment on Draft Health Promotion Strategic Framework 2022-2026 (05-031-03-0005 BW) .....	73
6.7 Wooroloo Bushfire Independent Review Final Report (05-024-03-0011 CM) .....	75
6.8 2022-23 Federal Budget Update (05-088-03-0002 DT).....	78
6.9 Local Government Emergency Management Survey Results (05-024-03-0042 CM).....	81
<b>7. ORGANISATIONAL REPORTS.....</b>	<b>83</b>
7.1 Key Activity Reports .....	83
7.1.1 Report on Key Activities, Commercial and Communications Unit (01-006-03-0017).....	83
7.1.2 Report on Key Activities, Governance and Organisational Services (01-006-03-0007 TB) .....	85
7.1.3 Report on Key Activities, Infrastructure Unit (05-001-02-0003 ID).....	88
7.1.4 Report on Key Activities, Strategy, Policy and Planning Unit (01-006-03-0017 NM) ..	90
7.2 Policy Forum Report (01-006-03-0007).....	93
7.3 Policy Team Reports .....	94
7.3.1 Environment and Waste Policy Team Report – Chair, Cr Les Price .....	94
7.3.2 Governance and Organisational Services Policy Team Report – Chair, Cr Russ Fishwick.....	95
7.3.3 Infrastructure Policy Team Report – Chair, President Cr Chris Pavlovich.....	96
7.3.4 People and Place Policy Team Report – Chair, President Cr Tony Dean.....	97
7.4 President's Report.....	98
7.5 CEO's Report.....	98
7.6 Ex-Officio Reports .....	98

7.6.1 LG Professional's Report.....	98
7.6.2 City of Perth Report.....	98
<b>8. ADDITIONAL ZONE RESOLUTIONS.....</b>	<b>100</b>
<b>9. DATE OF NEXT MEETING.....</b>	<b>101</b>
<b>10. CLOSURE.....</b>	<b>101</b>
<b>STATUS REPORT ON STATE COUNCIL RESOLUTIONS.....</b>	<b>102</b>

## 5. MATTERS FOR DECISION

### 5.1 Submission to Statutory Review of the Food Act 2008 (05-031-01-0006 BW)

*By Bec Waddington, Policy Officer, Resilient Communities*

#### WALGA RECOMMENDATION

**That the submission to the Department of Health relating to the Statutory Review of the *Food Act 2008* be endorsed.**

#### Executive Summary

- The Department of Health (DOH) is undertaking a Statutory Review of the *Food Act 2008* (the Act) and has invited stakeholders to provide submissions. Local Governments were required to submit a Council endorsed submission.
- Overall, feedback from Local Governments is that the Act is an effective piece of legislation. The enforcement tools of improvement notices and infringements provisions have proved very successful for Local Governments.
- The submission highlights areas for improvement which largely relate to the systems that support the Act, rather than the Act itself.
- The engagement process has highlighted some communication issues between DOH and the Local Government sector. WALGA recommends that DOH further engage with the Local Government sector, as a key enforcement agency, to work collaboratively on improving the framework underpinning the Act.

#### Attachment

- WALGA Submission: Statutory Review of the *Food Act*

#### Policy Implications

Through its Advocacy Position 3.2 Health, WALGA supports improving health outcomes for Western Australians through investment in and provision of infrastructure and delivery of services in partnership with health professionals.

WALGA has previously made comment on the introduction of the Act (resolution 355.2/2008). A key component of this recommendation was the request that DOH establish a Food Legislation Working Group to address Local Government concerns and to support the development and implementation of subsidiary legislation.

#### Background

On 1 December 2021 the Minister for Health, the Hon. Roger Cook MLA, announced the [Statutory Review of the Food Act 2008](#) (the Act). The review aims to examine the operation and effectiveness of the Act in meeting its objective to ensure food for sale is both safe and suitable for human consumption and in preventing misleading conduct in connection with the sale of food. The review will identify any issues with the effectiveness and operation of the Act and make recommendations to strengthen and support the objectives of the Act and its regulatory effectiveness.

The Act is predominantly enforced by Local Government Environmental Health Officers who are authorised to conduct food business assessments, investigate complaints, conduct routine food sampling, issue food recalls and ensure food businesses are compliant with the Act, Food Regulations 2009 (Regulations) and Australia New Zealand Food Standards Code.

The Department of Health WA (DOH) requested that submissions from Local Government be endorsed by Council. The consultation period was from 1 December 2021 to 14 March 2022. WALGA advocated for an extension of the consultation period, and DOH extended the closing date to 5 May 2022 to provide Local Governments additional time to obtain Council endorsement.



## Comment

Local Government has important responsibilities to regulate food businesses as an enforcement agency under the Act.

Overall, feedback from Local Governments is that the Act is an effective piece of legislation. The enforcement tools of improvement notices and infringements provisions have proved very successful. Some areas for improvement are highlighted in the submission and include emerging industries, access to appropriate expertise, temporary and mobile food businesses, registrations, company structures and powers under the Act.

Feedback received from the sector highlights that most of the challenges relating to the Act are with the systems and governance that support the Act, rather than the Act itself. This is reflected in two reports from the Auditor General's Office, *Regulation of Consumer Food Safety by the Department of Health* and *Regulation of Consumer Food Safety by Local Government Entities*.

Despite extensive engagement, Local Government feedback in relation to the workings of the Act has been limited, with many officers citing issues with the engagement process. WALGA's engagement for this submission has highlighted issues around processes and communications between Local Governments and DOH.

WALGA recommends that DOH further engage with the Local Government sector, as a key enforcement agency, to work collaboratively on the supporting framework to strengthen the effectiveness of the Act.

Zone Consideration	
Avon Midland Country Zone	WALGA recommendation supported
Central Country Zone	WALGA recommendation supported
Central Metropolitan Zone	WALGA recommendation supported
Gascoyne Country Zone	WALGA recommendation supported
Goldfields Esperance Country Zone	WALGA recommendation supported
Great Eastern Country Zone	WALGA recommendation supported
Great Southern Country Zone	WALGA recommendation supported
Kimberley Country Zone	WALGA recommendation supported
Murchison Country Zone	WALGA recommendation supported
North Metropolitan Zone	WALGA recommendation supported
Northern Country Zone	WALGA recommendation supported
Peel Country Zone	WALGA recommendation supported
Pilbara Country Zone	WALGA recommendation supported
South East Metropolitan Zone	WALGA recommendation supported
South Metropolitan Zone	WALGA recommendation supported
South West Country Zone	WALGA recommendation supported

## EAST METROPOLITAN ZONE

That the submission to the Department of Health relating to the Statutory Review of the *Food Act 2008* be endorsed, subject to the submission making reference to the need to reduce constraints on home-based businesses and small producers in the *Food Act*.

## SECRETARIAT COMMENT

Constraints around the operation of home-based food businesses and small producers did not emerge through the Food Act Review consultation with the Sector and therefore the submission does not directly address this issue. However, it is acknowledged that Local Governments are seeking a balance between cutting red tape and ensuring public safety therefore an amendment to the submission to address this issue is supported.

## COMPOSITE RECOMMENDATION

Moved: Cr Catherine Ehrhardt  
Seconded: Cr Chris Mitchell

That the submission to the Department of Health relating to the Statutory Review of the Food Act 2008, be endorsed subject to an amendment to include an additional sentence on page 11 under Section 2.2, Areas for improvement, Temporary or Mobile Food Businesses, after the second sentence, as follows:

*'In addition further consideration could be given to the operation of home-based food businesses and small producers and the constraints experienced in compliance with the Act.'*

**RESOLUTION 334.4/2022**

**CARRIED**



# Statutory Review of Food Act 2008

## WALGA Submission

**May 2022**

## 1.0 Introduction

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

The Association provides an essential voice for its 139 member Local Governments, 1,215 Elected Members, approximately 22,000 Local Government employees as well as over 2.2 million constituents of Local Governments in Western Australia.

Local Government has important responsibilities to regulate food businesses as an enforcement agency under the *Food Act 2008* (the Act). The Act is predominantly enforced by Local Government Environmental Health Officers (EHOs) who are authorised to conduct food business assessments, investigate complaints, conduct routine food sampling, issue food recalls and ensure food businesses are compliant with the Act, *Food Regulations 2009* (Regulations) and Australia New Zealand Food Standards Code.

WALGA therefore welcomes the opportunity to provide a submission to the Review of the Act.

This submission was endorsed by WALGA State Council on 4 May 2022.

## 2.0 General Comments

This submission has been informed by the submissions of the City of Belmont, Shire of Bruce Rock, Town of Cottesloe and the City of Subiaco, as well as feedback from officers from the Shire of Broome, City of Bunbury, City of Subiaco and the City of Vincent, the Metropolitan Environmental Health Management Group (MEHMG) and Environmental Health Association (EHA) Regional Groups.

The Association notes that a number of Local Governments have expressed concern that the original consultation timeframe for the review from 1 December 2021 to 14 March 2022 made the provision of Council endorsed submissions, as has been requested by the Department of Health WA (DOH), difficult. Following advocacy from WALGA the consultation period was extended to 5 May 2022.

Local Governments were also disappointed that the discussion paper and supporting information provided to guide the review lacked detail or a clear methodology, noting that previous legislative reviews have been accompanied by comprehensive supporting materials. Further, the data that Local Governments have been reporting to DOH, relevant to the Act, for more than ten years has not been analysed and presented to inform this review.

WALGA recommends that in considering amendments to the Act, DOH consider all Local Governments submissions, the data mentioned above and the findings from the two Auditor General Reports on the Regulation of Consumer Food Safety (1 April 2021 and 30 June 2020).

WALGA recommends that DOH further engage with the Local Government sector, as a key enforcement agency, to work collaboratively on the supporting framework to strengthen the effectiveness of the Act.

### 2.1 What is working well

Overall, Local Governments that provided feedback to WALGA considered that the Act is generally effective. The enforcement tools of improvement notices and infringements provisions have proved adequate for Local Governments.

Other parts of the Act which are working well include:

- The compensation mechanism (section 70) is an important component of the Act which ensures that orders that are issued are reasoned and justified.
- The extra assurances required for food businesses involved in food service to vulnerable people in hospitals, childcare centres, and aged care facilities ensure a higher level of protection.
- The directions for taking legal food samples (Section 78) are clear, concise and provide procedural fairness.
- The prescribed fines are considered to be reasonable penalties for breaches under the Act and are significant enough to encourage compliance.
- The auditing requirements of the Act generally work well, with auditors undertaking and submitting audit reports to the Local Government.
- Exemptions under the Act which support charitable, community and not for profit organisations.

## 2.2 Areas for improvement

Feedback from Local Governments support the findings of the [Auditor General's Report: Regulation of Consumer Food Safety by the Department of Health](#) that many of the current issues with the Act are technical and relate to the systems that support the Act, rather than the Act itself.

WALGA recommends that DOH work closely with Local Governments to identify these areas and work collaboratively on solutions.

### Emerging Industries

There is a need to consider the roles and responsibilities of enforcement around food manufacturing in emerging, potentially high risk, industries. Examples of this within the City of Vincent are fermentation and insect farming. The risks associated with these novel industries are not clearly understood and there is a need for a level of expertise (e.g. food scientist) which is beyond Local Government capability. Currently, Local Governments are an enforcement agency by default, without adequate resources or training. WALGA recommends that in the interest of public health and safety, a mechanism within the Act is introduced that allows complex matters beyond the capability or resource level of the Local Government to be escalated to the State Government to step in as enforcement agency.

The City of Bunbury highlighted the challenges of registering these 'novel food businesses'. Local Government Environmental Health Officers can be drawn into providing information to these businesses, which ought to be provided by a food scientist or consultant, to ensure public safety. Novel food businesses should be required to provide the information necessary to provide assurance as to the safety of their products.

Currently the Act does not provide guidance in relation to the emerging industry of online food ordering and delivery platforms (e.g. Uber Eats) and how they are managed and regulated. WALGA recommends the management and regulation of online food ordering and delivery platforms should be considered by the review.

### Expertise

As highlighted in the *Auditor General's Report Regulation of Consumer Food Safety by the Department of Health*, Local Governments are finding it increasingly difficult to access specific support for regulatory issues from the DOH. This is increasing risk and creating inconsistencies in how the Act is applied across the State. WALGA recommends the DOH provide frequent and accessible food safety information and expert support to enhance consistent regulatory practices.

The City of Vincent and Shire of Bruce Rock both highlighted concerns with Local Government automatically becoming the enforcement agency within a geographic area, as there are some complex circumstances where they may not have the appropriate resources, expertise or training to undertake the role. Environmental Health Officers and/or an Authorised Officer are not qualified Food Scientists. There are situations where access to knowledgeable advice and information is required to address concerns on a food risk or perceived food risk.

WALGA recommends alternative enforcement provisions, as well as the increased support for Local Governments in these situations.

The Shire of Bruce Rock raised concerns with section 99 and the assessment of Food Safety Program. Clarification is needed to ensure a Food Safety Program is assessed by a suitably qualified person. This would most likely be a Food Scientist, a Local Government Environmental Health Officer. The Shire suggests that the Food Safety Program assessment would be best done by an impartial body such as DOH.

### **Temporary or Mobile Food Businesses**

Local Governments have challenges with one off food registration and itinerant food vendors. Authorised officers spend a significant amount of time at community events ensuring businesses have valid certificates. In situations like this, Local Governments are seeking the balance between cutting red tape and ensuring public safety. WALGA recommends DOH establish a system to better track food businesses across all Local Government areas (eg. the centralised food register).

Inspecting mobile food businesses can be problematic for enforcement agencies when proprietors ignore requests to make the premises available for inspection. WALGA recommends that consideration be given to including an offence provision in the Act that to make it an offence to not comply with an Authorised Officer's request to inspect a mobile food business that is registered with the enforcement agency.

### **Registration**

Currently food business registration is a one-off process and there is no mechanism for a Local Government to compel a food business to provide updated information, despite it being an offence not to notify the relevant Local Government of certain changes. The Cities of Belmont and Subiaco have raised this as an issue, as it is vital for Local Government to have up to date contact information for a food business. WALGA recommends consideration of a simple renewal process, which would ensure that business details are current and protect the integrity of food business registration certificates.

The Cities of Subiaco and Belmont highlighted that provision should be made for the enforcement agency to place a term of expiry (end date) on a Food Act Registration when appropriate, for example temporary vendors who need a one off approval to trade from a marquee at a temporary event. Another example was an experience of the City of Belmont. Perth Airport undertook major terminal refurbishment works and food businesses set-up "temporary" food businesses. The City felt compelled to accept the word of the proprietor that the temporary premises would only be in place for a set period and they would close the premises and cancel the registration at the end of that time. While these premises are generally compliant, they are fitted out to a lower standard than would normally be accepted for fixed premises. WALGA recommends introducing the option for an enforcement agency to stipulate an end date on the registration certificate.

The Act does allow for the cancellation of a food business registration if the fee imposed by the appropriate enforcement agency in relation to the registration of the food business is not paid by the time required (section 112). However, it is not clear if this section includes annual food safety assessment or inspection fees. When food businesses don't pay the annual assessment/inspection fees, pursuing the inspection fees is time consuming. Formal debt recovery is generally not economical given the value of the unpaid fees and resource required to do this. WALGA recommends

clarity in the Act regarding these fees and amendment of the Act to allow cancellation of registration for non-payment of an annual food safety assessment or inspection fee charged by the appropriate enforcement agency.

## **Company Structure**

The Cities of Bunbury and Subiaco have experienced challenges in dealing with Company or Trust Structures. It is difficult to determine how to issue an associated Infringement Notice for an “Individual” when a business is run under a Trust structure. They recommend that food Businesses should be prohibited from having Trusts nominated as a responsible person. Similarly, it is problematic that “an individual” and “a body corporate” are not defined under the Act in relation to offence provisions. WALGA recommends that the review consider changes to enable Local Government authorised officers to clearly identify the responsible entity for a food business.

## **Powers within the Act**

The Food Act does not assign powers or duties to the CEO of a Local Government and there are potential administrative efficiencies that may be gained from doing so. For example, the discretion to make food business lists publicly available is exercised by an *Enforcement Agency* under Food Regulation 51. Whilst this can be delegated by the Local Government’s Council under s.118 to the CEO of the Local Government, it would be administratively efficient for the discretion to instead be assigned in Reg.51 directly to the CEO of a Local Government, particularly as public access to this information is guided by DOH CEO Guidelines mandated under s. 119 / 120.

Under section 44 of the Act, a warrant may be executed only by the authorised officer to whom it was issued, with provisions for Police to be requested to accompany the authorised officer. In most instances it is not necessary to have Police support, however from a work health and safety perspective, as well as witnessing evidence gathering, the authorised officer should be accompanied by other Local Government employee/s and/or assistant/s as necessary. It would be beneficial for section 44 of the Act to reflect similar terms as provided in section 3.33 of the *Local Government Act 1995*, which provides that a warrant to enter property authorises “a local government by its employees, together with such other persons as are named or described in the warrant...”. This provides flexibility and appropriate resourcing of the execution of a warrant dependent on the circumstances of the case and the associated identified risks.

Section 118(2)(b) provides power for a Local Government Enforcement Agency to delegate its powers or duties, and s.118(4) prescribes that arrangements to enable a delegated function of an enforcement agency to be further delegated, are subject to Regulations enabling it. However, Regulations have not yet been made for this purpose. The *Local Government Act* prescribes the separation of powers between the Council and the CEO, so that the Council can only direct the CEO and has no role to play in the direction or supervision of any other Local Government employee. This governance arrangement is reinforced through the *Local Government Act* provisions enabling delegations [s.5.42 and 5.44], which provide for Council to delegate authority to the CEO and for the CEO to sub-delegate to Local Government employees. This same governance arrangement is replicated in the *Building Act 2011* [s.127], *Cat Act 2011* [s.44 and 45], *Dog Act 1974* [s.10AA] and *Graffiti Vandalism Act 2016* [s.16 and 17]. WALGA recommends that consideration be given to amendment of s.118 of the Act and relevant provisions in the Regulations to support consistent governance arrangements across legislation.

## **Guidance material**

There is variability in how guidance material supporting the Act is interpreted and applied from one Local Government to the next. WALGA recommends that guidance material be reviewed and updated to allow clear interpretation and consistent application.

WALGA supports the streamlining and standardisation of processes; provided that there is still appropriate regulatory oversight to ensure public safety. This would simplify the system for



businesses operating across multiple Local Government areas, as well as reduce the enforcement burden for Local Governments.

### 3.0 Conclusion

Overall, Local Governments consider the Act to be effective, particularly the enforcement tools such as improvement notices and infringements.

While a number of areas identified for improvement in this submission relate to the systems and governance that supports the Act, rather than the Act itself, WALGA considers that it is important that these matters be addressed to ensure the overall effectiveness and efficiency of the Act.

WALGA has previously made comment on the introduction of the Act (Resolution 355.2/2008) recommending that DOH establish a Food Legislation Working Group to support Local Governments in the implementation of the legislation. This remains WALGA's position.

WALGA and Local Government will continue to work collaboratively with DOH to identify solutions to enhance the effectiveness of the *Food Act 2008*.



## 5.2 Local Government Grant Scheme Funding (05-024-03-0006 VJ)

*By Vanessa Jackson, Senior Policy Advisor, Emergency Management*

*Mayor Carol Adams declared an interest in this item.*

### WALGA RECOMMENDATION

That WALGA advocates to the Minister for Emergency Services and the Fire and Emergency Services Commissioner for:

1. An allocation of Local Government Grant Scheme (LGGS) funding to undertake an audit of existing facilities, appliances, vehicles, and major items of equipment for both Local Government Volunteer Bushfire Brigades (BFB) and State Emergency Services (SES).
2. Following the completion of the audit, an allocation of funding through the Local Government Grant Scheme (LGGS) to prepare a Comprehensive Asset Management Plan that:
  - a. Aligns with the principles in the Department of Local Government, Sport and Cultural Industries' (DLGSC) Asset Management National Framework and Guidelines, and the Integrated Planning and Reporting Framework.
  - b. Forecasts the emergency response needs of communities across Western Australia over the next 10 years, to estimate the quantum of the facilities, appliances, vehicles, and major items of equipment that will be needed.
  - c. Outlines a 10 year forward plan of modifications, replacements and additions required.
  - d. Investigates the extent to which future BFB facilities can be co-located with other emergency services facilities.
3. The establishment of a Working Group involving WALGA, the Department of Fire and Emergency Services (DFES) and LGIS to oversee the preparation of the Comprehensive Asset Management Plan.
4. Support for the Comprehensive Asset Management Plan to be reviewed every five years.
5. Support for an increase in Local Government Grant Scheme (LGGS) funding to support the unsuccessful capital grants funding applications by Local Governments to the 2020-21 LGGS Capital Grants Committee.

### Executive Summary

- The Local Government Grant Scheme (LGGS) was established in 2003-04 as a funding source for Local Government Volunteer Bushfire Brigades (BFB) and State Emergency Services (SES) units. LGGS funds are derived from the Emergency Services Levy (ESL) and are administered by DFES.
- Despite an increase in LGGS funding over the years, the funding has not grown at a sufficient rate to account for the increasing costs of assets, in particular buildings and vehicles.
- Currently there is no centralised comprehensive asset management plan for Local Government emergency services facilities or equipment for BFBs or SES, as this information is contained within each Local Governments asset management register.
- It is recommended that a facilities and capital equipment audit be undertaken to establish a baseline of existing assets. This information would enable the preparation of a Comprehensive Asset Management Plan which outlines a forward plan of modifications, replacements, and additions.

### Policy Implications

The Recommendation aligns with WALGA's existing Policy Position 8.3 *Emergency Services Levy: The Association advocates for a full review of the Emergency Services Levy, its administration, fee structure and distribution mechanism to facilitate funding back to Local Government to support their Emergency Management responsibilities as legislated in the Emergency Management Act 2005. (July 2014 – 59.3/2014)*

## Background

The ESL, introduced in 2003-04, is an annual charge paid by all property owners in Western Australia for the purpose of funding emergency services. Local Governments collect the ESL from private property owners on behalf of DFES, with the charge included with rates notices.

The LGGS is funded by the ESL and provides financial support to BFB and SES units from the ESL. The LGGS is divided into two parts:

1. capital grants for significant capital works initiatives, including facilities, appliances, vehicles and major items of equipment; and
2. operating grants for general operating costs and minor purchases including fleet and facility maintenance, training, PPE, insurances, and other minor non-recurrent items.

Two committees (SES and BFB) oversee the capital funding allocated to Local Governments. Two Local Government representatives are appointed to each of these committees. Operating grants are determined by DFES.

In 2003-04 funding for the LGGS was set at \$15.6 million, comprising \$7.5 million in operating grants, and \$8.1 million in capital grants. Operating expenditure profiles were based on historical expenditure; there was no comprehensive asset planning process undertaken by or for Local Governments at that time. Further, there is no centralised comprehensive asset management plan for Local Government emergency services facilities or equipment for BFBs or SES units, as this information is contained within each Local Government's asset management register.

Information provided by DFES in 2021 about the expenditure of the LGGS, cost increases for asset replacement, prioritisation of fleet replacement, and the current strategy of the Capital Grants Committee indicates that:

- The LGGS allocation for 2020-21 totalled \$35 million, comprising \$12 million in operating grants and \$23 million in capital grants for BFB and SES units.
- Operating grant budget allocations for each financial year are offered based on the average of the previous two years' completed acquittals (past expenditure trends) and the current year's actual allocation, indexed with the prevailing cost escalation factor.
- Since the establishment of the LGGS in 2003-04, DFES has advised that the cost of replacement fire appliances has increased significantly, primarily due to additional safety requirements such as crew protection measures and manufacturer safety and vehicle performance features, and manufacturer cost increases. Light tanker costs have increased more than threefold, and heavy tanker costs had increased two and three times. The cost of buildings has also increased more than CPI because of changing building standards, higher materials costs, higher construction labour costs and additional features and components. LGGS funding has not increased to reflect these changes.
- The current strategy employed by the LGGS Capital Grants Committee is to prioritise the replacement of the vehicle fleet. However, the large fleet replacement backlog leaves little LGGS funding left for building works or other equipment. It is estimated that it will take three-four years for this backlog to clear at the current LGGS funding levels. Fleet replacement is a clear priority due to many aging fleet vehicles being overdue for or nearing replacement age; lack of essential manufacturer safety features in older fleet vehicles which are now commonplace, such as airbags and, for Light Tanker and 1.4 Tankers, water deluge systems.
- In addition, the building strategy being progressed by the LGGS Capital Grants Committee has been to prioritise the provision of a building to a BFB lacking a fleet storage facility, which has resulted in the deferral of applications from many Local Governments with building modification or replacement needs.
- Many Local Governments have been reluctant to re-submit (or submit new) facility funding applications because of previous experiences of having funding applications rejected. This has significantly contributed to the growing backlog of undocumented facility replacement needs.

DFES sought \$11.9 million of additional funding under the COVID-19 WA Recovery Plan funding pool for shovel-ready and unsuccessful facilities funding applications lodged by Local Governments to the 2020-21 LGGS Capital Grants Committees in May 2021. However, DFES only received \$6 million of funding, therefore, there remains a backlog of \$5.9 million in unfunded applications.

### Comment

Since the LGGS commenced in 2003-04, applications for renovation, replacement or additions to facilities have exceeded the available funding in 18 out of 19 years and funding requests for new and replacement vehicles have also exceeded the available funding every year. This clearly demonstrates that LGGS funding that was established in 2003-04 has not kept pace with cost increases. It is expected that cost pressures will continue to increase, including from:

- more frequent and intense natural disasters occurring throughout the State, and
- more stringent safety standards and legislative requirements such as in the new *Work Health and Safety Act 2020* which commenced on 31 March 2022.

DFES has a current list of the investments made from the ESL, and more recently, from the Recovery Stimulus funding for water tanks and buildings, to provide a list of assets from when the grants started in 2003-04. However, without an audit of all existing facilities, appliances, vehicles, and major items of equipment of BFB and SES, the full quantum of the future funding that is required is unclear.

An audit would inform the preparation of a Comprehensive Asset Management Plan that aligns with the existing asset management principles outlined in the DLGSC Asset Management National Framework and Guidelines, and the Integrated Planning and Reporting Framework. The Asset Management Plan would also provide a forecast for the emergency response needs of communities across Western Australia over the next 10 years, and the corresponding modifications, replacements and additions required to fulfil this demand. It could also investigate the extent to which future BFB facilities can be co-located or integrated with other infrastructure needs. The plan would be reviewed every five years.

The audit and subsequent comprehensive asset plan will provide a robust basis for LGGS capital grant funding that is sufficient to meet the current and future requirements of BFB and SES units, better protect local communities and ensure Local Governments can meet their legislative work health and safety obligations.

Zone Consideration	
Avon Midland Country Zone	WALGA recommendation supported
Central Metropolitan Zone	WALGA recommendation supported
East Metropolitan Zone	WALGA recommendation supported
Gascoyne Country Zone	WALGA recommendation supported
Great Eastern Country Zone	WALGA recommendation supported
Kimberley Country Zone	WALGA recommendation supported
Murchison Country Zone	WALGA recommendation supported
North Metropolitan Zone	WALGA recommendation supported
Northern Country Zone	WALGA recommendation supported
Pilbara Country Zone	WALGA recommendation supported
South East Metropolitan Zone	WALGA recommendation supported
South Metropolitan Zone	WALGA recommendation supported

### CENTRAL COUNTRY ZONE

That the Zone supports the recommendation subject to amending point 5 as follows:

5. Support for an increase in overall Local Government Grant Scheme (LGGS) funding pool to future capital grants that align with the Comprehensive Asset Management Plan (as updated from time to time).

### **SECRETARIAT COMMENT**

Support the additional wording, combined with suggested changes from the Great Southern Country Zone to read as follows:

5. **Support for an increase in overall State Government funding to support all eligible but unsuccessful LGGS capital grants funding applications and the future capital grants that align with the Comprehensive Asset Management Plan (when adopted).**

### GOLDFIELDS ESPERANCE COUNTRY ZONE

The GVROC:

1. support WALGA advocating to the Minister for Emergency Services and the Fire and Emergency Services Commissioner as per the WALGA recommendations 1 to 5.
2. request the State Council seek further explanation on how the ESL works and why assets cannot be funded for replacement when there are excess monies remaining in the fund.

### **SECRETARIAT COMMENT**

Information on how the ESL operates is available [here](#). Information on the LGGS is available [here](#).

As discussed in the State Council item, the LGGS is regularly oversubscribed. The intent of the Item is to ensure that adequate funding is provided through the LGGS. WALGA is preparing an agenda item for the July State Council meeting, to provide eight new Emergency Advocacy positions. One of the draft advocacy positions on the LGGS is for a full, independent review of the LGGS to investigate and analyse how ESL funds are allocated to Local Government via the LGGS. It is anticipated that a review would consider the current governance arrangements and whether a Regional Road Group model would be more appropriate for the distribution of funding. Further, the Office of Auditor General is currently undertaking an audit to assess if DFES and Local Government are effectively administering funding for their volunteer emergency and fire services. The audit is expected to be completed in June and the results may recommend additional changes to the LGGS process.

### GREAT SOUTHERN COUNTRY ZONE

That the recommendation on Matters for Decision Item 5.2 – Local Government Grant Scheme Funding be amended as follows:

5. Support for an increase in State Government funding to support the unsuccessful capital grants funding applications by Local Governments to the 2020-21 LGGS Capital Grants Committee.

### **SECRETARIAT COMMENT**

Support the additional wording, combined with suggested changes from the Central Country Zone to read as follows:

5. **Support for an increase in overall State Government funding to support all eligible but unsuccessful LGGS capital grants funding applications and the future capital grants that align with the Comprehensive Asset Management Plan (when adopted).**

## **PEEL COUNTRY ZONE**

That the Peel Country Zone note the need to ensure that the Terms of Reference give due consideration to the needs of all Local Governments, including available resources and information.

### **SECRETARIAT COMMENT**

WALGA will ensure that the differing needs of all Local Governments will be paramount in the discussions with the State, and that this will be included within the Terms of Reference for the proposed Working Group.

## **SOUTH WEST COUNTRY ZONE**

That WALGA advocates to the Minister for Emergency Services and the Fire and Emergency Services Commissioner for:

1. An allocation of Local Government Grant Scheme (LGGS) funding to undertake an audit of existing facilities, appliances, vehicles, and major items of equipment for both Local Government Volunteer Bushfire Brigades (BFB) and State Emergency Services (SES).
2. Following the completion of the audit, an allocation of funding through the Local Government Grant Scheme (LGGS) to prepare a Comprehensive Asset Management Plan that:
  - a. Aligns with the principles in the Department of Local Government, Sport and Cultural Industries' (DLGSC) Asset Management National Framework and Guidelines, and the Integrated Planning and Reporting Framework.
  - b. Forecasts the emergency response needs of communities across Western Australia over the next 10 years, to estimate the quantum of the facilities, appliances, vehicles, and major items of equipment that will be needed.
  - c. Outlines a 10 year forward plan of modifications, replacements and additions required.
  - d. Investigates the extent to which future BFB facilities can be co-located with other emergency services facilities.
3. The establishment of a Working Group involving WALGA, the Department of Fire and Emergency Services (DFES), LGIS and the Association of Volunteer Bush Fire Brigades (WA) to oversee the preparation of the Comprehensive Asset Management Plan.
4. Support for the Comprehensive Asset Management Plan to be reviewed every five years.
5. Support for an increase in Local Government Grant Scheme (LGGS) funding to support the unsuccessful capital grants funding applications by Local Governments to the 2020 21 LGGS Capital Grants Committee.
6. Investigate governance arrangements for prioritisation of funding for construction and renewal of infrastructure and equipment along the lines of the Regional Road Group model.

### **SECRETARIAT COMMENT**

The intent of the Comprehensive Asset Management Plan Working Group is to facilitate an asset management process, therefore, it would be unusual for the Association of Volunteer Bush Fire Brigades to be part of this working group, as their focus is on the 'volunteer' network. It is expected that Local Governments would provide the specific information on the existing and future physical resource requirements, in consultation with their Bush Fire Brigades, rather than seeking this information through the Association of Volunteer Bush Fire Brigades.

In regards to point 6, WALGA is preparing an agenda item for the July State Council meeting, to provide eight new Emergency Advocacy positions. One of the draft advocacy positions on the LGGS is for a full, independent review of the LGGS to investigate and analyse how ESL funds are allocated to Local Government via the LGGS. It is anticipated that a review would consider the current governance arrangements and whether a Regional Road Group model would be more appropriate for the distribution of funding. Further, the Office of Auditor General is currently undertaking an audit to assess if DFES and Local Government are effectively administering funding for their volunteer emergency and fire services. The audit is expected to be completed in June and the results may recommend additional changes to the LGGS process.



## COMPOSITE RECOMMENDATION

Moved: Cr Melissa Northcott

Seconded: Cr Paul Kelly

That WALGA advocates to the Minister for Emergency Services and the Fire and Emergency Services Commissioner for:

1. An allocation of Local Government Grant Scheme (LGGS) funding to undertake an audit of existing facilities, appliances, vehicles, and major items of equipment for both Local Government Volunteer Bushfire Brigades (BFB) and State Emergency Services (SES).
2. Following the completion of the audit, an allocation of funding through the Local Government Grant Scheme (LGGS) to prepare a Comprehensive Asset Management Plan that:
  - a. Aligns with the principles in the Department of Local Government, Sport and Cultural Industries' (DLGSC) Asset Management National Framework and Guidelines, and the Integrated Planning and Reporting Framework.
  - b. Forecasts the emergency response needs of communities across Western Australia over the next 10 years, to estimate the quantum of the facilities, appliances, vehicles, and major items of equipment that will be needed.
  - c. Outlines a 10 year forward plan of modifications, replacements and additions required.
  - d. Investigates the extent to which future BFB facilities can be co-located with other emergency services facilities.
3. The establishment of a Working Group involving WALGA, the Department of Fire and Emergency Services (DFES) and LGIS to oversee the preparation of the Comprehensive Asset Management Plan.
4. Support for the Comprehensive Asset Management Plan to be reviewed every five years.
5. Support for an increase in overall State Government funding to support all eligible but unsuccessful LGGS capital grants funding applications and the future capital grants that align with the Comprehensive Asset Management Plan (when adopted).

## AMENDMENT

Moved: President Cr Phil Blight

Seconded: Cr Chris Mitchell

Replace point 5 in the Composite Recommendation with the following:

1. Support for an increase in overall Local Government Grant Scheme (LGGS) funding pool to future capital grants that align with the Comprehensive Asset Management Plan (as updated from time to time).

## RESOLUTION 335.4/2022

## THE AMENDMENT WAS PUT AND CARRIED

## THE MOTION NOW READS:

That WALGA advocates to the Minister for Emergency Services and the Fire and Emergency Services Commissioner for:

1. An allocation of Local Government Grant Scheme (LGGS) funding to undertake an audit of existing facilities, appliances, vehicles, and major items of equipment for both Local Government Volunteer Bushfire Brigades (BFB) and State Emergency Services (SES).
2. Following the completion of the audit, an allocation of funding through the Local Government Grant Scheme (LGGS) to prepare a Comprehensive Asset Management Plan that:
  - a. Aligns with the principles in the Department of Local Government, Sport and Cultural Industries' (DLGSC) Asset Management National Framework and Guidelines, and the Integrated Planning and Reporting Framework.

- b. Forecasts the emergency response needs of communities across Western Australia over the next 10 years, to estimate the quantum of the facilities, appliances, vehicles, and major items of equipment that will be needed.
  - c. Outlines a 10 year forward plan of modifications, replacements and additions required.
  - d. Investigates the extent to which future BFB facilities can be co-located with other emergency services facilities.
3. The establishment of a Working Group involving WALGA, the Department of Fire and Emergency Services (DFES) and LGIS to oversee the preparation of the Comprehensive Asset Management Plan.
4. Support for the Comprehensive Asset Management Plan to be reviewed every five years
5. Support for an increase in overall Local Government Grant Scheme (LGGS) funding pool to future capital grants that align with the Comprehensive Asset Management Plan (as updated from time to time).

**RESOLUTION 336.4/2022**

**THE MOTION AS AMENDED WAS PUT AND CARRIED**

### 5.3 Draft Active Travel to School Roadmap (05-001-03-0051 SDS)

By Sebastian Davies-Slate, Policy Officer Transport and Roads

#### WALGA RECOMMENDATION

##### That WALGA:

1. Endorses the Draft Active Travel to School Roadmap, subject to amending Urban Environment Initiative No 1 to “*Consult local governments to identify sub-regional school transport challenges and amend existing planning guidelines and develop new guidelines where gaps exist*”; and
2. Works with the Department of Transport to finalise the Roadmap and encourage Local Government participation in the initiatives identified where these offer solutions to the local issues encountered in each area.

#### Executive Summary

- The Director-General of Transport has formally requested WALGA endorse the Department of Transport (DOT) Draft Active Travel to School Roadmap.
- The Roadmap includes an initiative which, as worded in the current draft, states that Local Governments will identify sub-regional challenges to active travel to school, and amend or introduce planning guidelines to address these challenges.
- A Local Government officer was present on the working group that informed the guidelines, and this position on the working group has recently passed to WALGA staff.
- WALGA has advised DOT officers that it is not appropriate for this working group or the Department to assign tasks or policy positions to Local Governments without consultation. These DOT officers have agreed to revise this initiative, so as to state that the DOT will consult with Local Governments to achieve the objective outlined in the Roadmap.

#### Attachment

- Draft Active Travel to School Roadmap 2021 - 2030

#### Background

A report into the declining rate of active travel to school in Perth was published by the Department of Transport in 2021<sup>1</sup>. This report was commissioned in part to respond to increasing complaints about traffic, congestion and parking around schools. In most instances traffic and parking management responsibilities fall to Local Governments. The Active Travel to School Working Group was convened by the Bike Riding Reference Group, a senior inter-departmental working group chaired by Chris Tallentire MLA, to address the identified problem of a significant decline in the proportion of children walking or cycling to school.

The Active Travel to School Working Group includes representation from the Department of Transport (chair and secretariat), Departments of Education and Health, Main Roads, the Public Transport Authority, the Road Safety Commission and Local Government. For most of the life of this working group, the Local Government position was filled by a Local Government officer. WALGA staff have recently joined the working group but were not directly involved in preparing the Roadmap.

WALGA has been formally requested to endorse the proposed Active Travel to School Roadmap.

#### Comment

The Active Travel to School Roadmap sets out 23 initiatives grouped under four social-ecological factors of travel behaviour: urban environment, policy and regulation, individual factors and social factors. Local Governments will potentially be involved in delivery of eight of these initiatives that are being lead by a range of State Government Departments and agencies.

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<sup>1</sup> Department of Transport The Declining Rate of Walking and Cycling to School in Perth, 2021 accessed at [AT P Declining Rate walking cycling to school in Perth.pdf \(transport.wa.gov.au\)](https://transport.wa.gov.au/AT_P_Declining_Rate_walking_cycling_to_school_in_Perth.pdf)



The draft Roadmap assigns WALGA responsibility for Urban Environment Initiative 1; “Local governments to identify sub-regional school transport challenges and amend existing planning guidelines and develop new guidelines where gaps exist.”

Responsibility for developing State level planning guidelines is the responsibility of the Department of Planning, Lands and Heritage and / or the Department of Transport. It is proposed that Urban Environment Initiative #1 be amended to:

*"Consult local governments to identify sub-regional school transport challenges and amend existing planning guidelines and develop new guidelines where gaps exist."*

The lead agency would be Department of Transport, supported by WALGA.

Department of Transport officers have agreed to the revised wording, which does not commit Local Governments to a particular action or policy position.

Traffic and parking management around schools is a significant challenge for many Local Governments in urban areas. Initiatives to increase the use of active travel, and so reduce traffic and parking needs will require engagement with and cooperation of Local Governments. Consequently, it is recommended that the Active Travel to School Roadmap be endorsed, subject to revised wording of Urban Environment Initiative 1 as described above.

Zone Consideration	
Avon Midland Country Zone	WALGA recommendation supported
Gascoyne Country Zone	WALGA recommendation supported
Goldfields Esperance Country Zone	WALGA recommendation supported
Great Eastern Country Zone	WALGA recommendation supported
Great Southern Country Zone	WALGA recommendation supported
Kimberley Country Zone	WALGA recommendation supported
Murchison Country Zone	WALGA recommendation supported
North Metropolitan Zone	WALGA recommendation supported
Northern Country Zone	WALGA recommendation supported
Peel Country Zone	WALGA recommendation supported
Pilbara Country Zone	WALGA recommendation supported
South East Metropolitan Zone	WALGA recommendation supported
South Metropolitan Zone	WALGA recommendation supported
South West Country Zone	WALGA recommendation supported

## EAST METROPOLITAN ZONE

That the East Metropolitan Zone supports Item 5.3 subject to the following addition:

3. Advocate to Main Roads to ensure safe travel to school is maintained during roadworks.

## **SECRETARIAT COMMENT**

The RoadMap is a strategic level document. The focus on the urban environment includes infrastructure improvements at existing schools and increased riding and walking using designated safe routes to school. The identified role for Main Roads WA within the RoadMap is to ensure that speed zoning supports active travel to schools. Operational issues including ensuring that safe routes to schools are maintained during roadworks does not readily fit within the framework. Most roadworks within the school walking and cycling catchment are likely to be work undertaken by Local Governments.

### CENTRAL COUNTRY ZONE

That the Zone supports the recommendation subject to inserting additional point 3 as follows:

3. Roadmap development to consider any regional service delivery improvement recommendations coming out of the 2021 initiated Public Accounts Committee Student Transport Assistance Policy Enquiry.

### SECRETARIAT COMMENT

In regional areas the Student Transport Assistance policy provides support for students outside of walkable / cycling distance to the local school. For students in urban areas needing to attend special schools transport is provided on a “door to door” basis. Consequently while this can be monitored when the Public Accounts Committee Inquiry publishes its findings, it is unlikely to be closely connected with any of the proposed actions.

### CENTRAL METROPOLITAN ZONE

That WALGA:

1. Endorses the Draft Active Travel to School Roadmap, subject to amending Urban Environment Initiative No 1 to “Consult local governments to identify sub-regional school transport challenges and amend existing planning guidelines and develop new guidelines where gaps exist”;
2. Works with the Department of Transport to finalise the Roadmap and encourage Local Government participation in the initiatives identified where these offer solutions to the local issues encountered in each area; and
3. Use the Draft Active Travel to School Roadmap to strengthen advocacy for increased funding for cycling infrastructure in Western Australia by the State and Federal Government.

### SECRETARIAT COMMENT

The evidence and data provided in the report on The Declining Rate of Walking and Cycling to School in Perth (2021) and the activities of the Active Travel to School Working Group provides sound support for increased funding for active transport infrastructure.

### COMPOSITE RECOMMENDATION

Moved: Cr Helen Sadler  
Seconded: Cr Chris Mitchell

That WALGA:

1. Endorses the Draft Active Travel to School Roadmap, subject to amending Urban Environment Initiative No 1 to “*Consult local governments to identify sub-regional school transport challenges and amend existing planning guidelines and develop new guidelines where gaps exist*”; and
2. Works with the Department of Transport to finalise the Roadmap and encourage Local Government participation in the initiatives identified where these offer solutions to the local issues encountered in each area.
3. Uses the Draft Active Travel to School Roadmap to strengthen advocacy for increased funding for walking and cycling infrastructure in Western Australia by the State and Federal Government.

RESOLUTION 337.4/2022

CARRIED

# DRAFT Active Travel to School Roadmap 2021-2030

## Active Travel to School Working Group

### Introduction

#### Vision

The Active Travel to School Working Group (ATS Working Group) has been established by the Bicycle Riding Reference Group (BRRG) to identify and plan a way forward to reduce actual and institutional barriers inhibiting walking and riding to school in Western Australia over the next ten years.

#### Context

In 2021, the Department of Transport (DoT) released the paper *The Declining rate of walking and cycling to school in Perth* (the DoT paper) highlighting the low participation in active travel to school and the impact it is having on the transport network, and mental and physical wellbeing of children:

- The national rate of active travel to school has dropped from 75 per cent to 25 percent over the past 40 years, and in Perth the rate is as low as 20 per cent.
- Travel to school comprises approximately 18.4 per cent of morning peak transport trips in the Perth metropolitan area and is estimated to cost the economy over \$186 million per year.
- The impacts of declining active travel to school are immediate and long term including increased travel time, more traffic congestion, less opportunity for skills development and self-efficacy and associated lower return on investment in cycling infrastructure, childhood obesity and chronic disease, and road infrastructure costs.

#### Selection of roadmap initiatives

The Draft Active Travel to School Roadmap 2021-2030 has been developed by the ATS Working Group to address the key barriers to active travel to school identified in the DoT paper including:

- poor pedestrian and shared path accessibility;
- traffic around schools;
- safety and parent/carer perceptions;
- distance between home and school;
- increased car affordability; and
- parent/carer time constraints.

As well as addressing key barriers highlighted in the DoT paper, the ATS Working Group also ranked the initiatives according to multi criteria analysis which included likelihood of implementation, impact and strategic alignment.

## Governance and delivery

The Working Group will report roadmap progress to the BRRG on an annual basis and upon completion of key project milestones. Individual initiatives will be governed by lead agencies under their normal business models.

The Roadmap primarily contains existing and new initiatives currently being delivered or proposed for delivery by ATS Working Group representatives and their agencies. The ATS Working Group has reviewed the list of initiatives.

Initiatives that require external lead agency approval and support have been noted in the roadmap initiative lists and approval for their inclusion will be sought from these agencies.

The schedule for delivery of initiatives will be refined and updated following lead agency approval, business planning, and scheduling.

## Reporting and evaluation

Reporting and evaluation of individual initiatives will occur as per each agency's normal business processes, and outcomes will be presented to the ATS Working Group by agency representatives. The ATS Working Group will develop a program logic model (with the socio-ecological model underpinning it) as a basis for evaluating the impact of the coordination and delivery of the roadmap initiatives.

The ATS Working Group will report outcomes to the BRRG on an annual basis and whenever significant projects milestones are achieved. Reporting metrics will include:

- Initiative outcomes such as mode shift, policy changes, and stakeholder feedback;
- Project challenges such as level of support and funding; and
- Recommendations such as guideline development, changes to regulations and business case development.

## Roadmap initiatives

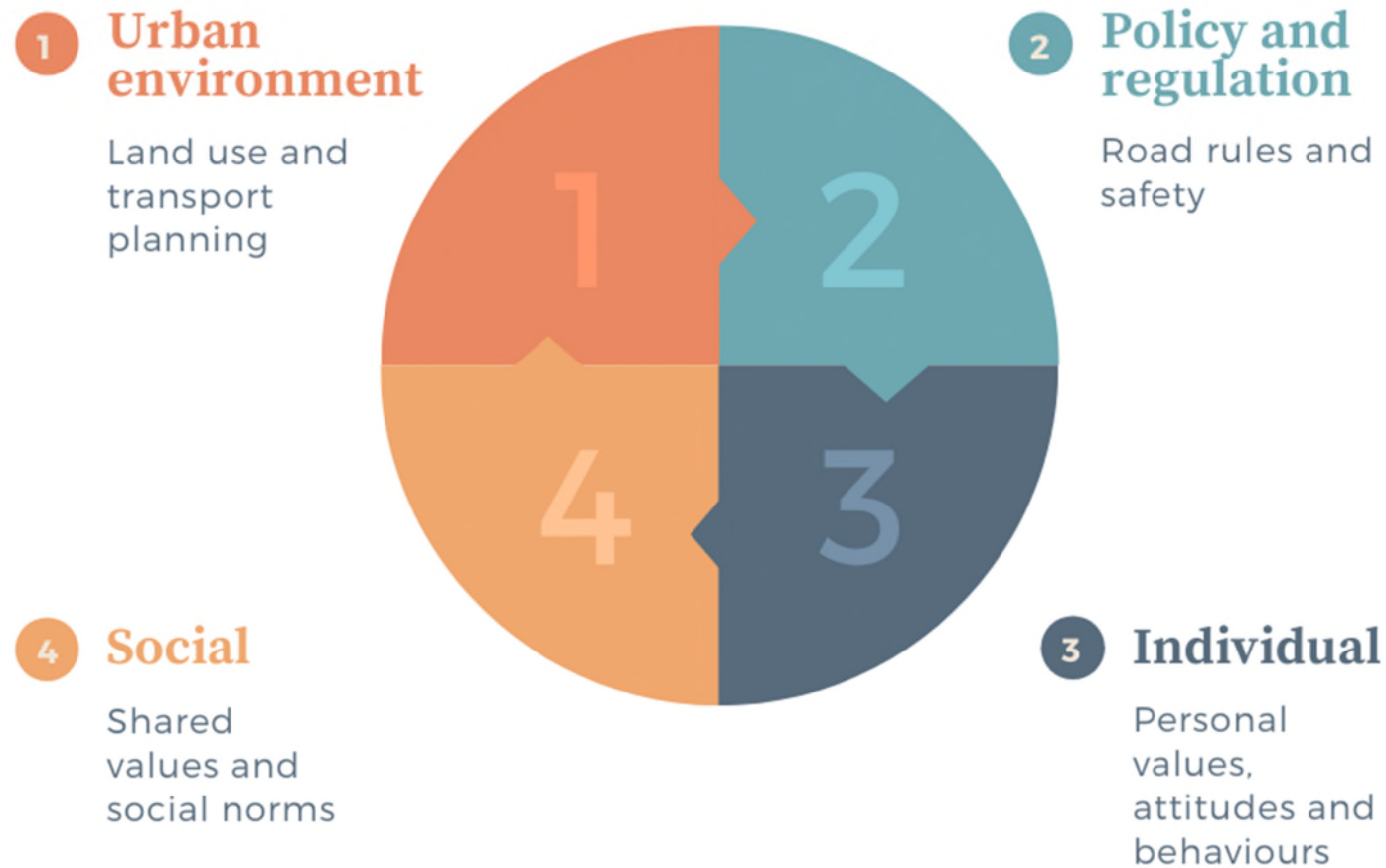
The proposed roadmap initiatives are listed below, including initiative description, expected outcome, the problem the initiative will address, lead agency and indicative schedule. The delivery of some initiatives will build upon and inform the delivery of subsequent ones, so this has been accounted for in the scheduling and timing.

The initiatives have been grouped according to the four social-ecological factors of travel behaviour: urban environment, policy and regulation, and individual and social factors. This model is pertinent for addressing the problem of declining walking and riding to school as it tackles the barriers through consideration of the entire system and accounts for multiple factors that influence behaviour. The model explores causal, interacting and reinforcing links between the factors and if all four factors are addressed simultaneously, it is more likely to influence enduring change.

## Commitment and Funding

Lead agencies have committed to taking responsibility for seeking, securing and allocating necessary funding through appropriate budgetary processes.

Therefore, some of the actions below remain subject to funding and associated timelines are indicative.



**Figure 1: social-ecology of school travel<sup>2</sup>**

<sup>2</sup> Figure 1 is based on the Social-Ecological Model used in health-related disciplines and behavioural sciences as a framework for identifying factors influencing individual behaviour (Kilanowski, J. 2017. 'Breadth of the Socio-Ecological Model', *Journal of Agromedicine*, 22:4, 295-297).

## Urban environment

	Initiative	Expected outcome	Problem	Lead agency	Year
	Local governments identify sub-regional school transport challenges and amend existing planning guidelines and develop new guidelines where gaps exist.	Improved planning outcomes through alignment and improvement of existing planning guidelines and development of new guidelines.	Poor school site location and accessibility; Lack of pedestrian and shared path connectivity between school and local residential areas; High parking demand; Low efficacy of road safety guidelines.	WALGA and DoT	2022-23
	Build end of trip facilities at new schools.	Improved convenience and security for students who want to ride to school.	Barriers to pedestrian and rider accessibility; High parking demand.	DoE	Ongoing
	Provide connecting Schools Grants for wayfinding, riding education and end of trip facilities.	Improved convenience and security, accessibility, and student confidence and independence.	Barriers to pedestrian and rider accessibility; High parking demand; Low rate of riding proficiency.	DoT and DoE	Ongoing
	Complete the Transport Environment and Kids (TREK) 15 Years On study.	Walkability data for all metropolitan schools to assist planning.	Poor school site location and accessibility; Lack of pedestrian and shared path connectivity between school and local residential areas; High parking demand (on road);	DoT (through the Planning and Transport Research Centre)	2021-23 (contract period)
	Deliver Safe Active Travel to School Projects.	Infrastructure improvements at existing schools and increased riding and walking using	Poor school site location and accessibility; Lack of pedestrian and shared path connectivity between school and local residential areas;	DoT	Ongoing

	Initiative	Expected outcome	Problem	Lead agency	Year
		designated safe routes to school.	High parking demand; Parent/carers safety concerns.		
	Develop and distribute the <i>Shared and Separated Paths Guidelines</i> to LGA.	Improved connections in the pedestrian and shared pathway network to and from schools.	Lack of pedestrian and shared path connectivity between school and local residential areas.	DoT	2021 (complete)
	Review <i>Primary School Brief for Traffic Management</i> and <i>Secondary School Planning Guide</i> .	Improved travel demand and parking management measures in government primary and secondary school planning.	High parking demand; Growth in school student numbers; Poor school site location and accessibility; Lack of pedestrian and shared path connectivity between school and local residential areas.	DoT and DoE	2021-23
	Explore feasibility of IPWEA developing and delivering cycling design training courses.	Improved and more consistent cycling design across local governments.	Low accessibility and connectivity to school via pedestrian and shared paths.	IPWEA	TBC
	Provide WA Bicycle Network Plan grants to connect Long Term Cycling Network to schools.	Improved metropolitan sub-regional network connectivity to schools.	Lack of pedestrian and shared path connectivity between school and local residential areas.	DoT	2022-25 (forward estimates budget period)
	Provide schools with support to actively participate in the Your Move Schools program to meet Development Application Conditions (requiring program participation).	Improved parking and traffic management.	High parking demand; Traffic congestion around schools.	DoT/DoE	Ongoing



## Policy and regulation

#	Initiative	Expected outcome	Problem	Lead agency	Year
1	Investigate appropriateness of current speed zones for school precincts.	Improved road safety around schools and more walkable and rideable environments.	Child pedestrian and riding injuries and fatalities; Barriers to safe active travel.	MRWA and RSC	2022-23
2	Set School travel mode share targets:	Coordinated initiatives and outcomes.	Lack of policy coordination;	DoT, DoE, MRWA, & PTA	
	1. Stage one: data source and analysis (including Perth Area Travel and Household Survey and TREK 15-Years On study);		Lack of detailed data on school travel to effectively coordinate outcomes;		2023-24
	2. Stage two: consultative mode share target setting.		Lack of school transport objectives.		2024-25
3	Research and develop new initiative trials including exclusion zones and park and walk/ride.	Improved understanding of efficacy of various interventions.	Poor access and traffic exposure around schools; Distance between home and school; Parent/carer time constraints.	DoT and TBC	2023-24

## Individual

	Initiative	Expected outcome	Problem	Lead agency	Year
	Align Road Safety and Drug Education, Health and Physical Education Curriculum Support, and Your Move Schools programs.	Strategic alignment of program objectives and outcomes.	High parking demand; Student riding proficiency; Parent/carer safety concerns; Childhood obesity and overweight.	DoE/DoT	2022-23
	Expand delivery of the Your Move Schools program.	Stronger school community culture of active travel.	High parking demand; Student riding proficiency;	DoT	2021-30



	Initiative	Expected outcome	Problem	Lead agency	Year
		Increased participation in walking, and riding.	Parent/carer safety concerns; Childhood obesity and overweight.		
	Provide Bike education at WA Schools.	Increased student skills in riding and maintenance, and independent mobility.	Low riding proficiency.	DoT	Ongoing
	Deliver the Transperth <i>Get On Board</i> program	Improved public transport awareness and skills for students transitioning from primary to secondary school.	Distance between home and school; Parent/carer time constraints.	PTA	2021-30
	Deliver Transperth school marketing campaigns	Increased knowledge of public transport options for school travel.	Distance between home and school.	PTA	2021-30
	Deliver Safety education programs (e.g. Challenges and Choices).	Improved road safety awareness and skills.	Low child awareness of vulnerable road users; Parent/carer safety concerns.	DoE	2021-25

## Social

	Initiative	Expected outcome	Problem	Lead agency	Year
	Research Parent safety perceptions research.	Improved understanding of safety concerns to inform project planning and messaging.	Parent/carer safety concerns; Road safety guidelines.	RSC	2021-22
	Develop positive attitudes and behaviours towards walking and riding.	Increased awareness of the benefits of walking and riding.	Parent/carer safety concerns.	DoT	2021-30

	Scope, develop and test key messaging on flexible work practices and active travel to school.	Increased awareness of active travel to school amongst parents and carers who work from home.	High labour force participation; Parent/carer time constraints.	DoT	2023-24
	Develop and deliver social change project to increase importance of and participation in active travel to school.	Increased cultural importance of healthy active travel to school.	High rate of car ownership; Parent/carer safety concerns and perceptions.	DoT	2023-25 (following completion of initiative # 1&3)

## MATTERS FOR CONSIDERATION BY STATE COUNCILLORS (UNDER SEPARATE COVER)

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### 5.4 Development Assessment Panel Reforms (05-036-03-0020 CH)

*By Chris Hossen, Policy Manager, Planning and Building*

Moved: Cr Helen Sadler  
Seconded: President Cr Phil Blight

**That the WALGA Development Assessment Panel Regulations Submission be endorsed.**

**RESOLUTION 338.4/2022**

**CARRIED**

#### **Executive Summary**

- In March 2022, the Department of Planning, Lands and Heritage (DPLH) released [proposed reforms to the Development Assessment Panel system](#) (DAP Regulations) for public consultation.
- The DAP Regulations respond to proposals identified in the [State Government's Action Plan for Planning Reform \(Action Plan\)](#) and *Planning and Development Amendment Act 2020* (Amendment Act).
- In particular the DAP Regulations propose the establishment of a Special Matters DAP (SMDAP).
- WALGA's Submission provides a comprehensive response to the proposed changes, as well as making a range of additional recommendations to improve the DAP system in line with the Association's advocacy positions and comments received from Local Governments.

#### **Attachments**

- Draft DAP Regulations submission
- Proposed Changes to WALGA's Advocacy Policy Position
- [Overview of the DAP Reforms](#)
- [Summary of the proposed Special Matters DAP](#)

#### **Policy Implications**

Updated WALGA DAP advocacy positions were endorsed by State Council in September 2021.

#### **6.4 Development Assessment Panels**

*That WALGA does not support DAPs in their current form, and supports*

1. *the abolishment of the current 'mandatory' mechanism where a proposal has a value of \$10 million or greater, and its replacement with an 'opt in' mechanism for all proposals,*
2. *raising the DAP threshold from the current \$2 million to \$5 million,*
3. *the composition of DAPs should also be modified to provide equal representation of Specialist Members and Local Government Members,*
4. *The creation of a distinct Special Matters DAP is considered unnecessary, given there are already multiple avenues for determination on the basis of zoning and monetary value of applications,*
5. *In principle, the further reduction in the number of panels from five to three is supported, to the extent that this reduces the administrative burden on local governments and enhances consistency of decision making,*
6. *WALGA supports the permanent appointment of panel members where this results in consistent decision-making, reduces the potential for conflicts of interest and ensures sound knowledge of DAP processes and procedure,*

7. *WALGA is wholly supportive of greater transparency around DAP processes and decisions, as community distrust of DAP decision-making is a key area of concern for many local governments.*

### **6.3 – Third Party Appeal Rights**

*Local Government supports the introduction of Third-Party Appeal Rights for decisions made by Development Assessment panels.*

Some of the proposed policy measures in the DAP reforms have alignment with WALGA's current positions. These are clearly articulated in the draft submission.

It is proposed to amend sub-point 4 of Part 6.4 Development Assessment Panels of WALGA's Advocacy Policy Positions that relates to the SMDAP to reflect the recommendations of the submission. The proposed wording is attached.

### **Background**

The DAP system was introduced in July 2011 with the intention of creating a more streamlined planning approval process and providing a better balance between independent professional advice and Local Government representation through the involvement of independent technical experts in the determination of significant development proposals.

Changes to the DAP system were made in mid-2015 and further reforms were undertaken in 2020 in response to the State Government's Action Plan, which reduced the number of DAPs from 15 to nine and introduced a range of process improvements aimed at improving consistency of information and decision making, and enhanced transparency. Further reforms to the DAP system were flagged as part of the [Independent Reviewer's Green Paper \(2018\)](#).

WALGA undertook a review of the DAP system in 2016 and 2020 in response to motions from Metropolitan Local Governments calling for the abolition of DAPs. The reviews examined the performance of the DAPs system against its stated aims and objectives and found that these were not being met.

The *Planning and Development Amendment Act 2020* was intended to create a more flexible, responsive and contemporary planning system to drive Western Australia's economic recovery through the COVID-19 pandemic. This included creation of a State Development Assessment Unit (SDAU) to assess State Significant Development, the creation of a head of power to establish a SMDAP.

Phase 2 of the Action Plan in 2021 is intended to build on these reforms. The reforms proposed in the DAP Regulations are largely consistent with the proposals in the *Planning and Development Amendment Act in 2020* and the Phase 2 reform agenda. A general overview of the reforms and detail summary of the SMDAP reforms are attached.

WALGA participated in a DPLH Sector Reference Group on the proposed reforms alongside officers from eight Local Governments throughout 2021 and 2022.

WALGA hosted a sector webinar for the Sector with officers of DPLH and the Chairman of the Western Australian Planning Commission on 31 March 2022 which was attended by officers and Elected members from over 70 Local Governments.

### **Comment**

WALGA opposes the DAP system in its current form and has proposed a number of reforms to the planning system to ensure it operates in an efficient, effective, and transparent way, and importantly, to ensure that matters of local planning context are adequately considered by decision makers.

Justification for the DAP system centred on the encroachment of local politics into planning decision making and the need to ensure significant proposals that align with the state planning framework are given an expedited assessment pathway. Both justifications questioned the suitability, efficiency and

effectiveness of Local Government as a decision maker for development proposals. These assertions were not substantiated with any quantitative evidence at the time and in subsequent years have been refuted by evidence produced by WALGA through the Performance Monitoring Project and the reviews of the DAP system.

Several proposed amendments to the DAP Regulations align with WALGA's advocacy positions and are generally supported in the WALGA submission, including the:

- reduction in the number of district DAPs to three,
- appointment of permanent specialist members,
- centralisation of DAP secretariat functions within DPLH,
- removal of the minimum district DAP Mandatory Threshold.

WALGA's submissions on the Amendment Act and Phase 2 Planning Reform opposed the establishment of a SMDAP on the grounds that such a panel is unnecessary, given there are already multiple avenues for determination on the basis of zoning and monetary value of applications. WALGA maintains this position and does not support the proposal in the draft DAP Regulations to establish a SMDAP.

Whilst WALGA strongly opposes the establishment of the SMDAP, it is acknowledged that the legal framework to establish is enshrined in the *Planning and Development Act 2005*, and passage of the Regulations is likely. Thus, in line with the Association's general position to seek to improve the DAP system, the following modifications to the SMDAP are recommended in the submission:

1. Allow proponents with proposals that meet the threshold or criteria being able to opt-out of the SMDAP pathway and allow assessment and determination by Local Government,
2. Mandate consultation with the relevant Local Governments prior to the issuing of a Ministerial Order in relation to SMDAP Precinct Criteria,
3. Ensure SMDAP Precincts be identified through Regulations, rather than by the Minister,
4. Include greater professional planning expertise, and knowledge of local context through the Local Government members of the District DAP, by including majority professional town planner panel members, with two Local Government representatives, and
5. Expand the role of Local Governments in SMDAP processes and appropriate remuneration for involvement of Local Governments be included to support the SMDAP decision-making process.

The draft submission was provided to members for comment for a period of four weeks. Officer comment and formal council resolutions were received from the Shires of Manjimup, Mundaring and Peppermint Grove, the Towns of East Fremantle and Bassendean, and the Cities of Busselton, Fremantle and Perth. A number of suggested changes and modifications were incorporated into the final submission for consideration by State Council. These changes are consistent with WALGA's current and proposed advocacy positions.

The People and Place Policy team considered and endorsed the draft Submission on 6 April 2022. Comment on the DAP Regulations closed on 22 April, 2022. WALGA received an extension to 6 May, 2022 to allow consideration of the draft submission by State Council.

# Submission (Draft) on Development Assessment Panel Regulations

Item 5.4 Attachment: Draft  
DAP Regulations 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 1,222 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.

WALGA welcomes the opportunity to comment on the proposed amendments to the Development Assessment Panel Regulations 2011 (draft Regulations). Local Governments have been consulted in the development of this submission and it has been endorsed by WALGA State Council.

Local Government is a decision maker, regulator, and participant in the planning system, and has a key role in setting the strategic land use planning framework and managing statutory functions at a local level as part of the Western Australian planning system. As such, the community has a strong expectation that local character will continue to be considered within the planning framework and that Local Government is the level of government best placed to ensure this.

WALGA acknowledges the ongoing engagement between the Department of Planning, Lands and Heritage (DPLH) and the Local Government sector throughout the State Government's planning reform agenda. The opportunity for Local Government officers and Elected Members engagement has been positive. However the Association wishes to express its concern with the limited timeframe provided to comment on these proposed amendments, which restricts Local Governments obtaining a Council Resolution for their submission, which, considering the importance of, and community interest in this issue, would have been preferred and appropriate.

WALGA has previously commented on a number of reviews to the planning system, including submissions on the *Planning makes it happen – Phase 2 Planning Reform Discussion Paper* in 2013, the *Planning makes it happen – phase two: Blueprint for planning reform* in 2014, the *Independent Planning Reform – Green Paper* in 2018, and both Phase 1 and Phase 2 of the *Action Plan for Planning Reform*.

WALGA has a demonstrated, long-held commitment to supporting planning reform, in particular the aim to refocus strategic priorities, address design and operational problems in the planning approval process and clarify and streamline institutional arrangements. As part of this work, WALGA has undertaken several reviews of the DAP system. The reviews found that the system still fails to meet its intended aims and objectives and needs further reforms if these objectives are to be achieved. The outcomes and findings of these reviews form the basis of the Association's existing policy advocacy positions.

WALGA has sought comment from Local Governments to inform this submission. The submission also reflects the Association's existing positions as well as key issues and concerns raised by WALGA members during the consultation period.

## Background

WALGA opposes the DAP system in its current form and has proposed a number of reforms to the planning system to ensure it operates in an efficient, effective, and transparent way, and importantly, to ensure that matters of local planning context are adequately considered by decision makers.

The DAP system was established in 2011 with the intention of creating a more streamlined planning assessment process and to establish a better balance between professional advice and community representation for significant development proposals. Justification for its establishment centred on the encroachment of local politics into planning decision making and the need to ensure significant proposals that align with the state planning framework were given an expedited assessment pathway. Both justifications questioned the suitability, efficiency and effectiveness of Local Government as decision maker for development proposals. . These justifications were not substantiated with any quantitative evidence at the time and in subsequent years have been refuted by evidence produced by WALGA through the Performance Monitoring Project.

Considering the findings of WALGA's review of the DAP system and responses to the State Government's planning reform agenda, the Association has endorsed the following position in relation to DAPs:

*That WALGA does not support DAPs in their current form, and supports*

- 1. The abolishment of the current 'mandatory' mechanism where a proposal has a value of \$10 million or greater, and its replacement with an 'opt in' mechanism for all proposals,*
- 2. Raising the DAP threshold from the current \$2 million to \$5 million,*
- 3. the composition of DAPs should also be modified to provide equal representation of Specialist Members and Local Government Members,*
- 4. The creation of a distinct Special Matters DAP is considered unnecessary, given there are already multiple avenues for determination on the basis of zoning and monetary value of applications,*
- 5. In principle, the further reduction in the number of panels from five to three is supported, to the extent that this reduces the administrative burden on local governments and enhances consistency of decision making,*
- 6. The permanent appointment of panel members where this results in consistent decision-making, reduces the potential for conflicts of interest and ensures sound knowledge of DAP processes and procedure,*
- 7. Greater transparency around DAP processes and decisions, as community distrust of DAP decision-making is a key area of concern for many local governments,*
- 8. The introduction of Third-Party Appeal Rights for decisions made by DAPs.*

## Summary Comments

The following proposed amendments to the DAP Regulations align with WALGA's advocacy positions and are generally supported:

- The reduction in the number of district DAPs to three,
- The appointment of permanent specialist members,
- The centralisation of DAP secretariat functions within DPLH,
- The removal of the minimum district DAP Mandatory Threshold.

WALGA, in its submissions to both the *Planning and Development Amendment Act 2021(Amendment Act)* and *Phase 2 Planning Reform*, opposed the establishment of a Special Matters Development Assessment Panel (SMDAP) on the grounds that such a panel is unnecessary, given there are already multiple avenues for determination on the basis of zoning and monetary value



of applications. WALGA maintains this position and does not support the proposal in the draft Regulations to establish a SMDAP.

Whilst WALGA strongly opposes the establishment of the SMDAP, it is acknowledged that the legal framework to establish is enshrined in the *Planning and Development Act 2005*, and passage of the Regulations is likely. Thus, in line with the Association's general position to seek to improve the DAP system, the following modifications to the SMDAP are proposed:

1. Allow proponents with proposals that meet the threshold or criteria being able to opt-out of the SMDAP pathway and allow assessment and determination by Local Government,
2. Mandate consultation with the relevant Local Governments prior to the issuing of a Ministerial Order in relation to SMDAP Precinct Criteria,
3. Ensure SMDAP Precincts be identified through Regulations, rather than by the Minister,
4. Include greater professional planning expertise, and knowledge of local context through the Local Government members of the District DAP, by including majority professional town planner panel members, with two Local Government representatives, and
5. Expand the role of Local Governments in SMDAP processes and appropriate remuneration for involvement of Local Governments be included to support the SMDAP decision-making process.

Consideration of each of the proposed amendments and their alignment with WALGA's existing advocacy positions, as well as additional comment on the amendments are provided in the sections below.



## Comments on Government proposals

Comments in this table relate to significant matters proposed by the Government

Proposal	Alignment with WALGA Position	Comments and Recommendations
Reduction in number of District DAPs to three	Aligned	<p>WALGA endorsed conditional support for the reduction in the number of District DAPs in its submission on Phase 2 Planning Reform. Support was conditional on the proposal reducing the administrative burden on Local Governments, enhancing the consistency of decision making, and the appointment of permanent presiding members. These matters have all been satisfactorily addressed in the proposed DAP Regulations.</p> <p>The reduction in the number of panels will likely see the need for more Local Governments and members of the community to travel greater distances to access meetings.</p> <p><b>Recommendation:</b>  <b>The State Government should ensure that the DAP secretariat is adequately resourced to support DAP meetings and provide adequate online access for the community so that distance does not become a barrier to participation.</b></p>
Appointment of permanent specialist members	Aligned	<p>WALGA endorsed conditional support for the appointment of permanent specialist members to the District DAPs in its submission on Phase 2 Planning Reform. This change should result in consistent decision-making, reduce the potential for conflicts of interest and ensures sound knowledge of DAP processes and procedures. It is proposed that the Presiding and Deputy Presiding Member must have planning expertise, this is broadly supported. However, this requirement should be worded to include broad planning expertise in government as well as consulting, with a preference for those that have recent and extensive statutory planning work within a Local Government.</p> <p>Transparency in the recruitment process for appointment to the panel and independence of panel members from interference from the DPLH and Government is critical to enhancing public understanding and trust of DAP decision-making. The draft Regulations propose that the permanent specialist members would be employed by DPLH and appointed by the Minister. The DAP Regulations should be amended to make clear the role of the permanent specialist members and outline their broad independence in decision making.</p> <p>Permanent panel members should be restricted from undertaking other paid work in the planning and development industry, or other industries deemed to create a real or perceived conflict to improve transparency and reduce negative community perceptions related to conflicted or biased processes.</p> <p><b>Recommendation:</b>  <b>That the DAP Regulations be amended to outline the role of DAP specialist members and the need for that role to be undertaken without interference from DPLH, the Minister or external forces.</b></p>

Centralisation of DAP secretariat functions within DPLH	<b>Aligned</b>	<p>It is proposed that the secretariat and administrative support for both District DAPs and the Special Matters DAP will be provided by DPLH.</p> <p>Under the current arrangements DPLH maintains a DAP secretariat that provides a range of services to administer parts of the DAP system, however Local Governments have historically been expected to provide administrative support to DAP meetings. This has led to additional administrative burden on Local Governments and thus increased costs.</p> <p>The proposal will see a reduction in costs for Local Governments and support more consistent administration of the DAP system. The proposal is supported.</p>
Minimum District DAP Mandatory Threshold Removed	<b>Aligned</b>	<p>It is proposed that the minimum mandatory thresholds for District DAPs be removed. The current system mandates that all proposals for development approval that have a value of greater than \$10m are required to be determined by a District DAP.</p> <p>Having the option to 'opt in' to the system for all proposals would allow applicants to choose whether they want to go to a DAP or through a Local Government to gain an approval, and hence 'opt out' of the DAPs system. A WALGA survey of Local Governments in 2016 found that within the 'opt in' threshold of DAPs at that time, 75% of applications were determined by Local Government, and that those decisions on average were made more quickly than those made by a DAP.</p> <p>WALGA has supported the removal of the mandatory threshold since 2020 following analysis of all decisions made by DAPs collected between July 2011 until the end of the 2020/21 financial year. Thus, the proposal to remove the minimum mandatory thresholds are supported. However, the ability of an applicant to choose their preferred pathway should be extended to proposals that meet the criteria for assessment by the SMDAP. This matter is discussed in detail below.</p> <p>WALGA current policy position is that an opt-in mechanism should exist for all proposals, including those proposed to fall within Special Matters DAP.</p>
Establishment of a Special Matters DAP	<b>Not Aligned</b>	<p>In July 2020, the Amendment Act was passed by the WA Parliament. This legislation included the establishment of a Special Matters DAP to determine projects of state or regional importance, or certain types of applications in precincts of state or regional importance.</p> <p>WALGA in its submissions to both the Amendment Act and Phase 2 Planning Reform opposed the establishment of a SMDAP on the grounds that such a panel is unnecessary, given there are already multiple avenues for determination on the basis of zoning and monetary value of applications. WALGA's current advocacy position is that it opposes the establishment of a Special Matters DAP.</p> <p>The draft Regulations provide the administrative framework for the SMDAP, and provide for:</p> <ol style="list-style-type: none"> <li>1. The criteria for proposals to be considered by the Special Matters DAP,</li> <li>2. The assessment, referrals and determination process, and</li> <li>3. The membership of the Special Matters DAP.</li> </ol>

Proposals that meet the SMDAP criteria would be lodged and assessed by officers of the DPLH. All SMDAP applications would be treated as complex applications and thus require public consultation. Comment from Local Governments would be sought on all applications and the response given 'due regard' by the SMDAP. The SMDAP will need to act as the Local Government would in determining any proposal and this give statutory weight to the Local Planning Scheme.

It is also proposed that the DAP Regulations would be supported by a range of Ministerial Order/s which specify:

1. The projects of State and regional importance to be determined by the Special Matters DAP
2. The precincts of State and regional importance and the type of applications that will be determined by the Special Matters DAP in these areas.

Proposals must meet the project criteria and construction value threshold to be eligible for the SMDAP pathway. The proposed threshold is \$50m in the Perth and Peel Region Scheme boundaries and \$30m outside. Proposals in the precincts of State and regional importance must met both the precinct and project criteria.

Whilst WALGA opposes the establishment of the SMDAP for the reasons outlines above, it is acknowledged that the legal framework to establish it is already enshrined in the Planning and Development Act 2005, and passage of the Regulations is highly likely. Thus, in line with the Association's general position to seek to improve the DAP system, the following modifications to the SMDAP are recommended:

1. Proposals that meet the threshold or criteria should be able to opt-out of the SMDAP pathway and allow assessment and determination by Local Government,
2. The draft DAP Regulations should be amended to mandate consultation with the relevant Local Governments prior to the issuing of a Ministerial Order in relation to SMDAP Precinct Criteria, and
3. That the membership of the SMDAP should include greater professional planning expertise, and knowledge of local context through the Local Government members of the District DAP, and
4. The role of Local Governments in SMDAP processes be expanded and appropriate remuneration for involvement of Local Governments in support to the SMDAP decision-making process.

In support of Recommendation 1 above, analysis of DAP decisions with a project value above the proposed SMDAP threshold shows that Local Governments recommend approval for such applications in over 90% of circumstances and took on average 108 days to determine these applications.

For example:

for the 23 high-value mining related proposals considered by a DAP between 2011-12 and 2020-21:

1. all were recommended for approval by the Local Government.
2. took on average 86 days to determine, and
3. had a total value of \$43.8 billion,

for the 26 high-value mining related proposals considered by a DAP between 2011-12 and 2020-21:

1. 25 were recommended for approval by the Local Government.
  2. took on average 106 days to determine, and
  3. had a total value of \$4.6 billion
- for the 4 airport related proposals considered by a DAP between 2011-12 and 2020-21:

1. all were recommended for approval by the Local Government
2. took on average 58 days to determine, and
3. had a total value of \$73 million

Allowing proposals to be determined by a Local Government would reduce decision timeframes; reduce administrative and regulatory burden on both levels of governments and applicants; and provide applicants with greater choice.

Determination by a Local Government would also remove the need for mandatory complex advertising where it is not required by the Local Planning Scheme.

Local Governments advise WALGA that from a planning perspective, high value industrial and energy proposals, and proposals for mixed use developments in activity centres (such as Cockburn Central), would likely be determined under delegation as the land uses are proposed on appropriate land and such proposals generally don't seek policy variation or scheme discretion.

In support of Recommendation 2 above, it is noted that the Regulations give power to the Minister to issue Orders to identify precincts of state and regional importance and the type of applications that will be determined by the SMDAP in such areas. While examples are provided in the consultation supporting documentation, it is understood that the final thresholds have not been determined. Allowing the Minister to identify precincts without parliamentary oversight poses a threat to the integrity and therefore public trust in the planning system. The Association is of the view that the time and effort involved in identifying Precincts through Regulations would not be significant and would greatly reduce risks of perceived or real threats to the integrity of the planning system that could be created by the current proposal. It is also vital that a formal process be included in the draft Regulations that mandates engagement with the relevant Local Government and consideration of any submission prior to the Minister issuing an Order.

In support of Recommendation 3 above, the Association is of the view that the proposed composition of the SMDAP has insufficient planning expertise to make appropriate planning decisions of State significance. Qualified and experienced professional town planners make almost all the planning decisions in Western Australia, and through their training and expertise have developed the skills necessary to interpret and apply planning legislation and policy, as well as consider information from a wide range of specialist technical fields (such as traffic, bushfire or urban design). Data collected by WALGA as part of the Performance Monitoring Project found that in 2020/21, 98% of the 20,434 DAs determined by Local Government were done under delegation. This outcome has been consistent over five years of data reporting.

DAPs are currently composed of 2-3 specialist members with professional planning backgrounds, with the other 2 members being Local Government Elected Members with experience applying their Local Planning Scheme and knowledge of the local context. Under the proposed SMDAP model however, only 1-2 of the 7 members are to have a

professional planning background, and the single Local Government representative may have no or very limited experience of the Local Planning Scheme or local context. Professional planners have, as a core skill, the ability to interpret and synthesise specialist input relevant to planning decisions, and it is this expertise that should be required when assessing proposals of State significance. It is unclear how some of the proposed specialist members will be able to make appropriate planning decisions given their areas of expertise. Should specialist environmental or other technical advice be required, it would be more appropriate that the SMDAP have a capacity to seek that specialist advice as needed.

In lieu of a generic Local Government representative who may or may not have local contextual knowledge, a preferable approach which would enhance decision-making would be to have two Local Government representatives from the subject Local Government, making decisions alongside qualified town planning professionals.

In support of Recommendation 4 above, Local Governments possess not only expertise with their local frameworks and local knowledge, but also a range of specialist skills that are critical in assessment of complex proposals. It would be difficult for DPLH staff working across over 130 local planning schemes to develop specific knowledge of any one of those schemes, and certainly not to the extent of Local Government planners. Local Government planners also draw on intimate knowledge of local context, built up over many years. In addition, other Local Government staff provide vital input into development assessment processes including engineering, environmental, waste and other specialist input. The Association considers that the SMDAP would therefore necessarily rely heavily on the input of Local Governments in decision-making.

The draft Regulations currently proposes that no fees to be paid to the Local Government. This arrangement would place Local Governments in the position of either needing to divert resources to assist DPLH staff without recouping these costs, or, vital Local Government input would not be able to be provided, resulting in poorer decision-making and outcomes for communities. It is therefore recommended that the SMDAP model should involve payment of a fee to the Local Government, to reflect the significant costs that will be incurred by Local Governments in providing information to support SMDAP decision-making. The model should create a clear expectation, as a result of the fee incurred, that Local Governments will provide the SMDAP with necessary support and information, including pre-application support to applicants.

**Recommendation:**

**That the DAP Regulations be amended to:**

1. **Allow proponents with proposals that meet the threshold or criteria being able to opt-out of the SMDAP pathway and allow assessment and determination by Local Government,**
2. **Mandate consultation with the relevant Local Governments prior to the issuing of a Ministerial Order in relation to SMDAP Precinct Criteria,**
3. **Ensure SMDAP Precincts be identified through Regulations, rather than by the Minister, and**
4. **Include greater professional planning expertise, and knowledge of local context through the Local Government members of the District DAP, by including majority professional town planner panel members, with two Local Government representatives,**

		<b>5. Expand the role of Local Governments in SMDAP processes and appropriate remuneration for involvement of Local Governments be included to support the SMDAP decision-making process.</b>
Local Planning Scheme to have statutory weight in decisions made by Special Matters DAP	<b>Partially Aligned</b>	<p>In 2020, the State Government proposed amendments to Planning and Development Act 2005 that sought to establish a new process for significant projects with the WAPC as the decision maker. The resulting State Development Assessment Unit was established to manage this new process. Of particular concern for the Local Government Sector was the ability of the WAPC to not be bound by a Local Planning Scheme when approving a proposal. In its decision-making on a number of proposals through the SDAU pathway, the WAPC exercised discretion outside the established statutory framework, thus approving development that would not have otherwise been able to be approved. Such decisions have been a matter of great concern for Local Governments and their communities.</p> <p>It is noted that these powers to 'suspend' local planning frameworks will not be extended to the SMDAP, and that the SMDAP will need to act as the Local Government would in determining any proposal and thus give appropriate statutory weight to the Local Planning Scheme. This is appropriate and supported.</p> <p>It should be noted that <u>support for this change should be read in the context of WALGA's general opposition to the establishment of the SMDAP.</u></p>

## Additional Comments and Recommendations

Comments and recommendations on matters concerning WALGA's existing advocacy positions where they are not related to matters proposed by the Government.

Topic	Comments and Recommendations
Maintenance of two Local Government members on District DAPs	<p>The draft Regulations propose no change to the make-up of district DAPs. Each district DAP will continue to have 2 Local Government members, 2 specialist members and a presiding member.</p> <p>WALGA's current advocacy position is that the composition of district DAPs should be 3 Local Government members, 2 specialist members and an independent presiding member. This would create an equal share of local and specialist input in decision making by DAPs.</p> <p><b>Recommendation:</b>  <b>That Regulation 25(1)(a) be amended to read:</b>  <i>the 3 local government members included on the local government register for the relevant local government in relation to the development application; and</i>  <b>That Regulation 26(2)(a) be amended to read:</b>  <i>3 of whom must be designated as the local government members for the local government; and</i></p>

District DAP opt-in threshold retained at \$2m	<p>The draft Regulations propose to maintain the current 'opt-in' threshold for DAPS at \$2 million, meaning any development application with a value above this can choose to have their proposal considered by either the DAP or Local Government.</p> <p>The Association's detailed analysis of all DAP decisions from 2011-12 to 2019-20 found that the decision to reduce the entry threshold from \$3m to \$2m had negative consequences that have reduced the effectiveness of the DAP system in achieving its aims and objectives of focusing on the assessment of significant and more complex proposals. There has been a steady increase in the number and proportion of proposals that fall within the \$2m-\$3m value range. In 2015-16, 10% and 29% of proposals fell within \$2m-\$3m and &lt;\$5m value brackets respectively, however in 2019-20 this increased to 26% and 38% respectively.</p> <p>Developments with a lower development value are unlikely to be strategic in nature, such as proposals for service stations, childcare and small-scale residential developments, and they are considerably more likely to be refused or deferred by a DAP.</p> <p>WALGA's current advocacy position is that the DAP threshold should be raised from \$2 million to \$5 million.</p> <p>Raising the application cost threshold would remove the low cost, simple applications, the vast majority of which would be determined under delegation by Local Government. Given that these correlate to the large proportion of resource intensive applications, being those that are either refused or deferred, this would help to deliver greater efficiency within the planning assessment process. Increasing the threshold would also have a positive impact on the perception of the planning system in the community as the DAP process has the tendency to politicise/fuel greater community concern for certain types of proposals and an increase in the threshold would reduce this.</p> <p><b>Recommendation:</b>  <b>That the DAP threshold be raised from the current \$2 million to \$5 million.</b></p>
Third Party Appeal Rights for decisions made by Development Assessment Panels	<p>WALGA supports the introduction of Third-Party Appeal Rights for decisions made by Development Assessment Panels, in certain circumstances. WALGA has developed a preferred model for third party appeals that clarifies who can appeal a decision, how to appeal a decision and the benefit of the proposed model for the Local Government sector.</p> <p>WALGA's position applies to all DAPs, and as such supports the inclusion of third-party appeal rights, in line with our preferred model, for decisions made by the Special Matters DAP.</p> <p>It is acknowledged that any change to incorporate third-party appeals into the planning system, will require modifications to the Planning and Development Act 2005, and this cannot be brought about through changes to the DAP Regulations alone.</p> <p><b>Recommendation:</b>  <b>Necessary amendments be made to the Planning and Development Act 2005 and other relevant legislative instruments to allow third party appeal rights on decisions made by DAPs.</b></p>

## Specific comments

Comments and recommendations related to technical matters that go to an efficient and effective DAP system

Local Government clearing and certifying conditions	<p>The supporting consultation documentation states that in relation to a SMDAP that:</p> <p><i>Following the determination of an application, local governments will be responsible for the clearance and compliance of conditions.</i></p>
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	<p>Under the current arrangements, conditions on approvals issued by the WAPC through the SDAU process are cleared by the DPLH with assistance and input by the Local Government. This arrangement is appropriate as it is the WAPC that is issuing the approval and has ownership of the conditions. The proposed arrangement would see Local Government's required to clear conditions that they may not have been involved in setting and may not support. The proposal also has resourcing implications, particularly as Local Government planning fees have not been increased since 2013. The Association supports the current arrangement of the SDAU that the DPLH is responsible for clearing conditions that they recommend for inclusion on approvals.</p> <p><b>Recommendation:</b>  <b>That DPLH should be responsible for the clearing of conditions and compliance relating to any approval of the SMDAP.</b>  Should the amendments remain as proposed, with Local Governments responsible for clearance of and compliance with conditions for SMDAP proposals, an alternative recommendation is made as follows:  <b>That an appropriate mechanism is developed to ensure cost recovery for Local Governments in clearing and monitoring compliance with conditions imposed by the SMDAP.</b></p>
Timeframes	<p>Regulation 12(3) provides the report must be provided at least 12 days prior to the application being otherwise refused under the planning instrument.</p> <p>The <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> provides the ability for the Local Government to not accept a proposal until such time the application is taken to be accepted once the Local Government is satisfied that all information has been provided (Regulation 63A).</p> <p>Clarification is required on whether the time taken to provide the report commences on lodgement of a DAP application, or once the application is accepted by the Local Government.</p>
Submissions	<p>Regulation 12(5) should be amended to include a new sub-clause, requiring any public submissions on the matter and the responsible authority's response to be included in the report to the DAP.</p> <p>Whilst many Local Governments already include a schedule of submissions, this is not enshrined in regulation.</p> <p>It is particularly important that all public submissions be required to be provided to the DAP where access to public participation may otherwise be limited by reducing the number of DAPs. This should apply to both the District and Special Matters DAPs.</p> <p><b>Recommendation:</b>  <b>Regulation 12(5) should be amended to require the preparation of a schedule of submissions and the responsible authority's response as part of a responsible authority report to a DAP.</b></p>
Further Services from Responsible Authority	<p>Several Local Governments have raised concerns with WALGA about presiding members lodging Regulation 13 requests, including alternate recommendations, and requiring these to be provided the same business day. Ad-hoc and late requests for additional information from the responsible authority prior to a DAP being considered is inappropriate and compromises effective decision making. Further, requests that seek complex and extensive responses should allow reasonable time for the work to occur and adequately outline the service required. Legal advice provided to Local Governments have called into question the validity of directions under Regulation 13 where these tests are not met.</p> <p><b>Recommendation:</b></p>

	<b>Regulation 13(2) should be amended to require a minimum timeframe and level of detail in which the presiding member may request the responsible authority provide additional services such as technical advice and information.</b>
Commencement Date	Regulation 16A should be amended to clarify the date in which the decision is made is not the date in which development approval is granted by the DAP, rather, the date in which the decision is conveyed to the applicant in line with recent determinations of the State Administrative Tribunal (SAT v City of Swan 2022 (WASAT 17)). The Regulations do not provide such a timeframe in which to convey the decision.
Fees	The draft Regulations set a higher sitting fee for specialist members than Local Government members. No justification is provided for this discrepancy. <b>Recommendation:</b> <b>The fee for attendance of the Local Government members to the district DAP should be the same as for a specialist member, given all members are deliberating and making decisions on the same agenda.</b>
Amendments	The Regulations amendments as currently proposed do not allow SMDAP approvals to be amended under Regulation 17A by the Local Government, nor is there a provision allowing amendments to be delegated to WAPC staff. It would appear to be a burden on the resources and to contrast with the intent of the SMDAP to have minor amendments required to be decided through a formal SMDAP meeting process. <b>Recommendation:</b> <b>That provision be made for minor amendments to SMDAP decisions to be delegated to the relevant Local Government or to WAPC staff.</b>

## Conclusion

Thank you for the opportunity to provide comment on the Development Assessment Panel Regulations 2011 (draft Regulations).

As this submission has outlined, a number of the proposed amendments align with existing WALGA positions and are therefore supported. Notwithstanding, the draft Regulations contain several provisions which are of great concern to the Local Government sector and as such the draft Regulations should not proceed in their current form without the revisions outlined above.

WALGA looks forward to further consultation with the Local Government sector on these important reforms to the DAP system as the Regulations progress.

**Item 5.4 Attachment: Proposed Changes  
to WALGA's Advocacy Policy Position**

## Proposed Changes to WALGA's Advocacy Policy Position (Part 6.4)

Current	Proposed
<p>The creation of a distinct Special Matters DAP is considered unnecessary, given there are already multiple avenues for determination on the basis of zoning and monetary value of applications,</p>	<p>The creation of a distinct Special Matters DAP (SMDAP) is not supported, given there are already multiple avenues for determination on the basis of zoning and monetary value of applications. Should the State Government progress with the implementation of a SMDAP, the following changes are proposed to the model released in March 2022:</p> <ul style="list-style-type: none"> <li>• allow proponents with proposals that meet the threshold or criteria being able to opt-out of the SMDAP pathway and allow assessment and determination by Local Government,</li> <li>• mandate consultation with the relevant Local Governments prior to the issuing of a Ministerial Order in relation to SMDAP Precinct Criteria, and</li> <li>• ensure SMDAP Precincts be identified through Regulations, rather than by the Minister,</li> <li>• include greater professional planning expertise, and knowledge of local context through the Local Government members of the District DAP, by including majority professional town planner panel members, with two Local Government representatives,</li> <li>• expand the role of Local Governments in SMDAP processes and appropriate remuneration for involvement of Local Governments be included to support the SMDAP decision-making process</li> </ul>

## **5.5 Finance and Services Committee Minutes (01-006-03-0006 TB)**

*By Tony Brown, Executive Manager Governance and Organisational Services*

**Moved: Cr Melissa Northcott**

**Seconded: Mayor Logan Howlett**

**That the Minutes of the Finance and Services Committee meeting held on 20 April 2022 be endorsed.**

### **RESOLUTION 339.4/2022**

**CARRIED**

#### **Executive Summary**

- The Finance and Services Committee met on 20 April 2022.
- The Minutes have been distributed to members of State Council under separate cover.

#### **Attachments**

- Finance and Services Committee Minutes 20 April 2022
- Attachments to Minutes:
  - Item 2.1 – Management Financials Pack (detailed pack)
  - Item 2.1 – Financial Dashboard (31 March 2022)

#### **Terms of Reference**

The Finance and Services Committee operates under the following delegated powers:

*On behalf of State Council, and in accordance with any policies, directions or limitations set by State Council, undertake the following functions:*

- *Determining key directions in relation to the establishment and/or development of new and current business opportunities that result in the delivery of outputs which enhance the financial and operational capacity of members and the Association.*
- *Adoption of business plans for the Association's service delivery units that deliver the key objectives within the Association's Strategic Plan, with regular monitoring of outcomes against agreed performance indicators.*
- *Oversee the financial management of the Association, including the recommendation of a draft annual Governance Budget to State Council, long term financial planning, monitoring/assessment of financial reports, approving and/or recommending budgetary reallocations to State Council, committing or reallocating reserve funds for special purposes, and auditing and presentation of the Association's annual accounts.*
- *Internal audit including monitoring/assessing compliance against financial and asset management and internal control policies.*
- *Oversee the delivery of business development, business management, human resource management and information management and corporate services.*
- *Establish a risk governance structure which ensures that management has implemented sound risk management policies and procedures across the Association, and which is regularly reviewed.*
- *Establish risk management and internal control performance indicators that are regularly evaluated through internal and external audit processes.*

#### **Background**

Minutes of the Finance and Services Committee meeting held on 20 April 2022 together with attachments have been distributed to members of State Council under separate cover.

#### **Comment**

Finance and Services Committee members will be in attendance at the State Council meeting to respond to questions and provide any further explanation that may be sought.

## **5.6 Selection Committee Minutes (01-006-03-0011 CO) – CONFIDENTIAL**

*By Chantelle O'Brien, Governance Support Officer*

*Cr John Daw, Cr Chris Mitchell and Cr Russ Fishwick all declared an interest in this item and left the meeting at 12:53pm.*

*Cr Frank Cvitan left the meeting at 12:53pm and did not return.*

**Moved:** Cr Les Price  
**Seconded:** Cr Stephen Strange

**That:**

- 1. The recommendations contained in the 20 April 2022 Selection Committee Minutes be endorsed; and**
- 2. the resolutions contained in the 20 April 2022 Selection Committee Minutes be noted.**

**RESOLUTION 340.4/2022**

**CARRIED**

*Cr John Daw, Cr Chris Mitchell and Cr Russ Fishwick returned to the meeting at 12:54pm.*

### **Executive Summary**

- The Selection Committee met on 20 April 2022 to consider nominees to be put forward for appointment for the following vacancies:
  - Local Health Authorities Analytical Committee
  - Local Government Advisory Board
- In addition, the Selection Committee considered three additional items:
  - A request to recommend a panel of names for appointment as Deputy Member to the Local Government Standards Panel
  - Review of the Selection Committee Guidelines, and
  - An appointment process for an independent member on the Selection Committee
- The Minutes containing the Selection Committee's recommendations for State Council endorsement and resolution for noting, are provided as an attachment, and the full Agenda incorporating nomination documentation is available on request.

### **Attachment**

- Selection Committee Minutes – 20 April 2022

### **Background**

Pursuant to the resolution of State Council in February 2002, the WA Local Government Association Selection Committee was established to oversee the selection process for Local Government vacancies on boards and committees.

The Selection Committee conducts a merit-based and transparent assessment process encompassing the principle of "best person for the job". Upon completion of the assessment of nominations for vacancies, the Selection Committee either endorses preferred candidates for appointment (under delegated authority) or makes advisory recommendations to State Council for ratification of preferred candidates.

### **Comment**

#### **Local Health Authorities Analytical Committee (LHAAC)**

Due to a resignation from a Metropolitan Member, LHAAC are seeking to fill the vacancy. Two nominations were received from Cr Carl Celedin and Cr Sara Saberi. In reviewing the aggregate scores, the Selection Committee agreed that both candidates would be suitable for the position and would be highly capable at representing Local Government and WALGA.

Cr Saberi was ranked as the first preferred candidate, with Cr Celedin ranked second. Cr Saberi's skills and experience working in environmental health in Local Government was highly regarded by the Selection Committee. Accordingly, the Selection Committee resolved to put forward Cr Saberi and Cr Celedin for appointment to the position in order of preference.

### **Local Government Advisory Board**

The Minister for Local Government, Hon John Carey MLA, requested WALGA submit a panel of nine names eligible for appointment to the Local Government Advisory Board.

Nine nominations were received. The Selection Committee determined that all nine candidates met the criteria and would be suitable to be put forward for the position. Scoring of candidates ranged from 'well exceeds criteria' to 'exceeds criteria' to 'just meets criteria'. The Selection Committee reviewed the aggregate scoring and ranking and agreed that the aggregate scoring broadly reflected individual committee members' assessments.

The Selection Committee resolved to recommend to State Council that a panel of nine names be put forward, in order of preference, for consideration for appointment as Member and Deputy Member of the Local Government Advisory Board.

### **Standards Panel Deputy Member Position**

Following the passing of Ms Deborah Hopper JP, Standards Panel Deputy Member, the Minister for Local Government, Hon John Carey MLA, wrote to WALGA on 21 March 2022 requesting a Panel of names eligible to be appointed to the Standards Panel. The Minister requested the Panel of names to be put forward within 28 days.

The next Selection Committee process is scheduled to be completed at the July meeting of State Council. As a result, an expedited process is proposed. The expedited process will not meet the Minister's request of a 28-day response, however it is considered that finalisation of the process in mid-May would be preferred to early July.

Accordingly, it is recommended that the Selection Committee recommend to State Council that the Selection Committee undertake the process under delegated authority.

### **Review of Selection Committee Guidelines**

The Selection Committee discussed the need to review the Selection Committee Guidelines, which provides a framework for WALGA's nominations and selection process to WALGA, State Government and other boards and committees.

While the process and current practices are sound, there is a need to align the guidelines to current and best practice.

To undertake the review, the secretariat will distribute a revised version of the guidelines incorporating the points raised above to the Selection Committee for feedback. A second revised version incorporating Committee feedback will then be taken to the June meeting of the Selection Committee.

An item will then be prepared for State Council to consider the revised Selection Committee guidelines.

### **Selection Committee Independent Member Position**

Mr Damien Stewart, longstanding independent member of the Selection Committee, advised the Selection Committee of his attention to resign from the position.

The Selection Committee will oversee a nomination and selection process for the independent member position, which, as per the Corporate Governance Charter, requires "significant experience in recruitment and selection", with the appointment to be made by State Council.

Minutes containing the Selection Committee's recommendations are attached, and the full agenda incorporating nomination documentation is available on request.



## **5.7 LGIS Board Minutes – CONFIDENTIAL**

*By Craig Hansom, Acting Executive Manager, Commercial*

**Moved:** Mayor Carol Adams

**Seconded:** Cr Chris Mitchell

**That WALGA:**

1. **endorses the revised LGIS Corporate Governance Charter that reflects recent State Council resolutions and other governance changes; and**
2. **notes:**
  - a. **the Minutes of the LGISWA Scheme Board workshop held on 24 February; and**
  - b. **the Minutes of the LGISWA Scheme Board meeting held on 25 March.**

### **RESOLUTION 341.4/2022**

**CARRIED**

#### **Executive Summary**

- A Scheme planning workshop was held on 24 February to develop a new Strategic 3-year Plan. This workshop considered not only the current operational, financial and economic environment, but where the Scheme can improve to provide additional benefits to the members.
- A number of items, including the Strategic Plan from the above workshop, were endorsed at the LGIS Board meeting held on 25 March. These items are noted below.
- Increasing Workcare payments and major Property claims caused by recent significant events (including cyclone Seroja and recent bushfires) are having a negative effect on the financial operating position of the Scheme. This is also being impacted by investment results caused by worldwide events (including the war in Ukraine). The Scheme's capital ratio is currently in the "Identify and Monitor" category, causing the Scheme Manager and Board to continue to monitor the situation.
- The LGISWA Scheme Board Corporate Governance Charter document was revised to reflect recent changes, predominantly from internal audit recommendations and changes to the Trust Deed.

#### **Attachments**

- LGISWA Scheme Board Corporate Governance Charter
- LGISWA Scheme Board Workshop Minutes 24 February 2022
- LGISWA Scheme Board Minutes 25 March 2022

#### **Background**

Every year the LGIS Board holds a workshop to review progress against the strategic plan, financials and KPIs to inform actions for the coming year. During this year's workshop held on 24 February, a facilitated strategic planning workshop was conducted with the Board members to identify strategies for the next three-year Strategic Plan.

LGIS is on a journey of the "expansion of Scheme covers" to include appropriate covers for members within the Scheme where additional value can be provided through in-house claims management. The review and expansion of the Scheme covers is in the third and final stage. Progress on the review was discussed during the strategic planning workshop and will be finalised in a report to the Board in May 2022.

The first full LGIS Board meeting for the year was held on 25 March.

#### **Comment**

Items of note from the LGIS strategic workshop include:

- Peter Forbes was re-elected as the Board Chair for a further twelve-month period;
- The members of the Finance & Audit committee were re-appointed without change;

- The members of the Risk & Compliance committee were re-appointed without change;
- The Terms of Reference for the Finance and Audit Committee and the Risk and Compliance Committee were approved unchanged.
- The Board endorsed the implementation of a Journey Injury fund under the expansion of Scheme covers.
- As at 31 December 2021, the income and expenditure statement shows a \$505,963 operating deficit. At that time, the available capital remained within the target range (at 1.57 times the minimum capital requirement). This is predominantly due to: higher Workcare payments and case estimates; and two major claims valued at over \$1M each in the Property portfolio.
- Information from the strategic workshop was used to draft Strategic Plan documentation for the next Board meeting.

Items of note from the LGIS Board meeting include:

- The Board endorsed the Strategic Plan 2022-2025 following revisions from the previous strategic workshop.
- Changes to the LGISWA Corporate Governance Charter were approved by the Board (see further details below).
- Further claims pressures and investment losses have placed the Scheme's capital ratio into the "Identify and Monitor" category. This is an acceptable position given the current environment, with additional diligence placed on the Scheme Manager and Board to keep the situation under review.
- The Board agreed that disbursement of funds from the \$3M provision for future member Contribution credits will be deferred for review at the next meeting pending any further financial impacts as noted above.

During the Board meeting on 25 March, the Board approved a revised Corporate Governance Charter. The changes were the result of related operational and governance changes, but notably:

- Provision for reporting of Conflict of Interest, Fraud and Corruption Management by the Scheme Manager (following internal audit recommendations);
- All covers to be within the Scheme and the cessation of separate Insurance Broking arrangements (State Council resolution 108.6/2019);
- Provision for LGIS to collect WALGA general subscription for any non-WALGA members of the Scheme (State Council resolution 273.5/2021); and
- Minor changes to the Board agendas, meeting format and minutes.

## **5.8 WALGA President's Allowance and LGIS Director Fee – CONFIDENTIAL (TB)**

*By Tony Brown, Executive Manager, Governance & Organisational Services*

*WALGA President Cr Karen Chappel declared an interest in this item and left the meeting at 1:11pm.*

*WALGA Deputy President Cr Paul Kelly took over as Chair.*

**Moved: Mayor Carol Adams**  
**Seconded: Cr Melissa Northcott**

**That:**

- 1. State Council endorses that the WALGA President's allowance includes responsibilities for carrying out LGIS Director responsibilities; and**
- 2. the LGIS Director fee for the President's position on the board be retained by WALGA.**

### **RESOLUTION 342.4/2022**

**CARRIED**

*WALGA President Cr Karen Chappel returned to the meeting at 1:16pm and resumed her position as Chair.*

### **Executive Summary**

- A key role of the WALGA President is to serve on the Board of LGIS.
- The current WALGA President has queried the appropriateness of the President receiving the LGIS Board remuneration in addition to the President's allowance.
- This report proposes that the WALGA President's allowance includes the responsibilities for serving on the LGIS Board.
- This report recommends the LGIS Director fee allocated for the WALGA President be retained by WALGA, similar to how the Board fee for the WALGA Chief Executive Officer is treated.

### **Background**

WALGA's Corporate Governance Charter outlines the role of the WALGA President:

- *The President is considered the "lead" State Councillor and utilises experience, skills and leadership abilities to facilitate governance processes.*
- *The President is to represent and advocate the resolutions of State Council.*
- *the President will:*
  - *chair State Council meetings in a manner which results in consensus and commitment to decisions;*
  - *represent the views of State Council to management and act as a link between meetings;*
  - *be the 'interface' of the organisation with external stakeholders;*
  - *act as spokesperson and media contact on such matters as are required, in consultation with the Chief Executive Officer of the Association;*
  - *develop an effective working relationship with the Chief Executive Officer;*
  - *ensure timely and accurate dissemination of information to State Councillors;*
  - *be responsible for State Council performance and advise and counsel State Councillors in regards to their performance on State Council;*
  - *establish Policy Forums, as required, to report directly to State Council; and*
  - *co-opt persons for Local Government vacancies to boards and committees where no nominations have been received following two rounds of advertising.*
- *ALGA: The President is automatically nominated as one of WALGA's representative on the ALGA Board representing WALGA and all WA Local Governments.*

- *Local Government House Trust: The Local Government House Trust is a Trustee which owns and operates the accommodation for WALGA. The Trust is overseen by a Board of Management where the President of WALGA, acts as the Chairperson of the Committee.*
- *LGIS: The WALGA President is automatically a member of the LGIS Board representing WALGA's interest.*

In accordance with the LGIS Corporate Governance Charter:

- *The Business of the Scheme is to be managed by a Board appointed by WALGA;*
- *WALGA offers its non-employee Directors a compensation package, which includes remuneration, liability insurance, indemnity and compulsory employer superannuation payments. In addition, Directors are entitled to claim reasonable travelling expenses for their efforts associated with being a Director; and*
- *The WALGA President or his/her nominee from the WALGA State Council is automatically appointed as a Director on the LGIS Board.*

### **Allowances**

The following outlines the Presidents allowances:

President Allowance	\$137,224
Superannuation	\$13,722
<b>TOTAL</b>	<b>\$150,946</b>

In addition, the President is on the Board of LGIS and receives a Directors fee of **\$28,242.49 inclusive of 10% superannuation** (paid quarterly in arrears)

Reimbursements of expenses for other expenses such as travel, parking and accommodation is provided.

### **Comment**

The current WALGA President, Cr Karen Chappel, has suggested that, since serving on the board of LGIS is a core responsibility of the President, the President's allowance should include serving on the LGIS Board and the LGIS Board remuneration should be retained by WALGA.

The remuneration amount would be claimed from LGIS and retained as income for WALGA against the Mutual Service function. A precedent exists as the LGIS Director remuneration for the WALGA Chief Executive Officer is retained by WALGA. This is because, as an employee, the Chief Executive Officer is not eligible to directly receive the LGIS Director remuneration.

State Council is requested to endorse the proposal for the WALGA President's allowance to include responsibilities for carrying out LGIS Director responsibilities and the LGIS Director remuneration to be retained by WALGA.

## 6. MATTERS FOR NOTING / INFORMATION

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### 6.1 Draft National Plan to End Violence Against Women and Children (05 086-03-0004 VB)

*By Vikki Barlow, Senior Policy Advisor Community*

#### WALGA RECOMMENDATION

**That the letter in relation to the Draft National Plan to End Violence Against Women and Children consultation be noted.**

#### Executive Summary

- The Australian Government is developing the National Plan to End Violence against Women and Children 2022-2032 (Draft National Plan).
- The Department of Social Services undertook consultation on the [Draft National Plan](#) between 14 January and 25 February 2022.
- WALGA submitted a letter supporting the aims, vision, and pillars of the Draft National Plan, consistent with the Association's Advocacy Position Statement on Family and Domestic Violence.
- The letter highlights the need for clearer definition of the role and responsibilities of Local Government in family and domestic violence, as well as ongoing funding to support the implementation of the Prevention Toolkit for Local Government.

#### Attachment

- [WALGA Letter on Draft National Plan to End Violence Against Women and Children](#)

#### Policy Implications

WALGA's Advocacy Position Statement on Family and Domestic Violence states:

##### **3.10.1 Family and Domestic Violence**

1. *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.*
2. *WALGA advocates to the State Government:*
  - a. *to work with Local Government in defining the role and responsibilities and expectations of Local Governments in family and domestic violence.*
  - b. *for adequate funding for family and domestic violence programs and services, particularly in regional areas.*
  - c. *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.*
  - d. *to provide support to Local Government in the broader rollout of the Prevention Toolkit for Local Government.*
  - e. *To continue advocacy to the Commonwealth Government for additional funding and support.*

*(December 2020 – 144.6/2020)*

#### Background

The Australian Government is developing the National Plan to replace the existing *National Plan to Reduce Violence against Women and their Children 2010–2022* when it ends in mid-2022. Development of the National Plan is a joint responsibility of the Commonwealth, states and territories.

The draft National Plan has been developed through consultation with victim-survivors, specialist services, representatives from the health, law and justice sectors, business, and community groups, all levels of government and other experts. Previous consultations that inform the Draft National Plan

include The House Standing Committee on Social Policy and Legal Affairs *Inquiry into family, domestic and sexual violence* and the *National Summit on Women's Safety*.

The ten-year National Plan will be underpinned by two, five-year action plans, including dedicated five-year Aboriginal and Torres Strait Islander Action Plans. The action plans will detail the priority focus areas for implementation and will focus efforts and government investment in those areas.

The Aboriginal and Torres Strait Islander Advisory Council on family, domestic and sexual violence is leading work on the dedicated Aboriginal and Torres Strait Islander Action Plans.

WALGA is a member of the Family and Domestic Violence State Association Network led by ALGA and Our Watch (peak body for prevention of violence against women and children). The Network works collaboratively to identify and develop resources for the sector and to undertake advocacy. A coordinated approach was developed to inform Association's responses to the Draft National Plan.

WALGA is also a member of the State Government's reference group for the *Path to Safety: Western Australia's strategy to reduce family and domestic violence 2020 – 2030*. The reference group involves key stakeholders from State Government agencies, peak community sector organisations and WALGA and oversees the implementation of the first *Action Plan July 2020 – June 2022*.

### Comment

The aims, vision, and pillars of the Draft National Plan align with WALGA's Advocacy Position on Family and Domestic Violence, the State Government's strategy and the work that the Family and Domestic Violence State Association Network is undertaking.

WALGA's letter highlights the need for clearer role definition for Local Government, the benefits of the continued rollout of the Prevention Toolkit for Local Government and the need for further support, resources and funding to support Local Government activities to address family and domestic violence.

Zone Consideration	
<b>Avon Midland Country Zone</b>	WALGA recommendation noted
<b>Central Country Zone</b>	WALGA recommendation noted
<b>Central Metropolitan Zone</b>	WALGA recommendation noted
<b>East Metropolitan Zone</b>	WALGA recommendation noted
<b>Gascoyne Country Zone</b>	WALGA recommendation noted
<b>Goldfields Esperance Country Zone</b>	WALGA recommendation noted
<b>Great Eastern Country Zone</b>	WALGA recommendation noted
<b>Great Southern Country Zone</b>	WALGA recommendation noted
<b>Kimberley Country Zone</b>	WALGA recommendation noted
<b>Murchison Country Zone</b>	WALGA recommendation noted
<b>North Metropolitan Zone</b>	WALGA recommendation noted
<b>Northern Country Zone</b>	WALGA recommendation noted
<b>Peel Country Zone</b>	WALGA recommendation noted
<b>Pilbara Country Zone</b>	WALGA recommendation noted
<b>South East Metropolitan Zone</b>	WALGA recommendation noted
<b>South Metropolitan Zone</b>	WALGA recommendation noted
<b>South West Country Zone</b>	WALGA recommendation noted

## **WALGA RECOMMENDATION**

**Moved:** Cr Paul Kelly  
**Seconded:** Mayor Logan Howlett

**That the letter in relation to the Draft National Plan to End Violence Against Women and Children consultation be noted.**

**RESOLUTION 343.4/2022**

**CARRIED**



## **6.2 Feedback on Community Disaster Resilience Strategy Discussion Paper (05-024-02-0067 VJ)**

*By Vanessa Jackson, Senior Policy Advisor, Emergency Management*

### **WALGA RECOMMENDATION**

**That the feedback provided to the State Emergency Management Committee on the Community Disaster Resilience Strategy Discussion Paper be noted.**

### **Executive Summary**

- The State Government released a Community Disaster Resilience Strategy Discussion Paper for public consultation between 31 October 2021 and 31 March 2022.
- The Discussion Paper outlines a number of transformational shifts and change initiatives, however, due to limited detail in the paper, it is unclear what the exact impact of these proposed initiatives on Local Government's operations may be.
- Feedback on the Discussion Paper by way of letter from the President has been prepared, requesting a formal consultation period on the draft Community Disaster Resilience Strategy be provided in due course.

### **Attachment**

- [WALGA Feedback on the Community Disaster Resilience Strategy Discussion Paper](#)

### **Background**

At the WA Emergency Management Conference held on 13 October 2021, the Hon. Reece Whitby MLA, Minister for Emergency Services announced the commencement of the next round of consultation on the WA [Community Disaster Resilience Strategy Discussion Paper](#).

The intent of the Community Disaster Resilience Strategy is to increase the capacity of communities to cope with and recover from the possible impacts of natural disasters. The State Emergency Management Committee (SEMC) sought feedback on the strategic directions and initiatives outlined in the Discussion Paper, to inform the final Strategy, by asking the following questions:

- Do the five proposed outcomes represent the right goals for a resilient community?
- Are the transformational shifts possible? Are there any others that could be proposed?
- Do stakeholders agree with the change initiatives?
- Is the Implementation Plan practical?

In March 2022, SEMC through DFES delivered four online workshops with both metropolitan and regional Local Governments, to obtain their feedback.

The consultation period closed on 31 March 2022.

### **Comment**

The Discussion Paper suggests four transformational shifts and 18 associated change initiatives designed to support communities to cope with the impacts of a disaster, to recover afterwards and to adapt to changed circumstances.

Feedback from members at the workshops was generally supportive of the Discussion Paper but qualified with concerns about increasing expectations on Local Governments without increasing resources, and a high level of uncertainty about what is being contemplated by the Strategy. The change initiatives may also have resource implications for the Sector and may require revisions to strategic and operational documents within a Local Government.

Therefore, as there is limited detail in the Discussion Paper on the specific requirements of the actions outlined in the Implementation Plan, it is difficult to determine the extent of the impact of the proposed Strategy on Local Government.

Advice from DFES has been that the draft Strategy will be provided to stakeholders ‘as a courtesy’ for a short consultation period of two weeks in mid-May, prior to submission to the SEMC Recovery and Community Engagement Subcommittee and Minister for Emergency Services. This two-week period would not be a formal consultation period as the concept of the Strategy has already been consulted on twice, initially in 2020 and then through this Discussion Paper.

The letter indicates the sector’s strong preference to have a further consultation opportunity on the draft Strategy in due course, prior to its formal adoption by SEMC and the State Government.

Although the consultation period closed on 31 March 2022, WALGA sought a small extension until 5 April 2022 to enable the People and Place Policy Team to consider the feedback contained within the attached letter.

<b>Zone Consideration</b>	
<b>Avon Midland Country Zone</b>	WALGA recommendation noted
<b>Central Country Zone</b>	WALGA recommendation noted
<b>Central Metropolitan Zone</b>	WALGA recommendation noted
<b>East Metropolitan Zone</b>	WALGA recommendation noted
<b>Gascoyne Country Zone</b>	WALGA recommendation noted
<b>Goldfields Esperance Country Zone</b>	WALGA recommendation noted
<b>Great Eastern Country Zone</b>	WALGA recommendation noted
<b>Great Southern Country Zone</b>	WALGA recommendation noted
<b>Kimberley Country Zone</b>	WALGA recommendation noted
<b>Murchison Country Zone</b>	WALGA recommendation noted
<b>North Metropolitan Zone</b>	WALGA recommendation noted
<b>Northern Country Zone</b>	WALGA recommendation noted
<b>Peel Country Zone</b>	WALGA recommendation noted
<b>Pilbara Country Zone</b>	WALGA recommendation noted
<b>South East Metropolitan Zone</b>	WALGA recommendation noted
<b>South Metropolitan Zone</b>	WALGA recommendation noted
<b>South West Country Zone</b>	WALGA recommendation noted

## **WALGA RECOMMENDATION**

**Moved:** Cr Paul Kelly  
**Seconded:** Mayor Logan Howlett

**That the feedback provided to the State Emergency Management Committee on the Community Disaster Resilience Strategy Discussion Paper be noted.**

**RESOLUTION 343.4/2022**

**CARRIED**

### 6.3 2021 CoastWA Local Government Survey (06-085-01-0002 LS)

By Lucy Sheehy, CoastWA Local Government Facilitator

#### WALGA RECOMMENDATION

**That the CoastWA Local Government Survey Outcomes Report be noted.**

#### Executive Summary

- The CoastWA Local Government Survey was implemented to improve understanding of the challenges and barriers to coastal hazard risk management and adaptation planning (CHRMAP) for Local Government. 32 responses were received.
- Broadly the Survey found that CHRMAPs were assisting Local Governments to better manage current and future coastal hazards and that the resources currently available to Local Governments were helpful. However, a number of challenges were identified for both developing and implementing CHRMAPs and that implementation of CHRMAP actions were generally behind schedule.
- Eight recommendations are made based on the findings of the Survey. If implemented these recommendations would further support Local Governments to develop and implement coastal hazard risk management and adaptation plans.
- The Report and its recommendations will inform the review and development of WALGA advocacy positions relating to coastal planning and its support of coastal and estuarine Local Governments.

#### Attachment

- [CoastWA Local Government Survey Summary Snapshot](#)
- [CoastWA Local Government Survey Outcomes Report](#)

#### Policy Implications

WALGA's [Advocacy Positions Manual](#) provides:

##### **6.8 Coastal Planning (sub-point 2):**

*That the State Government provides a clear funding path for the implementation of State Planning Policy 2.6 – State Coastal Planning Policy, to ensure that Local Governments are appropriately funded to prepare and implement coastal hazard risk management and adaptation plans.*

WALGA's [Immediate Priorities for the State Government](#) document provides:

##### **Expand the Coast WA Program**

*Provision of additional funds (\$55M) to Local Governments to complete and implement coastal hazard risk assessment and adaptation planning to manage coastal erosion and inundation hot spots.*

#### Background

A CoastWA Local Government Facilitator was appointed by WALGA in October 2021 to support Local Governments to develop and implement CHRMAPs, including accessing CoastWA funding. The Facilitator position is funded by the State Government through a Coastwest Grant.

In November 2021, a CoastWA Local Government Survey was sent to 49 coastal and estuarine Local Governments. The objectives of the Survey were to:

- Develop a baseline understanding of Local Government progress in developing and implementing Coastal Hazard Risk Management and Adaptation Plans (CHRMAPs);
- Understand the challenges for Local Government in developing and implementing CHRMAPs;
- Understand how Local Government can be better supported in developing and implementing CHRMAPs;

- Improve understanding of local coastal management issues and identify potential local erosion hotspots and inundation areas;
- Inform follow-up targeted engagement with individual Local Governments; and
- Inform input into the CoastWA program from a Local Government perspective.

The Survey was open from 23 November 2021 and 7 January 2022. 32 responses were received from 28 Local Governments and one regional partnership. Key findings from the Survey are listed below and are discussed within the attached Outcomes Report:

- Funding is critical for Local Government to develop and implement Coastal Hazard Risk Management and Adaptation Plans;
- Long term funding models for coastal adaptation have not been identified;
- Development of CHRMAPs by Local Government are not necessarily being led by Planning Officers;
- CHRMAPs are challenging to develop and the latter stages of CHRMAP development are the most challenging;
- Most of the resources available to Local Government (from WALGA and State Government) to develop and implement CHRMAPs are valuable;
- CHRMAPs are helping Local Governments plan for and manage coastal hazards;
- CHRMAPs are challenging to implement and implementation is generally behind schedule;
- The greatest barriers to implementing CHRMAPs are related to staffing and budget;
- Planning actions are the most common focus of CHRMAP implementation in the short term;
- Affected property owners respond differently to CHRMAP actions compared to the broader community;
- Additional funding and training is needed to implement CHRMAPs;
- Support to improve community awareness of coastal hazards and coastal adaptation would be more valued than support for other types of community engagement and education;
- Local Governments are actively managing current erosion and inundation impacts; and
- Local Governments do not feel prepared for future potential inundation.

### Comment

Based on the key findings, eight recommendations have been identified that WALGA will seek to progress to assist Local Governments to develop and implement coastal hazard risk management and adaptation plans.

1. Local Government funding to develop and implement CHRMAPs should continue through CoastWA;
2. Investigate/advocate for the development of a long term equitable, effective and sustainable funding solution;
3. Investigate opportunities to increase Local Government staff resourcing to develop and implement CHRMAPs;
4. Develop a training program for Local Government officers involved in coastal hazard risk management and adaptation planning;
5. Resources such as guidelines, templates, case studies should be focused on the latter stages of developing CHRMAPs and implementation of CHRMAPs;
6. WALGA should continue to support Local Governments through the Local Government CHRMAP Forum and advocacy to State and Federal Governments;
7. Community education should focus on improving awareness and understanding of the broader impacts and potential costs of coastal adaptation measures; and
8. Areas of coastal erosion and inundation identified in the Survey should be used to inform future updates of hotspots reports.

The next steps for WALGA will be to:

- Review and update its advocacy positions related to coastal planning and management, informed by the survey findings and recommendations.
- Continue to support coastal and estuarine Local Governments through the WALGA Local Government CHRMAP Forum and CoastWA Local Government Facilitator.

- Continue to explore opportunities to partner with relevant State Government agencies to implement the Report's recommendations.

<b>Zone Consideration</b>	
<b>Avon Midland Country Zone</b>	WALGA recommendation noted
<b>Central Country Zone</b>	WALGA recommendation noted
<b>Central Metropolitan Zone</b>	WALGA recommendation noted
<b>East Metropolitan Zone</b>	WALGA recommendation noted
<b>Gascoyne Country Zone</b>	WALGA recommendation noted
<b>Goldfields Esperance Country Zone</b>	WALGA recommendation noted
<b>Great Eastern Country Zone</b>	WALGA recommendation noted
<b>Great Southern Country Zone</b>	WALGA recommendation noted
<b>Kimberley Country Zone</b>	WALGA recommendation noted
<b>Murchison Country Zone</b>	WALGA recommendation noted
<b>North Metropolitan Zone</b>	WALGA recommendation noted
<b>Northern Country Zone</b>	WALGA recommendation noted
<b>Peel Country Zone</b>	WALGA recommendation noted
<b>Pilbara Country Zone</b>	WALGA recommendation noted
<b>South East Metropolitan Zone</b>	WALGA recommendation noted
<b>South Metropolitan Zone</b>	WALGA recommendation noted
<b>South West Country Zone</b>	WALGA recommendation noted

#### **WALGA RECOMMENDATION**

Moved: Cr Paul Kelly  
Seconded: Mayor Logan Howlett

**That the CoastWA Local Government Survey Outcomes Report be noted.**

**RESOLUTION 343.4/2022**

**CARRIED**

## 6.4 Update on draft WA Public Libraries Strategy 2022-2026 (05-012-03-0001 SM)

*By Susie Moir, Policy Manager, Resilient Communities*

### WALGA RECOMMENDATION

**That the update on the draft WA Public Libraries Strategy 2022-2026 be noted.**

### Executive Summary

- The Public Libraries Working Group (PLWG) has been overseeing the development of a new WA Public Libraries Strategy 2022-2026 (draft Strategy) with a focus on strengthening communities, digital inclusion and the value placed on public libraries.
- A mixed methods consultation approach has been undertaken, with workshops targeted at public library professionals, stakeholder interviews through a targeted selection of metropolitan, regional and remote Local Government public libraries, and public consultation via an [online survey](#) (open until 8 April 2022).
- An implementation plan is being developed to outline the actions required to achieve the outcomes described by the draft Strategy and assign responsibility and timelines to these actions, and an evaluation framework to measure the success or otherwise of these actions.
- The new Strategy will support the work of 232 public libraries operated by Local Government around Western Australia.

### Attachments

- [State and Local Government Agreement for the Provision of Public Library Services in Western Australia \(2020\)](#)
- [Draft WA Public Libraries Strategy 2022-2026 Consultation Draft](#)

### Policy Implications

WALGA's Advocacy Position on Public Libraries provides:

#### **3.8 Public Libraries**

WALGA supports:

1. *the provision of Public Library services in Western Australia through a formal partnership between Local Government and the State Government of Western Australia governed by the Library Board Act 1951;*
2. *the tiered model of library service delivery; and*
3. *the transfer of ownership of stock from State to Tier 1 Local Governments. (May 2019 – 46.4/2019).*

### Background

WALGA is a party to the State and Local Government Agreement for the Provision of Public Library Services in Western Australia (2020) (the Agreement) as well as Chair of the PLWG which is established to oversee the implementation of the Agreement. Other members of the PLWG are:

- State Library of WA;
- Library Board of WA;
- Public Libraries WA;
- A representative from a Tier 2 regional public library;
- LG Professionals WA;
- Department of Local Government, Sport and Cultural Industries (DLGSC);
- Department of Primary Industries and Regional Development; and
- The Office of Digital Government.

PLWG identified that the current 2017 WA Public Libraries Strategy was outdated and engaged a consultant to develop a new strategy in December 2021. A draft strategy has been developed, guided



by a Working Group involving representatives from WALGA, DLGSC, PLWA, LG Professionals WA and the State Library.

Targeted consultation through a selection of metropolitan, regional and remote Local Government public libraries, and broad community consultation, is being undertaken on the draft Strategy from February to April 2022.

In developing the draft Strategy, it became clear that the development of an implementation plan and measures was needed. This is particularly important as there is no single, lead agency responsible for implementing the Strategy.

The draft Strategy outlines a set of principles to support the implementation of its outcomes with a focus on delivering the best outcomes for Western Australians and ensuring that PLWG are committed to working in partnership to deliver these outcomes.

The draft Strategy outcomes are outlined under three key pillars, being:

1. Libraries Strengthening Communities
2. Digitally Inclusive Libraries
3. Public Libraries Valued as an Essential Community Asset.

### **Comment**

Public libraries provide important, local level social and cultural infrastructure. Supported through a partnership between State and Local Government, public libraries play an essential role in community capacity building and connection, literacy and skills development, social inclusion, facilitating digital inclusion, and supporting access to technology.

The draft Strategy acknowledges the need to ensure that public libraries accurately assess and evaluate the impact of the services they provide to their communities. This is critical to demonstrating the value of libraries to stakeholders and communities and will assist in ensuring sustainable funding for libraries to continue to grow and respond to the changing needs of their communities.

In 2021 there were more than 7 million in-person visits and 3 million online visits to public libraries. Western Australians borrowed more than 16 million books, electronic books, audiobooks, magazines, DVDs and other items to keep themselves educated, informed and entertained.

Recently, the important role of public libraries in supporting digital inclusion and the health and wellbeing of local communities was recognized when the State Government provided a grant of \$375,000 to support public libraries to assist community members to setup the ServiceWA app. This funding is providing extra staffing, translation services, outreach initiatives and other resources to assist the community to use and understand the app.

It is anticipated that PLWG will consider and finalise the draft Strategy at their meeting in April 2022, prior to submission to WALGA State Council and the Library Board of WA (in July 2022), and then be endorsed by the Minister for Culture and the Arts.



Zone Consideration	
Avon Midland Country Zone	WALGA recommendation noted
Central Country Zone	WALGA recommendation noted
Central Metropolitan Zone	WALGA recommendation noted
East Metropolitan Zone	WALGA recommendation noted
Gascoyne Country Zone	WALGA recommendation noted
Goldfields Esperance Country Zone	WALGA recommendation noted
Great Eastern Country Zone	WALGA recommendation noted
Great Southern Country Zone	WALGA recommendation noted
Kimberley Country Zone	WALGA recommendation noted
Murchison Country Zone	WALGA recommendation noted
North Metropolitan Zone	WALGA recommendation noted
Northern Country Zone	WALGA recommendation noted
Peel Country Zone	WALGA recommendation noted
Pilbara Country Zone	WALGA recommendation noted
South East Metropolitan Zone	WALGA recommendation noted
South Metropolitan Zone	WALGA recommendation noted
South West Country Zone	WALGA recommendation noted

## WALGA RECOMMENDATION

Moved: Cr Paul Kelly  
Seconded: Mayor Logan Howlett

That the update on the draft WA Public Libraries Strategy 2022-2026 be noted.

**RESOLUTION 343.4/2022**

**CARRIED**

## 6.5 Local Government Management Arrangements (LEMA) Review Project (05-024-03-0040 SR)

By Simone Ruane, LEMA Project Lead

### WALGA RECOMMENDATION

**That the update on the Local Emergency Management Arrangements (LEMA) Review Project be noted.**

#### Executive Summary

- Under the *Emergency Management Act 2005*, Local Governments are required to prepare and maintain local emergency management arrangements (LEMA).
- In 2019, WALGA proposed a review of LEMA be undertaken, which was endorsed by the State Emergency Management Committee (SEMC).
- The aim of the LEMA Review Project is to develop a LEMA Improvement Plan that outlines options for effective and fit-for-purpose emergency management at the local level.
- The Department of Fire and Emergency Services (DFES) has been granted Natural Disaster Resilience Program (NDRP) funding to undertake the LEMA Review Project.
- WALGA has been allocated \$140,040 of All West Australians Reducing Emergencies (AWARE) grant funding to lead consultations with Local Government for the project.

#### Policy Implications

WALGA's Advocacy Position on Emergency Management provides:

##### **8. Emergency Management**

*Local Governments in Western Australia play a significant role in emergency management. Both Commonwealth and State Government policy identify Local Government as a key player in community disaster resilience, preparedness and response. Local Governments however face a number of challenges in addressing their emergency management responsibilities, and these challenges differ greatly across the State.*

#### Background

Local Governments play a critical role in Western Australia's Emergency Management Arrangements. Under section 36 of the *Emergency Management Act 2005* (EM Act), Local Governments are required to develop and maintain LEMA that provide a community-focused, coordinated approach to the emergency management of all hazards within a Local Government area.

LEMA refers to the collective emergency management documentation, systems, processes, agreements, and memorandums of understanding which affect each Local Government district. LEMA are outlined in an overarching document that all Local Governments are responsible for developing, maintaining, and testing. Local Governments are required to review their LEMA every five years, after a significant emergency incident and after exercising their LEMA.

In 2019, WALGA submitted a paper to SEMC outlining the key challenges for Local Governments in fulfilling their LEMA obligations including:

- a lack of clarity around the roles and responsibilities of Local Government in emergency management;
- a lack of ongoing funding and human resource capability to meet Local Government emergency management requirements; and
- a misalignment between Local Government emergency management requirements and the Integrated Planning and Reporting Framework for Local Government.

SEMC approved WALGA's proposal for a review of LEMA using a sector-led approach. In 2021, DFES was granted \$171,000 through the Natural Disaster Resilience Program (NDRP) for the LEMA

Review Project. WALGA was allocated \$140,040 in AWARE grant funding to lead the consultation with Local Government on the project.

The LEMA Review Project aims to develop a LEMA Improvement Plan that will identify opportunities to:

- develop fit-for-purpose and effective LEMA;
- increase stakeholder knowledge of LEMA to enhance community resilience;
- streamline LEMA processes and encourage currency;
- improve the effectiveness of the LEMA as a communication tool; and
- support Local Governments who are not currently engaged in planning for emergencies.

The LEMA Review project will be delivered through a partnership between DFES, WALGA and the Department of Local Government, Sport and Cultural Industries (DLGSC). WALGA's role is to:

- undertake in-depth research on the status of LEMA and develop a comprehensive LEMA discussion paper;
- design and coordinate a consultation process with Local Governments to obtain representative feedback on LEMA;
- provide a recommendations report based on the research findings and consultation outcomes; and
- collaborate with DFES to design a pilot project or exercise process that tests potential new LEMA approaches.

## Comment

The current one-size-fits-all LEMA compliance model does not adequately consider the size, maturity, and resourcing capability of different Local Governments, nor adequately address resource sharing arrangements between Local Governments.

The LEMA Review Project is based on recommendations presented by WALGA to SEMC that were informed through preliminary consultations with Local Government and WALGA's emergency management policy expertise. The LEMA Review Project provides an important opportunity to ensure that Local Governments are actively represented in the review of local-level emergency management policy.

WALGA has appointed a Project Lead to engage directly with Local Governments in the delivery of the LEMA Review Project. WALGA's Local Government Emergency Management Advisory group (LGEMAG) and the People and Place Policy Team will be actively engaged in the process.

Zone Consideration	
<b>Avon Midland Country Zone</b>	WALGA recommendation noted
<b>Central Country Zone</b>	WALGA recommendation noted
<b>Central Metropolitan Zone</b>	WALGA recommendation noted
<b>East Metropolitan Zone</b>	WALGA recommendation noted
<b>Gascoyne Country Zone</b>	WALGA recommendation noted
<b>Goldfields Esperance Country Zone</b>	WALGA recommendation noted
<b>Great Eastern Country Zone</b>	WALGA recommendation noted
<b>Great Southern Country Zone</b>	WALGA recommendation noted
<b>Kimberley Country Zone</b>	WALGA recommendation noted
<b>Murchison Country Zone</b>	WALGA recommendation noted
<b>North Metropolitan Zone</b>	WALGA recommendation noted
<b>Northern Country Zone</b>	WALGA recommendation noted
<b>Peel Country Zone</b>	WALGA recommendation noted
<b>Pilbara Country Zone</b>	WALGA recommendation noted
<b>South East Metropolitan Zone</b>	WALGA recommendation noted
<b>South Metropolitan Zone</b>	WALGA recommendation noted
<b>South West Country Zone</b>	WALGA recommendation noted

**WALGA RECOMMENDATION**

**Moved: Cr Paul Kelly**  
**Seconded: Mayor Logan Howlett**

**That the update on the Local Emergency Management Arrangements (LEMA) Review Project be noted.**

**RESOLUTION 343.4/2022**

**CARRIED**

## 6.6 Comment on Draft Health Promotion Strategic Framework 2022-2026 (05-031-03-0005 BW)

By Bec Waddington, Policy Officer Community

### WALGA RECOMMENDATION

That the letter submitted to the Department of Health on the Draft Health Promotion Strategic Framework 2022-2026 be noted.

### Executive Summary

- The Department of Health released the [Draft Health Promotion Strategic Framework 2022-2026 \(HPSF\)](#) for comment in December 2021.
- WALGA has submitted a letter in support of the draft HPSF which brings opportunities for Local Governments to work with the State Government and other organisations to reduce chronic disease and enhance community health and wellbeing.

### Attachment

- [WALGA letter Draft Health Promotion Strategic Framework 2022-2026](#)
- [Department of Health Letter of Response on Draft WA Health Promotion Strategic Framework](#)

### Background

In December 2021 the Department of Health opened consultation on the draft HPSF. The HPSF seeks to build on the achievements of the previous versions (2007-11, 2012-16 and 2017-21) and sets out a plan for reducing the prevalence of chronic disease and injury over the next five years.

WALGA provided a letter of the support for HPSF the on 4 February 2022, noting that the Framework highlights the important role Local Government plays in health promotion and the importance of partnerships and collaboration in achieving positive health and wellbeing outcomes in the community.

### Policy Implications

The intent of the draft HPSF broadly aligns with WALGA's Advocacy Position on Health which states:

#### **3.2 Health**

*The Association supports improving health outcomes for Western Australians through the investment in and provision of infrastructure and delivery of services in partnership with health professionals.*

May 2017 – 32.2/2017

### Comment

Local Governments make a significant contribution to improving, promoting and protecting the health of communities. Local Government involvement in public health includes:

- Environmental health
- Health promotion
- Mental health
- Alcohol and other Drugs

WALGA supports the development of the draft HPSF which highlights the role of Local Government in health promotion, and the importance of partnerships and collaboration in achieving positive health and wellbeing outcomes for the community.

The updated draft HPSF builds on previous versions and takes into account new evidence, policy changes, and relevant state, national and international developments.

The draft HPSF provides Local Governments easy access to resources and information and will provide enhanced opportunities for Local Governments to partner with the State Government and other organisations to reduce chronic disease and enhance community health and wellbeing.

The HPSF also supports Local Governments with the implementation of Public Health Plans which will be required after Stage 5 of the *Public Health Act 2016* is implemented. It is anticipated that Stage 5 will not commence until mid to late 2022 and Local Governments have two years from the implementation of Stage 5 to develop a Public Health Plan.

<b>Zone Consideration</b>	
<b>Avon Midland Country Zone</b>	WALGA recommendation noted
<b>Central Country Zone</b>	WALGA recommendation noted
<b>Central Metropolitan Zone</b>	WALGA recommendation noted
<b>East Metropolitan Zone</b>	WALGA recommendation noted
<b>Gascoyne Country Zone</b>	WALGA recommendation noted
<b>Goldfields Esperance Country Zone</b>	WALGA recommendation noted
<b>Great Eastern Country Zone</b>	WALGA recommendation noted
<b>Great Southern Country Zone</b>	WALGA recommendation noted
<b>Kimberley Country Zone</b>	WALGA recommendation noted
<b>Murchison Country Zone</b>	WALGA recommendation noted
<b>North Metropolitan Zone</b>	WALGA recommendation noted
<b>Northern Country Zone</b>	WALGA recommendation noted
<b>Peel Country Zone</b>	WALGA recommendation noted
<b>Pilbara Country Zone</b>	WALGA recommendation noted
<b>South East Metropolitan Zone</b>	WALGA recommendation noted
<b>South Metropolitan Zone</b>	WALGA recommendation noted
<b>South West Country Zone</b>	WALGA recommendation noted

## **WALGA RECOMMENDATION**

**Moved:** Cr Paul Kelly  
**Seconded:** Mayor Logan Howlett

**That the letter submitted to the Department of Health on the Draft Health Promotion Strategic Framework 2022-2026 be noted.**

**RESOLUTION 343.4/2022**

**CARRIED**

## **6.7 Wooroloo Bushfire Independent Review Final Report (05-024-03-0011 CM)**

*By Cassandra Mora, Policy Officer, Emergency Management*

### **WALGA RECOMMENDATION**

**That the Independent Review of the Wooroloo Bushfire Final Report be noted.**

#### **Executive Summary**

- The Final Report on the Australasian Fire and Emergency Services Authorities Council (AFAC) Independent Review into the Wooroloo Bushfire (Independent Review) was released on Tuesday, 29 March 2022 (the Report).
- WALGA provided a letter of support to the Independent Review highlighting key issues identified in WALGA Policy Positions and in submissions to recent emergency reviews and inquiries, which was endorsed at the December 2021 State Council meeting.
- The Report makes 13 recommendations, with five making direct reference to Local Government, relating to bushfire risk mitigation planning, development control as it relates to planning and building in bushfire prone areas, traffic management, impacts assessments, and telecommunications.

#### **Attachments**

- [AFAC Independent Operational Review: A review of the management of the Wooroloo fire of February 2021](#)
- [City of Swan Media Statement](#)
- [Wooroloo Bushfire Independent Review – WALGA Letter of Support](#)

#### **Background**

The Wooroloo bushfire started on Monday, 1 February 2021, during a COVID-19 lockdown, and devastated over 10,000 hectares of land and destroyed 86 homes.

AFAC's Independent Review was released on Tuesday, 29 March 2022 and includes 13 recommendations. The review focuses on the circumstances leading up to the incident and the operations and management at a strategic level for the duration of the fire.

WALGA's response to the Independent Review highlighted key issues identified in WALGA's Advocacy Positions and submissions to recent emergency reviews and inquiries, supported by the submissions of the City of Swan and Shire of Mundaring.

#### **Comment**

The review commended the efforts of emergency services including volunteer Bushfire Brigades and Local Government staff from the City of Swan and Shire of Mundaring, noting weather conditions during the bushfire were incredibly challenging.

The Report makes 13 recommendations, with five making direct reference to Local Government relating to bushfire risk mitigation planning, development control as it relates to planning and building in bushfire prone areas, traffic management, impacts assessments, and telecommunications.

Key recommendations are:

- Recommendation 3 - That DFES continues development of the bushfire risk planning framework and guidelines that will allow the implementation, coordination, and prioritisation of cross tenure Bushfire Risk Management Plans and activities across each Local Government;
- Recommendation 4 - DFES in collaboration with Local Government should consider the establishment of dedicated bush fire mitigation crews to work with local Bushfire Brigades in implementing the Bushfire Risk Management Plan activities in the identified high-risk bush fire prone areas (e.g. Perth Hills) of the State;



- Recommendation 5 - Any determination that the Fire and Emergency Services Commissioner as the Hazard Management Authority (Bushfire) makes in respect of construction standards or subdivision developments, regarding requirements such as Asset Protection Zones, Bushfire Attack Levels etc. should be upheld by the consent authority;
- Recommendation 6 - DFES should promote the creation of a Bushfire Practitioners Accreditation Register to ensure State Planning Policy and bushfire building codes and standards compliance are applied by appropriately trained and accredited practitioners;
- Recommendation 7 - In conjunction with WAPF and Local Government, DFES should undertake a review into the establishment and management of Vehicle Control Points and the use of Restricted Access Permits during major incidents;
- Recommendation 10 - DFES, in consultation with Local Government, should review the impact assessment process to ensure information is captured and made available to relief and recovery agencies in a timely and effective way; and
- Recommendation 11 - DFES and Local Government should continue discussions with telecommunications providers to explore the adequacy of current arrangements for backup power at telecommunication towers in emergency incidents.

WALGA is involved in work that is currently underway in a number of these areas, including membership of the Traffic Management During Emergencies Guidelines Working Group which is reviewing the Traffic Management During Emergencies Guidelines, and the Western Australian Telecommunications Resilience Improvement Working Group which is exploring opportunities to improve the capacity, resilience and reliability of critical telecommunications infrastructure.

As highlighted in the Report, the development of the Consolidated Emergency Services legislation will update the emergency services framework and support the implementation of the recommendations.

WALGA will continue to work with Local Governments and the Department of Fire and Emergency Services to address the review's recommendations which are designed to enhance prevention, preparedness, response and recovery efforts in Western Australia.

The State Emergency Management Committee, on which the WALGA CEO represents the interests of the Local Government sector, will oversee the implementation of the recommendations.

<b>Zone Consideration</b>	
<b>Avon Midland Country Zone</b>	WALGA recommendation noted
<b>Central Country Zone</b>	WALGA recommendation noted
<b>Central Metropolitan Zone</b>	WALGA recommendation noted
<b>East Metropolitan Zone</b>	WALGA recommendation noted
<b>Gascoyne Country Zone</b>	WALGA recommendation noted
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<b>Great Eastern Country Zone</b>	WALGA recommendation noted
<b>Great Southern Country Zone</b>	WALGA recommendation noted
<b>Kimberley Country Zone</b>	WALGA recommendation noted
<b>Murchison Country Zone</b>	WALGA recommendation noted
<b>North Metropolitan Zone</b>	WALGA recommendation noted
<b>Northern Country Zone</b>	WALGA recommendation noted
<b>Peel Country Zone</b>	WALGA recommendation noted
<b>Pilbara Country Zone</b>	WALGA recommendation noted
<b>South East Metropolitan Zone</b>	WALGA recommendation noted
<b>South Metropolitan Zone</b>	WALGA recommendation noted
<b>South West Country Zone</b>	WALGA recommendation noted

**WALGA RECOMMENDATION**

**Moved:** Cr Paul Kelly  
**Seconded:** Mayor Logan Howlett

**That the Independent Review of the Wooroloo Bushfire Final Report be noted.**

**RESOLUTION 343.4/2022**

**CARRIED**

## 6.8 2022-23 Federal Budget Update (05-088-03-0002 DT)

*By Daniel Thomson, Economist*

### WALGA RECOMMENDATION

**That the 2022-23 Federal Budget Update be noted.**

#### Executive Summary

- The 2022-23 Federal Budget was handed down on 29 March ahead of an election expected in May.
- The Budget forecasts a strong rebound from the pandemic with the economy growing as private expenditure replaces Government stimulus.
- The Budget focuses on short-term cost payments to alleviate cost of living pressures, investments in infrastructure, defence and increasing the skilled workforce.
- A significant proportion of Financial Assistance Grants are to be brought forward into 2021-22 and the Local Roads and Community Infrastructure Program has been extended to 2024-25.

#### Background

The 2022-23 Federal Budget was handed down by the Treasurer Josh Frydenberg on 29 March against the backdrop of an Australian economy bouncing back more strongly from the pandemic than expected, increasing global economic uncertainty, the war in Ukraine and rising inflation.

With a Federal election due in May, the focus of the budget is on short-term cash payments to ease household concerns about the rising cost of living, as well as investments in infrastructure, defence and increasing the skilled workforce.

Funding for Local Governments and communities announced in the Federal Budget includes:

- Provision for \$2.8 billion in Financial Assistance Grants (equating to 0.55% of Commonwealth taxation revenue), with \$2.1 billion to be brought forward and paid in 2021-22. WA Local Governments will receive \$260 million of this bring forward, for a total of \$417.8 million to be received in the current financial year. Like the previous budget, the intent of this early payment is to provide a local response to the COVID-19 pandemic. In 2022-23, \$84.1 million of the remaining \$704.4 million will be allocated to WA with \$51 million for general purpose and \$33.1 million for local roads;
- The Local Roads and Community Infrastructure Program has received a \$500 million extension to deliver more community infrastructure through to 2024-25. In 2022-23 WA Local Governments will receive \$91.7 million, down from the \$120.3 million received in 2021-22 as total funding is phased down;
- \$491 million has been allocated to Roads to Recovery Funding in 2022-23, with \$70.5 million to be spent in WA, a reduction from the \$71.2 million received in 2021-22;
- \$131 million for the Bridges Renewal Program, with \$12.7 million to be spent in WA in 2022-23, up from \$4.4 million received in 2021-22;
- \$129 million for the Black Spot Program, with \$14.2 million allocated to WA in 2022-23, slightly below the \$14.8 million allocated in 2021-22;
- \$818 million over five years to expand digital mobile coverage in regional Australia;
- \$85 million in 2022-23 for waste recovery and processing infrastructure, with \$16.5 million allocated to WA; and
- \$50 million from the Emergency Response Fund for high priority coastal and estuarine disaster risk mitigation projects.

Twelve major new WA infrastructure projects will share \$586 million in new funding, including:

- \$145 million for the Thomas Road Dual Carriageway and interchange;
- \$140 million for WA Regional Road Safety Upgrades; and
- \$100 million for the Morrison Road Level Crossing Removal.

Reflecting rapidly increasing costs and progression to subsequent stages, nine existing WA infrastructure projects will receive \$1.5 billion in additional funding, including major commitments to:

- An additional \$400 million for the Outback Way;
- \$320 million more for the Bunbury Outer Ring Road.
- An extra \$200 million for the Tonkin Highway Stage 3 extension;
- \$178 million in additional funding for the Pinjarra Heavy Haulage Deviation;
- An additional \$135 million for the METRONET Thornlie-Cockburn link; and
- \$116 million more for the METRONET High Capacity Signalling project.

ALGA analysis of what the Federal Budget means for Local Governments is available here:

- [Australian Local Government Association President's media release – 29 March 2022](#)
- [Australian Local Government Association Analysis of the 2021-22 Federal Budget](#)

### **Comment**

On the back of extraordinary Government stimulus, record low interest rates and high commodity prices, the Budget forecasts the Australian economy to grow by 4.5% in the current financial year before slowing to 3.5% in 2022-23 and 2.5% in 2023-24. As stimulus recedes, it anticipates that private demand will step up to drive the economy.

Rising inflation has had a major impact with the Budget focused on short-term measures to ease household pressures ahead of an election. Inflation is expected to ease from 4.5% in the current financial year to 2.75% by 2023-24.

Whilst real wages are forecast to decrease in 2021-22, the Budget expects wages to outstrip inflation by 0.25% in 2022-23, with wages growth increasing to 3.25%. Wages growth is expected to drive household consumption.

The unemployment rate is forecast to end the current financial year at 4% and then continue to drop to 3.75% over the next two years. The labour market is expected to remain tight as Net Overseas Migration returns to pre-pandemic levels.

The \$2.8 billion in Financial Assistance Grants announced in the Budget equates to only 0.55% of Commonwealth taxation revenue. ALGA, supported by state and territory associations, is calling for Financial Assistance Grants to be restored to at least one percent of Commonwealth taxation revenue and a once-off injection of Financial Assistance Grants of \$1.3 billion as part of its Federal Election campaign [Don't Leave Local Communities Behind](#). The WALGA President's media release on this issue can be viewed [here](#).

The Local Roads and Community Infrastructure Program was extended to 2024-25 with an additional \$501.7 million allocated to the program. The funding for this program is progressively decreasing on an annual basis.

Zone Consideration	
Avon Midland Country Zone	WALGA recommendation noted
Central Country Zone	WALGA recommendation noted
Central Metropolitan Zone	WALGA recommendation noted
East Metropolitan Zone	WALGA recommendation noted
Gascoyne Country Zone	WALGA recommendation noted
Goldfields Esperance Country Zone	WALGA recommendation noted
Great Eastern Country Zone	WALGA recommendation noted
Great Southern Country Zone	WALGA recommendation noted
Kimberley Country Zone	WALGA recommendation noted
Murchison Country Zone	WALGA recommendation noted
North Metropolitan Zone	WALGA recommendation noted
Northern Country Zone	WALGA recommendation noted
Peel Country Zone	WALGA recommendation noted
Pilbara Country Zone	WALGA recommendation noted
South East Metropolitan Zone	WALGA recommendation noted
South Metropolitan Zone	WALGA recommendation noted
South West Country Zone	WALGA recommendation noted

## WALGA RECOMMENDATION

Moved: Cr Paul Kelly  
Seconded: Mayor Logan Howlett

That the 2022-23 Federal Budget Update be noted.

**RESOLUTION 343.4/2022**

**CARRIED**

## 6.9 Local Government Emergency Management Survey Results (05-024-03-0042 CM)

*By Cassandra Mora, Policy Officer, Emergency Management*

### WALGA RECOMMENDATION

**That the results of the 2021 Local Government Emergency Management Survey Results be noted.**

### Executive Summary

- WALGA undertook a Local Government Emergency Management Survey in late 2021 to gauge the sentiment of the sector towards its emergency management roles and responsibilities generally, and in relation to managing volunteer bushfire brigades in particular.
- The survey builds on the feedback received in WALGA's 2019 Emergency Management Survey and is being used to inform WALGA's policy and advocacy on current and emerging emergency management issues.
- Findings from the survey indicate that the Local Government sector is seeking increased resourcing and funding to discharge its emergency management responsibilities and changes to the current arrangements for Local Government management of volunteer Bushfire Brigades.

### Attachments

- [2021 Local Government Emergency Management Survey Results Infographic](#)
- [2021 Local Government Emergency Management Survey Results Overview](#)
- [InfoPage to Local Government CEOs on the 2021 Local Government Emergency Management Survey](#)

### Background

In late 2021, WALGA undertook a survey of Local Governments to ascertain the sentiment of the sector towards their emergency management roles and responsibilities generally, and in relation to managing volunteer Bushfire Brigades in particular. The 2021 survey aims to build on the feedback received in WALGA's 2019 Emergency Management Survey.

Responses were received from 104 Local Governments, representing 74.8 per cent of all Local Governments in WA:



### Comment

Results of the Survey have been provided to all Local Government CEOs, the Fire and Emergency Services Commissioner and the Minister for Emergency Services. WALGA has also shared the results with the sector through its Emergency Management Network and newsletters aimed at Local Government officers working in emergency management.

The Survey responses indicate strong support for:

- the expansion of the Community Emergency Services Manager (CESM) Program;
- increased resourcing and funding for the Sector, particular for training and staffing, community resilience and mitigation activities, and exercising Local Emergency Management Arrangements (LEMAs);
- changes to the current arrangements for Local Governments managing Bushfire Brigades; and
- expansion and simplification of the Local Government Grant Scheme, with greater Local Government control over expenditure.

Further information about the responses and sentiments is available in the attachment.

The results and insights from the survey will inform a review of WALGA emergency management positions and ongoing emergency management advocacy including:

- emergency management funding and resourcing for the sector;
- matters to be considered in the development of the *Consolidated Emergency Services Act*;
- the management of volunteer bushfire brigades and the implications of the *Work Health and Safety Act 2020*; and
- the review of the Local Emergency Management Arrangement (LEMA) being undertaken jointly by WALGA and the Department of Fire and Emergency Services.

Zone Consideration	
Avon Midland Country Zone	WALGA recommendation noted
Central Country Zone	WALGA recommendation noted
Central Metropolitan Zone	WALGA recommendation noted
East Metropolitan Zone	WALGA recommendation noted
Gascoyne Country Zone	WALGA recommendation noted
Goldfields Esperance Country Zone	WALGA recommendation noted
Great Eastern Country Zone	WALGA recommendation noted
Great Southern Country Zone	WALGA recommendation noted
Kimberley Country Zone	WALGA recommendation noted
Murchison Country Zone	WALGA recommendation noted
North Metropolitan Zone	WALGA recommendation noted
Northern Country Zone	WALGA recommendation noted
Peel Country Zone	WALGA recommendation noted
Pilbara Country Zone	WALGA recommendation noted
South East Metropolitan Zone	WALGA recommendation noted
South Metropolitan Zone	WALGA recommendation noted
South West Country Zone	WALGA recommendation noted

## WALGA RECOMMENDATION

Moved: Cr Paul Kelly  
Seconded: Mayor Logan Howlett

That the results of the 2021 Local Government Emergency Management Survey Results be noted.

**RESOLUTION 343.4/2022**

**CARRIED**



## **7. ORGANISATIONAL REPORTS**

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### **7.1 Key Activity Reports**

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<b>7.1.1 Report on Key Activities, Commercial and Communications Unit (01-006-03-0017)</b>
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**Moved:** President Cr Phil Blight

**Seconded:** Cr Chris Mitchell

**That the Key Activity Report from the Commercial and Communications Unit to the May 2022 State Council meeting be noted.**

#### **RESOLUTION 344.4/2022**

**CARRIED**

The Commercial and Communications portfolio comprises the following WALGA work units:

- Commercial Development
- Commercial Management
- LGIS Contract Management
- Communications (marketing and events)

#### **Commercial Development**

The Commercial team has completed Tenders for additional suppliers to the Energy and Financial Services Panels, with approximately 50 new Preferred Supplier Contracts signed in the quarter ending March 2022.

A Tender for modular and temporary housing (under the new Built Environment and Construction Panel) has closed and is currently under evaluation.

Project activity in the areas of Energy Sustainability Services is continuing in the areas of Carbon reporting, bill verification, and EV/charging infrastructure.

#### **Commercial Management**

##### **PSP Annual Report**

During the 2021-22 Q2 period the program delivered \$97.16 million of goods, services and works, providing estimated savings of \$9.21 million. The PSP income is \$1.25 million against a budget of \$1.398 million to the end of March 2022.

##### **Member Engagement**

At the time of writing, the Contract Management team is planning the annual Member visits. COVID restrictions aside, these will be in progress by the time State Council meet, including enacting a Metro engagement strategy. The Metro engagement strategy is in addition to the long-standing regional member visit strategy.

##### **LGIS Contract Management**

An item under separate cover for this State Council meeting covers recent changes to the LGIS Corporate Governance Charter.

A summary of the LGIS Board workshop held on 24 February and the LGIS Board meeting held on 25 March 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; and
- LGIS Board remuneration review.

## **Marketing and Communications**

### **Stakeholder Engagement Project**

A priority initiative in the operationalisation of the Strategic Plan 2020-2025 was the development of a contemporary stakeholder engagement model to enable a more strategic approach to the way the Association engages with its stakeholders. To facilitate this, WALGA engaged the services of Marketforce and GRA Partners to undertake extensive research and consultation with key stakeholders, and provide expert and objective analysis, advice and recommendations. The project is nearing completion and a report will be presented to State Council at the informal briefing session in June.

### **Federal Election Campaign**

WALGA worked alongside ALGA and local government associations in other states and territories on a five-week Federal election campaign from late March through April, releasing media statements, writing to Federal Members and candidates, and posting on social media. The campaign had separate themes for each of the five weeks:

- Economic recovery
- Transport and Community Infrastructure
- Building Resilience
- Circular Economy
- Intergovernmental relations

In addition, WALGA has invited Federal Members to host webinars for the sector. Federal Member for Perth, Patrick Gorman, MLA hosted a webinar on 5 April.

### **State Budget Communications**

This year's State Budget will be handed down on 12 May. WALGA will provide Members with timely information on the Budget, via a newsletter with links to the WALGA website, which will host detailed information on topics of relevance to the sector.

WALGA will also use social media channels to communicate more broadly on the implications of the Budget for Local Government.

### **Local Government Convention and Trade Exhibition**

Planning for the 2022 Local Government Convention and Trade Exhibition is underway. The event will be held at Crown Perth, from Sunday 2 October to Tuesday 4 October. This year's theme is "Embracing Change". The conference will explore current and anticipated changes to the local government landscape, and how the sector can collaborate to inform, guide and embrace change. Speakers secured include:

- Mr Simon Trott, CEO, RioTinto Iron Ore as keynote speaker on the opening day;
- Dr Craig Challen, OAM, the Australian cave diver that was part of the rescue of 12 boys and their coach in the 2018 Thai Cave Rescue, who will provide the closing keynote address; and
- Former coach of the Australian men's cricket team, Justin Langer as our breakfast speaker.

<b>7.1.2 Report on Key Activities, Governance and Organisational Services (01-006-03-0007 TB)</b>
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**Moved:** President Cr Phil Blight  
**Seconded:** Cr Chris Mitchell

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

**RESOLUTION 344.4/2022**

**CARRIED**

Governance and Organisational Services comprises the following WALGA work units:

- Governance and Procurement,
- Employee Relations
- Training
- Regional Capacity Building
- Strategy & Association Governance

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

**Employee Relations**

**Proposed State Industrial Relations (IR) Transition**

The State Government proposal to transfer all Local Governments to the State IR system by a legislative process of naming all Local Governments and Regional Councils (Local Governments) not to be national system employers for the purpose of the *Fair Work Act 2009* (Cth) (FW Act) is still a live issue for Local Governments.

The legislative mechanism for the transfer was introduced with the passing of the *Industrial Relations Legislation Amendment Bill 2021* (IRLA Bill) which received Royal Assent on 22 December 2021.

The transition of Local Governments to the State industrial relations system is now subject to:

- drafting of regulations by the State Government to declare individual Local Governments and Regional Councils to not be national system employers;
- drafting of separate regulations by the State Government to fix a day (the relevant day) for the transition; and
- an endorsement of the above declaration by the Federal Minister for Industrial Relations, currently Senator the Hon. Michaelia Cash (Federal IR Minister).

The State Government have indicated that the drafting of regulations is nearing completion and WALGA should soon be provided with a copy of the draft regulations for review.

The Federal IR Minister is currently seeking feedback from the sector and stakeholders about their views of the transition and the level of consultation undertaken to date before she will make a decision about whether to endorse the declaration.

WALGA again wrote to the Federal IR Minister on 30 March 2022 and is continuing to engage with the State Government on this issue.

**Proposed State IR transition resources developed by WALGA Employee Relations (ER)**

On 8 February 2022 WALGA Employee Relations hosted a sector wide webinar in conjunction with the Department of Mines, Industry Regulation and Safety (DMIRS) on the *Industrial Relations Legislation Amendment Act 2021* (WA). The webinar provided an overview of the State Government's amendments to the *Industrial Relations Act 1979* (WA), *Minimum Conditions of Employment Act 1993* (WA) and the *Public and Bank Holidays Act 1972* (WA). The webinar also discussed the

proposed transitional arrangements should Local Governments be declared to not be national system employers for the purpose of the *Fair Work Act 2009* (Cth), which would require those Local Governments operating in the Federal IR system to transition to the State IR system. 67 Local Government officers attended this webinar.

On 9 March 2022 WALGA ER hosted a webinar for ER subscribers on Bargaining in the State IR system. The webinar aimed to assist Local Governments to understand the processes around negotiating and registering industrial agreements in the State IR system with a high-level comparison to the processes in the Federal IR system. 51 Local Government officers attended this webinar.

In addition to the webinars, WALGA ER has prepared and released the following resources for subscribers:

- a flow chart summarising the transition of statutory instruments;
- two award comparison guides; and
- a fact sheet on bargaining in the State IR system.

WALGA ER also convened another sector reference group meeting on 23 February 2022 to discuss updates on the State IR transition and sought feedback about the employee engagement process and resources required to support this element of the proposed transition.

### **COVID-19 Webinars**

WALGA engaged Mills Oakley to provide legal advice to the sector on the implementation of mandatory vaccination policies for workers. This advice was circulated to CEOs and a webinar was held on 4 March 2022 to deliver the advice to the sector and to provide Local Governments with an opportunity to engage in a Q&A session with Mills Oakley. 85 Local Government Officers attended this webinar.

WALGA also hosted a joint webinar on 17 March 2022 with the Local Government Associations of New South Wales, South Australia and Queensland on Local Governments' management of COVID-19 in the workplace. The webinar provided an opportunity for WA Local Governments to gain insight into the COVID-19 learnings of other states. 73 Local Government Officers attended this webinar.

WALGA ER has continued to support ER subscribers in managing COVID-19 in the workplace by regularly updating and publishing FAQs.

### **Application for unpaid pandemic leave in the State industrial relations (IR) system**

In 2020, on its own motion, the Western Australian Industrial Relations Commission (WAIRC) issued a General Order that contained provisions for two weeks' unpaid pandemic leave and taking annual leave at half pay (2020 General Order). The 2020 General Order ceased to have effect on 31 March 2021.

On 2 March 2022 the WA Minister for IR applied for a further General Order to reinstate the unpaid pandemic leave provisions of the 2020 General Order. WALGA was invited to respond to the application by the WAIRC. WALGA advocated on behalf of the sector in this application by filing submissions supporting the application for the unpaid pandemic leave entitlement and appearing on behalf of Local Governments at a Conference convened by the WAIRC. The WAIRC issued a COVID-19 General Order on 25 March 2022 reinstating the entitlement to two weeks' unpaid pandemic leave.

### **Submissions made to the Fair Work Commission**

WALGA filed two joint submissions on behalf of WA Local Governments and the other Local Government Associations on 3 February 2022 supporting five days' paid family and domestic violence leave and on 21 March 2022 regarding changes to the part-day public holiday provisions in the Local Government Industry Award 2020.

## Governance and Procurement

### Webinar: Managing COVID-19 and Access to Local Government Premises

WALGA engaged Moray & Agnew to prepare advice and present at a webinar on “Access to premises in a Covid environment”. This advice was provided to CEOs via an InfoPage, and a webinar was held on 25 February 2022 to deliver the advice to the sector and to provide Local Governments with an opportunity to engage in a Q&A session with Moray and Agnew. Approximately 100 Local Government representatives attended this webinar.

## Training

Due to Covid restrictions, in January 2022, WALGA trainers have undertaken additional training to upskill their facilitation skills on ZOOM and the Training Team has provided ongoing support and practice to all to ensure everyone feels more confident in delivering in a virtual classroom situation.

Enrolments have been very busy for Council Member Essentials training, both Face to Face and for eLearning enrolments. Generally, other Face to Face courses have slowed a bit due to the current COVID-19 restrictions but we had success in transferring most onto ZOOM.

On 30 March 2022, we delivered Professionally Speaking with our new Media Trainer, Lana Hill Couani and the course was very well received.

The new Diploma of Local Government (Elected Member) course has started with 9 enrolled students as at 21 March. We are looking forward to strong interest for this course over the next few years.

There is also a keen interest in some of our brand new officer course offerings:

1. Meeting Practices for Good Governance Outcomes; and
2. eLearning COVID Special which we only launched last week – it covers 15 short modules including Understanding Local Government and 14 OSH modules.

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

**Moved:** President Cr Phil Blight  
**Seconded:** Cr Chris Mitchell

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

#### **RESOLUTION 344.4/2022**

**CARRIED**

#### ***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. The Wheatbelt regions will be surveyed in the next phase which is scheduled for completion by mid-2022.

##### **Multi-Criteria Assessment Review**

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 support from the Regional Road Group chairs, WALGA is examining the common elements of the prioritisation guidelines and multi criteria assessment models for all the regions with the aim to 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 Transport and Roads Research and Innovation Program**

WALGA and Main Roads are 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 has collected topic proposals from Local Governments, and these have been ranked by an operations team of Local Government and Main Roads practitioners. WALGA and Main Roads will next develop scope of works for the selected projects and propose a budget allocation for the 2022/23 financial year.

##### **WALGA Road Visual Condition Assessment Manual Update**

WALGA is working with the IPWEA WA Asset Management Committee to review and update the Road Visual Condition Assessment Manual, originally published in 2016. The Manual provides the guidelines for the manual collection of visual surface condition data and has been used widely across WA. Most recently, the Manual provided the methodology for the generation of Pavement Condition Indices, Surface Condition Indices, and Drainage Condition Indices for Roads of Regional Significance in three regions as part of the Condition Survey of Local Government roads project. The update is forecast to be completed by November/December 2022.



## **Funding**

### **State Road Funds to Local Government Agreement**

The current Agreement expires in June 2023. The Minister of Transport and Planning has given approval for Main Roads WA to proceed with negotiations for a new Agreement and the State Road Funds to Local Government Advisory Committee (SAC) has endorsed a timeline and process. The sector is represented and led in the negotiation process by the Local Government delegates to SAC. Regional Road Group Chairs and a reference group of senior officers from each Regional Road Group are providing critical input to the development of options and a preferred position for Local Government. Decisions regarding a proposed agreement will need to be made by State Council with input from the Zones later in 2022. WALGA and Main Roads are meeting fortnightly to facilitate the process. The State Government has indicated that a new agreement should provide an increased focus on Aboriginal employment, use of recycled materials and road safety.

## **Utilities**

### **Underground Power**

The Association has been advocating with Energy Policy WA and the office of the Minister for Energy concerning arrangements for retrofitting areas with underground power. A second round of Western Power initiated pilot projects in areas requiring significant, urgent investment in the overhead network is underway to maintain industry capacity as the former State Underground Power program of works are completed. Western Power and Energy Policy WA have advised that a joint Cabinet Submission will be finalised later this year. WALGA is seeking, to the extent possible, that this aligns with the policy established by State Council in December 2020.

## **Telecommunications**

The WA Regional Telecommunications Resilience Improvement Working Group comprising the electricity distributors, telecommunications carriers, DPIRD, DFES and WALGA has reconvened and commenced an analysis of the State's mobile network towers to define the current situation and most cost-effective investments to improve resilience. This analysis, which is planned for completion at the end of 2022, will rank power treatment actions for each tower by community vulnerability, bushfire/cyclone risk, and power reliability to enable an improvement plan to be developed for funding consideration by both State and Federal Governments.

Successful projects in the second round of investments under the Mobile Network Hardening Program were announced, that will improve power resilience at 141 mobile network sites across the State.

## **Road Safety**

### **Road Safety Council Update**

The most recent Road Safety Council meeting developed road safety priorities for 2022. To inform that process the Road Safety Commission presented and provided detailed crash data, a comprehensive environmental scan and the results of the most recent community attitudes survey. The Road Safety Council also reviewed and considered international trends, including Sweden as one of the leading nations in road safety performance. In line with the Driving Change road safety strategy for WA, four priorities were proposed as the focus for 2022: Metropolitan Road Safety; Regional Road Safety; Budget (Road Trauma Trust Account) Process Review; and Key Performance Indicators framework for monitoring the progress under the Driving Change strategy.



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

**Moved:** President Cr Phil Blight  
**Seconded:** Cr Chris Mitchell

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

#### **RESOLUTION 344.4/2022**

**CARRIED**

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**

The Federal Budget was handed down on 29 March 2022. WALGA provided members with a timely update on the key initiatives in the budget for Western Australian Local Governments (Agenda Item 6.8 refers).

#### **Economic Briefing**

WALGA's Local Government Cost Index (LGCI) tracks the change in prices of goods and services for Local Governments. New forecasts for the LGCI were released in the March edition of [WALGA's Economic Briefing](#), and show that costs are expected to increase 5.7 per cent in 2021-22 of the back of record increases in the cost of construction and infrastructure provisions. These increases are driven by a combination of high demand due to monetary and fiscal stimulus and supply constraints in materials and labour due to global supply chain issues and closed borders. Over the next two years prices are expected to continue to grow but a lower rate, however there is likely to be ongoing volatility in Local Government costs as uncertainty remains high from the impact of the pandemic and current geopolitical tensions.

The next edition of the Economic Briefing will be released in early June. To subscribe to the quarterly briefing or find out more contact WALGA Economist Daniel Thomson on [dthomson@walga.asn.au](mailto:dthomson@walga.asn.au).

### **Environment**

#### ***Biosecurity and Agriculture Management Act 2007 (BAM Act) Review***

The review of the BAM Act has been [announced](#). The five person review panel includes Cr Cliff Winfield, Shire of Manjimup, who is also a member of the Biosecurity Council.

WALGA is meeting with the Department of Primary Industries and Regional Development to establish the timeframe and planned engagement strategy for the review and will consult with the sector in developing its submission.

#### **Electric Vehicles**

WALGA held a successful Forum on Electric Vehicles and Hydrogen Technology on 31 March 2022, with representatives attending from nearly 50 Local Governments. The forum provided an opportunity to discuss 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 draft amendments to the DAP Regulations commenced 18 March 2022. The proposed changes include the introduction of a Special Matters DAP and a number of other changes flagged as part of Planning Reform Phase 2. WALGA prepared a draft submission and provided this to members for a three-week consultation period. On 29 March the WALGA President hosted a webinar for Elected Members and officers on the reforms with the Chair of the WA Planning Commission and DPLH officers, with over 100 participants online. The People and Place Policy Team considered the draft Submission on 6 April and it is being presented as a late agenda item for State Council consideration at the May meeting.

### **Energy Efficiency Discussion Paper**

The Planning and Building and Environment teams released the [Supporting the Trajectory for Low Energy Buildings Discussion Paper](#) in March. The discussion paper identifies key set of actions that WALGA and Local Governments can take to help ensure that the Trajectory for Low Energy Buildings is effectively implemented in WA. WALGA hosted a webinar on the Discussion Paper on 29 March 2022 for Local Government officers, over 90 people participating. 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 close for comment in late April.

### **Building Surveyor – Code of Conduct**

Late last year the Department of Mines, Industry Regulation and Safety (DMIRS) undertook consultation on the WA Building Surveyors Code of Conduct (draft Code). WALGA engaged with Local Government building surveyors regarding the implications of the draft Code who expressed significant concerns, including the potential for the draft Code to limit Local Government building surveyors' ability to provide advice on how to meet the requirements of building standards. This particularly impacted communities in remote and regional areas where access to consultants is limited. In December State Council endorsed a position to advise DMIRS that the Code was not supported in its current form and should be reviewed to address Local Government matters of concern. Meetings have been held with DMIRS, who has now incorporated clarification on when building surveyors can provide advice on building standards in line with Local Government recommendations.

## Resilient Communities

The team has delivered or supported the delivery of a number of [webinars](#):

- 9 February 2022: New Work Health and Safety Legislation and Volunteer Bushfire Brigades Webinar;
- 17 February 2022: Update on the Aboriginal Cultural Heritage Act 2021 Webinar.
- 7 April 2022: State Emergency Management Capability Webinar: an update on the upcoming State Emergency Management Committee Capability Survey and an overview of results from previous surveys;
- 12 April 2022: [National Disaster Risk Reduction Grant Program Webinar](#): an outline of the eligibility requirements for this \$4.8 million grant funding opportunity for natural disaster risk reduction projects and initiatives;
- 13 April 2022: [National Reconciliation Week \(NRW\) Briefing for Local Government Webinar](#), co-delivered with Reconciliation WA: an opportunity to learn about the activation program for NRW and the free Activation Boxes being provided to Local Government; and
- 12 May 2022: [Leading the prevention of violence against women in Local Government Webinar](#): Co-delivered with Our Watch, ALGA and all State and Territory Local Government Associations, directed at Councillors, CEOs and executives, this webinar will look at the role of leaders in promoting gender equality and preventing violence against women.

### **Child Safety Communities of Practice**

On Wednesday, 9 March, 27 participants from 19 Local Governments met to investigate how Local Governments can, or currently are, implementing four of the ten National Child Safe Principles. The next meeting, to be held in June, will focus on the process for the adaption or development of some Local Government specific resources.

### **Child Care Grant Panel**

WALGA is a member of the Child Care Grant panel which met in March to assess Local Government applications for [Childcare Attraction and Retention Grant](#) funding. Grants are available for regional Local Governments that work in partnership with their local early education and care services to develop and deliver workforce retention and attraction workforce packages. Once announced by the Minister WALGA will be promoting the successful grant recipients, delivering a showcase webinar and notifying Local Governments of opportunities for the second round of funding, which is due to open next financial year.

### **Health Research Projects**

The Resilient Communities team is currently partnering on a range of health research projects, both proposed and underway, including:

- Pathway to Healthy Food Environments - Edith Cowan University;
- Local Government Primary Care Linkage Project –WA Primary Health Alliance and Curtin University's Public Health Advocacy Institute;
- Supporting healthy eating: Food Environment Assessment Tool (FEAST) - Telethon Kids Institute;
- Built Environments And Child Health in WalEs and AuStralia (BEACHES) - Telethon Kids Institute;
- Healthway Intervention grant to trial and evaluate a “Healthy Kids Menu” intervention – Telethon Kids Institute (applying for funding); and
- State-wide Food Community Project – Edith Cowan University (applying for funding).

### **Emergency Management Matters**

WALGA has continued to liaise with the Department of Fire and Emergency Services (DFES) in relation to a number of emergency management issues. WALGA's CEO met with the Fire and Emergency Services Commissioner and Murray Carter, Director of the Rural Fire Division, to discuss volunteer Bushfire Brigades and farmer response units. WALGA has had a number of meetings with DFES on the *Consolidated Emergency Services Act* and opportunities for working together to ensure the sector is appropriately engaged when consultation occurs. WALGA has also attended meetings of the State Bushfire Advisory Council and the Bushfire Operations Committee during March.

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

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**Moved:** President Cr Phil Blight  
**Seconded:** Cr Chris Mitchell

**That the report on the Key Activities of the Mining Communities Policy Forum to the May 2022 State Council meeting be noted.**

### **RESOLUTION 344.4/2022**

**CARRIED**

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

### **Mining Communities Policy Forum**

*Prepared by Kelly McManus, Principal Policy and Advocacy*

The Mining Communities Policy Forum met on the 30 March 2022 and welcomed new Member, Cr Laurene Bonza, State Councillor from the Goldfields Esperance Country Zone and President of the Shire of Dundas.

The Forum discussed meetings held since November by Kelly McManus who met with AMEC CEO Warren Pearce, Policy Adviser to Minister Cook, State Development David Alexander and Chief of Staff to Minister Bill Johnston, Ron Sao.

Matters relating to road access agreements, aviation, airports, environmental matters, Local Government resources and land entry permissions were discussed.

Regional Development Australia Midwest has developed a Mining and Community Partnerships Case Study, with input from the Mid-West Development Commission. The proposal suggests a collaboration with WALGA to progress a best practice relationship with miners guide similar to the Federal Government "Leading Practice Sustainable Development Program for the Mining Industry" handbook.

The forum determined that together with the RDA MWG, MWDC and a review of the current Queensland Legislation, *Strong and Sustainable Resource Communities Act 2017*, a discussion paper could be developed to take to the sector and to government.

Meetings will be sought with CME, DWER and DMIRS. Cr Les Price will obtain examples of road user agreements.

The next meeting is proposed to be held in person and an invitation will be extended to RDA MWG and MWDC in May. Date and venue to be determined.

## 7.3 Policy Team Reports

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<b>7.3.1 Environment and Waste Policy Team Report – Chair, Cr Les Price</b>
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**Moved:** President Cr Michelle Rich

**Seconded:** Cr Doug Thompson

**That the matters considered by the Environment and Waste Policy Team be noted.**

**RESOLUTION 345.4/2022**

**CARRIED**

*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, since the last State Council meeting, by the Environment and Waste Policy Team at its meeting held on 2 March 2022.

### **1. Matters for State Council Decision**

Nil

### **2. Matters for Noting by State Council**

#### **Policy Team Activities**

- The Policy Team received a presentation from the Department of Primary Industries and Regional Development (DPIRD) on the Polyphagous Shot Hole Borer. The Policy Team suggested that all Zones should be made aware of this issue.
- WALGA staff outlined some of the collaborative projects currently underway, including the joint Environment/Planning project on Urban Forest Canopy and the Environmentally Sustainable Design (ESD) Project and discussion paper.
- The Policy Team received an update on WALGA's work regarding:
  - Electric Vehicles – the upcoming forum and funding opportunities;
  - Carbon Accounting – Development of Guidance for Local Government; and
  - Aggregated Energy Supply Project – with 44 of the 51 Local Governments moving to 100% renewable energy.

### **7.3.2 Governance and Organisational Services Policy Team Report – Chair, Cr Russ Fishwick**

**Moved:** President Cr Cheryl Cowell  
**Seconded:** President Cr Stephen Strange

That the matters considered by the Governance and Organisational Services Policy Team be noted.

#### **RESOLUTION 346.4/2022**

**CARRIED**

*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, since the last State Council meeting, by the Governance and Organisational Services (GOS) Policy Team.

#### **1. Matters for State Council Decision**

Nil

#### **2. Matters for Noting by State Council**

The GOS Policy Team has not met since the last ordinary meeting of State Council.

The Policy Teams recent work has focused on finalising the sectors position on the Local Government legislative reform program. WALGA will be involved in the working group established by the Minister to progress the reforms.

A GOS Policy Team meeting is scheduled for Tuesday, 3 May.

*The GOS Policy Team Chair, Cr Russ Fishwick, provided a verbal report to State Council at the meeting, advising that items will be presented to the July State Council meeting on the following:*

- *Advocacy proposal – MLC offices in regional locations*
- *Audit matters*
- *Advocacy position review items*

### 7.3.3 Infrastructure Policy Team Report – Chair, President Cr Chris Pavlovich

**Moved:** President Cr Stephen Strange  
**Seconded:** Cr Melissa Northcott

1. **State Council note the appointment of President Cr Chris Pavlovich as Infrastructure Policy Team Chair.**
2. **That the matters considered by the Infrastructure Policy Team be noted.**

#### **RESOLUTION 347.4/2022**

**CARRIED**

*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, since the last State Council meeting, by the Infrastructure Policy Team at its meeting held on 2 March 2022.

#### **3. Matters for State Council Decision**

Nil

#### **4. Matters for Noting by State Council**

##### **Items Referred from Zones**

The Infrastructure Policy Team considered and agreed recommendations in relation to:

- Regional Telecommunications;
- Local Government Agricultural Freight Group;
- National Heavy Vehicle Regulator;
- Power Outages over the Christmas period;
- Vehicles driven on closed, unsealed roads.

These recommendations are reflected in the Zone Status Reports.

##### **New Policy Issues**

The Infrastructure Policy Team:

- Received a presentation on potential changes to the Ministerial moratorium on the removal of children's crossings and requested that a draft advocacy position be developed for future consideration.
- Considered a formal request from the Department of Transport that WALGA endorse the Active Travel to School Roadmap and recommended that this be considered by State Council.



### **7.3.4 People and Place Policy Team Report – Chair, President Cr Tony Dean**

**Moved:** President Cr Tony Dean  
**Seconded:** Mayor Logan Howlett

**That the matters considered by the People and Place Policy Team be noted.**

#### **RESOLUTION 348.4/2022**

**CARRIED**

*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 meeting held on 22 February 2022.

#### **1. Matters for State Council Decision**

Nil

#### **2. Matters for Noting by State Council**

##### **Policy Team Activities**

- At its meeting on 22 February, the People and Place Policy Team:
  - determined a preferred action for a resolution from the South East Metropolitan Zone regarding Secondary Vehicle Access in Bushfire Prone Areas. The WALGA President has written to relevant Ministers on this issue.
  - endorsed a technical submission on the Draft Safer Places by Design Guidelines to the Department of Planning, Lands and Heritage consistent with WALGA's existing advocacy position 3.5 - Crime Prevention.
  - received reports from:
    - the Community Industry Reference Group; and
    - the WALGA Policy Manager, Resilient Communities on the results of the 2021 Emergency Management Survey (included as an item for noting at May State Council meeting).
- WALGA's draft Development Assessment Panel Regulation Submission was considered by the Policy Team out of session prior to it being released for member comment.

The People and Place Policy Team is next scheduled to meet on Wednesday, 6 April. Actions from that meeting will be brought to the July State Council meeting.

## 7.4 President's Report

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Moved: Cr Ken Seymour  
Seconded: Cr Les Price

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

**RESOLUTION 349.4/2022**

**CARRIED**

## 7.5 CEO's Report

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Moved: Cr Catherine Ehrhardt  
Seconded: Cr Chris Mitchell

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

**RESOLUTION 350.4/2022**

**CARRIED**

## 7.6 Ex-Officio Reports

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### 7.6.1 LG Professional's Report

Ms Annie Riordan, President, LG Professionals WA, provided a report to the meeting.

### 7.6.2 City of Perth Report

The Rt. Hon. Lord Mayor Basil Zempilas was an apology for the meeting.

#### MOTION

Moved: Mayor Mark Irwin  
Seconded: Cr Catherine Ehrhardt

The apology for ex officio member Basil Zempilas be noted and note as per the Association's Governance Charter, pursuant to clause 20 of the Association's Constitution a person shall cease or be disqualified from being a representative or deputy representative on the State Council or from attending as in an ex officio capacity if they are absent from more than three consecutive State Council meetings.

#### AMENDMENT

Moved: Cr Doug Thompson  
Seconded: President Cr Chris Pavlovich

1. The apology for ex officio member Basil Zempilas be noted.
2. State Council consider clause 20 of the Association's Constitution ("a person shall cease or be disqualified from being a representative or deputy representative on the State Council or from attending as in an ex officio capacity if they are absent from more than three consecutive State Council meetings"), at the next meeting.

*State Council discussed how it would be beneficial for the Lord Mayor to attend State Council meetings, as his contribution is valued.*

*The motion and amendment were both withdrawn.*

## **MOTION**

**Moved:** Cr Helen Sadler  
**Seconded:** President Cr Moira Girando

**That State Council requests the WALGA President and Chief Executive Officer to work constructively with the Lord Mayor of the City of Perth to encourage participation with State Council.**

## **PROCEDURAL MOTION**

**That the item be laid on the table.**

**Moved:** Cr Ken Seymour  
**Seconded:** President Cr Michelle Rich

**RESOLUTION 351.4/2022**

**CARRIED**

## 8. ADDITIONAL ZONE RESOLUTIONS

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Moved: President Cr Phil Blight  
Seconded: Mayor Logan Howlett

That the additional Zone Resolutions from the April 2022 round of Zone meetings as follows be referred to the appropriate policy area for consideration and appropriate action.

### RESOLUTION 352.4/2022

CARRIED

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#### **CENTRAL METROPOLITAN ZONE**

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##### ***Campaign to Legislate Second Generation Anti-coagulant Rodenticides (SGARs)*** **(Environment and Waste Policy Team)**

That:

1. WALGA undertake a campaign with the State Government to take urgent action to legislate to restrict the sale of Second Generation Anti-coagulant Rodenticides (SGARs); and
2. WALGA undertake a campaign with Local Governments which provide rodent baiting to residents for the Local Governments to not provide this type of poison and specify on demolition permits or for health orders that this type of poison is not to be used.

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#### **KIMBERLEY COUNTRY ZONE**

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##### ***Vehicles Being Driven on Unsealed Roads Closed Due to Wet Conditions (Infrastructure Policy Team)***

That the Kimberley Zone:

1. Acknowledges the request by WALGA for feedback on damage on closed roads
2. Informs WALGA that vehicle damage for roads closed due to saturation and flooding events:
  - a. are not recorded separately;
  - b. is a component of annual damage to road infrastructure;
  - c. damage to unsealed roads servicing remote communities is complex as alternative access to food and fuel supplies during wet season closures may only be through plane or helicopters freight services, at significant expense.
3. Provides feedback to WALGA that vehicle damage from commercial operations is the key issue in the Kimberley.

##### ***Underground Power (Infrastructure Unit)***

That the Kimberley Regional Group requests that WALGA enter into discussions with Horizon Power in relation to programs and funding to transition overhead wires to underground power.

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#### **MURCHISON COUNTRY ZONE**

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##### ***Spillage from Ore Trucks onto Roads (Infrastructure Unit)***

That the Murchison Country Zone write to the Minister for Transport, DMIRS, WA Police, Main Road Department and relevant mining companies hauling ore to Geraldton from mines in the Midwest Zone, (and cc'ing WALGA's Transport Committee) expressing our grave concerns about the ore flying off and out of ore haulage trucks and causing damage to the windscreens, tyres and paintwork to the vehicles of other road users, and highlight the increase stress levels and fear of other road users as they approach these trucks.

***Rail Safety at Passive Level Crossings (Infrastructure Unit)***

Recommend that WALGA lobby the State and Federal Governments to immediately introduce legislation to improve safety lighting on trains and low-cost solar power warning systems at passive level crossings.

***Vehicles Being Driven on Unsealed Roads Closed Due to Wet Conditions (Infrastructure Policy Team)***

That the Murchison Country Zone of WALGA:

1. Endorses the responses prepared by the Shires of Yalgoo and Cue as the official response of the Zone;
2. That the response is forwarded to WALGA.

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**NORTH METROPOLITAN ZONE**

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***Kangaroo Management in the Perth Metropolitan Region (Strategy, Policy and Planning Unit)***

That WALGA engages with all relevant councils to determine and document the scope of the problem and prepare a case requesting State Government action to be submitted to the Minister for Environment.

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**NORTHERN COUNTRY ZONE**

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***Office of the Auditor General – Mandatory Audit Costs (Governance and Organisational Services)***

That the Northern Country Zone of WALGA writes to WALGA to investigate:

- The increased costs of Office of the Auditor General audits; and
- The inexperience of auditors provided, leading to cost overruns and delays.

Also, the Zone requests that the State Government fully subsidise the cost of Office of the Auditor General audits.

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**PILBARA COUNTRY ZONE**

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***More Than Mining Campaign (Strategy, Policy and Planning Unit)***

That the Pilbara Country Zone seeks that WALGA supports the More than Mining Campaign and to work with the NSW counterpart to lobby for reform to include FBT benefit to regionally based employees of participating councils of the Pilbara Country Zone.

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**9. DATE OF NEXT MEETING**

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The next ordinary meeting of the WALGA State Council will be held in the Boardroom at WALGA, ONE70, LV1, 170 Railway Parade, West Leederville on Wednesday, 6 July 2022 commencing at 4:00pm.

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**10. CLOSURE**

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There being no further business the Chair declared the meeting closed at **2:02pm**.

**DECLARATION**

These minutes were confirmed at the meeting held on 6 July 2022.

Signed \_\_\_\_\_

Person presiding at the meeting at which these minutes were confirmed

## STATUS REPORT ON STATE COUNCIL RESOLUTIONS

### To the May 2022 State Council Meeting

MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
<b>2 March 2022</b> <b>Item 5.1</b> Short-Term Accommodation Regulatory Scheme	That: 1. the updated draft Short-Term Accommodation Regulatory Reform submission (as attached) be endorsed; and 2. recommendations 1 through 5 of the Short-Term Accommodation Regulatory Reform submission will supersede the existing policy position, and the existing position (128.6/2017) will be deleted. RESOLUTION 314.2/2022	The endorsed submission was provided to the Department of Planning, Lands and Heritage and Department of Local Government, Sport and Cultural Industries. Advocacy in support of the Association's positions is ongoing.	3 March 2022	Nicole Matthews Acting Executive Manger Strategy, Policy and Planning
<b>2 March 2022</b> <b>Item 5.2</b> Submission on Inquiry into Financial Administration of Homelessness Services in WA	That the submission to the Legislative Council Standing Committee on Estimates and Financial Operations Inquiry into Financial Administration of Homelessness Services in WA be endorsed. RESOLUTION 315.2/2022	The endorsed submission was provided to the Legislative Council Standing Committee on Estimates and Financial Operations.	Completed	Nicole Matthews Acting Executive Manger Strategy, Policy and Planning
<b>2 March 2022</b> <b>Item 6.2</b> 2022-23 Federal Budget Submission	That the 2022 WALGA Federal Budget Submission be noted. RESOLUTION 320.2/2022	The 2022-23 Federal Budget was handed down in March 2022. A summary of the key initiatives for WA Local Governments and commitments to the items set out in WALGA's Federal Budget Submission is included as an item for noting in the State Council agenda.	31 March 2022	Nicole Matthews Acting Executive Manger Strategy, Policy and Planning
<b>2 March 2022</b> <b>Item 6.3</b> Detection of Polyphagous Shot-hole Borer and Implications	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	WALGA continues to engage with Local Governments on this matter and with the Department to ensure an effective response. More information will be provided to State Council when available.	Ongoing	Nicole Matthews Acting Executive Manger Strategy, Policy and Planning

MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
for Local Government	Area Notice covering 17 Local Government areas and expanded surveillance program. RESOLUTION 320.2/2022			
<b>2 March 2022</b> <b>Item 7.3.2</b> Governance and Organisational Services Policy Team Report	That State Council: 1. determine to: a. retain the following Advocacy Positions unchanged: i. 2.2 Local Government Reform ii. 2.2.1 Structural Reform iii. 2.4.2 Country Local Government Fund b. note the following Advocacy Positions as achieved and approve removal from the WALGA Advocacy Position Manual: i. 2.6.6 Panel Tenders c. retain and amend the following Advocacy Position: i. 2.1.13 Rates Notices – removing part 1 as it is achieved. 2. note the matters considered by the Governance and Organisational Services Policy Team. RESOLUTION 324.2/2022	The Advocacy Positions Manual has been updated accordingly.	29 March 2022	Tony Brown Executive Manager Governance & Organisational Services
<b>2 March 2022</b> <b>Item 7.3.3</b> Infrastructure Policy Team Report	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)	The Advocacy Positions Manual has been updated accordingly.	29 March 2022	Ian Duncan Executive Manager Infrastructure



MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
	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. RESOLUTION 325.2/2022			
<b>2 March 2022</b> <b>Item 7.3.4</b> People and Place Policy Team Report	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. RESOLUTION 326.2/2022	The Advocacy Positions Manual has been updated accordingly.  Item 1b(ii) of this decision was to remove the advocacy position related to prostitution legislation. The Policy Team rescinded this decision at its meeting of 22 February in light of recent legislative reforms in other States, determining to maintain the position subject to minor modification. Unfortunately, the original decision to delete advocacy position 6.9 was inadvertently left on the list of positions to be deleted in the Policy Team Report presented to March State Council.  As this was not the intent of the Policy Team it is now proposed that the Policy Team at its meeting of 6 April will request State Council rescind its decision (326.2/2022) and reinstate advocacy position 6.9 with the changes agreed to on 22 February. This decision will be brought to the July State Council for a decision.	Ongoing	Nicole Matthews Acting Executive Manger Strategy, Policy and Planning
<b>1 December 2021</b> <b>Item 5.3</b> 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,	WALGA is continuing to advocate to the Minister for Lands and the Minister for Regional Development.  WALGA has regular meetings with Development WA.	Ongoing	Nicole Matthews Acting Executive Manger Strategy, Policy and Planning

MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
	including the prohibitive cost of utilities headworks, which has led to market failure in many regional towns. ... RESOLUTION 294.7/2021			
<b>1 December 2021</b> <b>Item 5.3</b> 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 then Acting WALGA President wrote to the Minister for Sport and Recreation, Minister Templeman, on this issue on 28 January 2022 and raised with the Minister on 31 January 2022.  The Minister responded on 3 March 2022, outlining funding provided for community and regional level sport and recreation infrastructure through the CSRFF, WA Recovery Plan, the Club Night Lights Program and election commitments.  WALGA will continue to advocate for an increase in the CSRFF Funding and female representation in sport.	April 2022	Nicole Matthews Acting Executive Manager Strategy, Policy and Planning
<b>1 December 2021</b> <b>Item 5.3</b> 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, the Regional Telecommunications Resilience Improvement Working Group, comprising the electricity distributors, telecommunications carriers, DPIRD, DFES and WALGA has convened to initiate the National Disaster Risk Reduction Program funded project 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 Federal Government announced that 141 telecommunications sites in WA will receive funding to improve power supply resilience under Stage 2 of the Mobile Network Hardening Program. This equates to 26% of the sites funded nationally which offers evidence of the value of the collaborative approach between all spheres of	Ongoing	Ian Duncan Executive Manager Infrastructure

MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
		Government in WA and the telecommunications carriers in developing the program of work.		
<b>1 December 2021</b> <b>Item 5.3</b> 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 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. 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. RESOLUTION 294.7/2021	This was considered at the meeting of the Mining Communities Policy Forum on 30 March 2022.	Completed	Tony Brown Executive Manager Governance & Organisational Services
<b>1 December 2021</b> <b>Item 5.11</b> Constitution and Governance Review	That the proposed Constitution and Governance Review as outlined in this report be endorsed. RESOLUTION 301.7/2021	Project planning has commenced and 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	April 2022	Tony Brown Executive Manager Governance & Organisational Services

MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
		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.		
<b>3 September 2021</b> <b>Item 5.2</b> Tender Exemption Provisions – General Practitioner Services	That WALGA: 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: a. Identify State and Federal Government policy settings and other factors contributing to gaps in primary health care services in regional communities; and 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.  RESOLUTION 264.5/2021	1. Correspondence has been sent to the Minister for Local Government advocating for this position. 2. The Minister for Local Government recently held a roundtable discussion with effected Local Governments on this issue. 3. Further research is carried out as per this resolution.	April 2022	Tony Brown Executive Manager Governance & Organisational Services
<b>3 September 2021</b> <b>Item 6.1</b>	1. That the update on the Dog Amendment (Stop Puppy Farming) Bill 2021 be noted. 2. That:	Correspondence has been written to the Minister for Local Government advising of resolution 2.	April 2022	Tony Brown Executive Manager Governance &

MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
Stop Puppy Farming Legislation	<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>			Organisational Services
<b>5 May 2021</b> <b>Item 5.4</b> Review of the State Industrial Relations System	<p>That WALGA:</p> <ol style="list-style-type: none"> <li>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.</li> <li>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: <ol style="list-style-type: none"> <li>a. Amend the <i>Industrial Relations Act 1979</i> (WA) to include additional provisions to modernise the State IR system; and</li> <li>b. Provide adequate funding and resourcing to ensure Local Governments are equipped with the appropriate tools and training to enable a smooth transition.</li> </ol> </li> </ol> <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 <a href="#">Royal Assent</a> 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 met with the General Advisor to the Federal Minister. Further advocacy is continuing on this issue.</p>	April 2022	Tony Brown Executive Manager Governance and Organisational Services
<b>3 March 2021</b> <b>Item 5.3</b> Eligibility of Slip On Fire Fighting Units for Local Government Grants Scheme Funding	<p>That WALGA:</p> <ol style="list-style-type: none"> <li>1. 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).</li> <li>2. Requests the Local Government Grants Scheme Working Group to include this matter on the Agenda of their next Meeting (expected March 2021).</li> <li>3. Requests WALGA to work with the Local Government Grants Scheme Working Group to develop appropriate</li> </ol>	<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</p>	Ongoing	Nicole Matthews Acting Executive Manager Strategy, Policy and Planning

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	<p>operational guidelines and procedures for the safe use of Slip On Fire Fighting Units funded in accordance with the LGGs.</p> <p>4. 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> <p>RESOLUTION 180.1/2021</p>	<p>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>		
<p><b>2 December 2020</b></p> <p><b>Item 5.3</b></p> <p>Family and Domestic Violence and the Role of LGs</p>	<p>That:</p> <ol style="list-style-type: none"> <li>1. 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.</li> <li>2. WALGA advocates to the State Government: <ol style="list-style-type: none"> <li>a. to work with Local Government in defining the role and responsibilities and expectations of Local Governments in family and domestic violence.</li> <li>b. for adequate funding for family and domestic violence programs and services, particularly in regional areas.</li> <li>c. 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.</li> <li>d. to provide support to Local Government in the broader rollout of the Prevention Toolkit for Local Government.</li> <li>e. to continue advocacy to the Commonwealth Government for additional funding and support.</li> </ol> </li> <li>3. WALGA organises presentations for Local Governments that address family and domestic violence, as part of relevant events or webinars.</li> </ol> <p>RESOLUTION 144.6/2020</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 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.</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>	Ongoing	Nicole Matthews Acting Executive Manager Strategy, Policy and Planning



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		<p>The Australian Government is developing the National Plan to End Violence against Women and Children 2022-2032 (Draft National Plan). In February 2022 WALGA submitted a letter supporting the aims, vision, and pillars of the Draft National Plan, consistent with the Association's Advocacy Position Statement on Family and Domestic Violence.</p> <p>The first of 2 Webinars being delivered by ALGA, Our Watch and the State and Territory Associations will be delivered on Thursday, 12 May targeting Councillors, CEO's and Executive leaders, on Local Government's role in promoting gender equity and preventing violence against women. The second webinar in June will target all Local Government officers.</p>		
<b>5 December 2018</b> <b>Item 5.1</b> Proposed Removal by Main Roads WA of the "Letter of Approval" Restricted Access Vehicle Operating Condition	<p>That WALGA:</p> <ol style="list-style-type: none"> <li>1. Opposes withdrawal of the "Letter of Approval" Restricted Access Vehicle Operating Condition until an acceptable alternative to Local Government is developed;</li> <li>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;</li> <li>3. Supports the development of standard administrative procedures including fees and letter formats; and</li> <li>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.</li> <li>5. Advocates to Main Roads to establish a stakeholder working group to develop an appropriate mechanism through which the increased infrastructure costs from 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.</li> </ol> <p>RESOLUTION 132.7/2018</p>	<p><i>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.</i></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



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<b>5 December 2018</b> <b>Item 4.1</b> State / Local Government Partnership Agreement on Waste Management and Resource Recovery	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. RESOLUTION 131.7/2018	This has been superseded by the Partners in Government Agreement.	April 2022	Nicole Matthews Acting Executive Manger Strategy, Policy and Planning