

State Council

Summary Minutes

2 March 2022

ORDER OF PROCEEDINGS

OPEN and WELCOME

The Secretariat declared the meeting open at **4:00pm**.

PAPERS

State Councillors were distributed the following papers under separate cover:

- Item 5.2 – Submission on Inquiry into Financial Administration of Homelessness Services in WA;
- Item 5.3 – Finance and Services Committee Minutes;
- Item 5.4 – Selection Committee Minutes – CONFIDENTIAL;
- Item 5.5 – LGIS Board Minutes;
- Item 5.6 – LGIS Scheme Management Agreement – CONFIDENTIAL;
- Item 5.7 – Appointments to State Council Committees;
- CEO's Report to State Council for March 2022;
- President's Report for March 2022 (previously emailed to your Zone meeting).

1. ATTENDANCE, APOLOGIES & ANNOUNCEMENTS

1.1 Attendance

Members	President of WALGA - Chair Deputy President of WALGA, Central Metropolitan Zone Avon-Midland Country Zone Central Country Zone Central Metropolitan Zone East Metropolitan Zone East Metropolitan Zone Gascoyne Country Zone Goldfields Esperance Country Zone Great Eastern Country Zone Great Southern Country Zone Kimberley Country Zone Murchison Country Zone North Metropolitan Zone North Metropolitan Zone North Metropolitan Zone Peel Country Zone Pilbara Country Zone South East Metropolitan Zone South East Metropolitan Zone South Metropolitan Zone South Metropolitan Zone South Metropolitan Zone South West Country Zone	President Cr Karen Chappel JP Cr Paul Kelly Cr Ken Seymour President Cr Phillip Blight Cr Helen Sadler Cr Catherine Ehrhardt Cr John Daw President Cr Cheryl Cowell President Cr Laurene Bonza President Cr Stephen Strange President Cr Chris Pavlovich Cr Chris Mitchell JP Cr Les Price Cr Frank Cvitan JP Mayor Mark Irwin Cr Russ Fishwick JP President Cr Michelle Rich Mayor Peter Long Cr Carl Celedin Mayor Ruth Butterfield Cr Doug Thompson Mayor Carol Adams OAM Mayor Logan Howlett JP President Cr Tony Dean
Ex Officio	President, LG Professionals WA	Ms Annie Riordan

Secretariat	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 and LGIS Contract Manager	Mr Craig Hansom
	Acting EM Communications and Principal Special Projects	Ms Narelle Cant
	Chief Financial Officer	Mr Rick Murray
	Manager Strategy & Association Governance	Mr Tim Lane
	Manager, Governance and Procurement	Mr James McGovern
	Principal, Policy and Advocacy	Ms Kelly McManus
	Employee Relations Consultant	Mr Juan Sun
	Executive Officer Governance	Ms Kathy Robertson

Welcome to:

- State Councillors and WALGA secretariat
- LG Professionals WA President, Ms Annie Riordan

Observers:

- Deputy State Councillor Cr Kerry Smyth, Central Metropolitan Zone
- Deputy State Councillor Cr Paige McNeil, East Metropolitan Zone
- Deputy State Councillor President Cr Eddie Smith, Gascoyne Country Zone
- Deputy State Councillor President Cr Tony Sachse, Great Eastern Country Zone
- Deputy State Councillor President Cr Moira Girando JP, Northern Country Zone
- Deputy State Councillor Cr Melissa Northcott, South East Metropolitan Zone

1.2 Apologies

- The Rt. Hon. Lord Mayor Basil Zempilas

1.3 Announcements

1.3.1 Acknowledgement of Country

WALGA acknowledges the Traditional Custodians of the lands on which people were remotely participating in the meeting, and pays respect to their Elders past, present and emerging.

1.3.2 2022 Elections of WALGA President and Deputy President Returning Officer, Mr Nick Sloan

In accordance with Clauses 16A, 17, 17A and 18 of the Association's Constitution, an election for the position of President and Deputy President of WALGA was held.

The election process was conducted by the Returning Officer, Mr Nick Sloan, WALGA Chief Executive Officer.

Nominations for WALGA President closed at 5:00pm on Tuesday, 22 February and the following nominations were received (in order of receipt):

President

1. President Cr Karen Chappel JP
2. President Cr Stephen Strange

Each candidate's nomination form and CV (where provided) has been distributed to State Councillors for consideration. The term of office of both the President and Deputy President is for a two (2) year period from 2 March 2022, expiring at the first ordinary meeting of State Council in 2024.

The election was conducted by secret ballot on BoardEffect after each candidate was afforded a maximum of two (2) minutes to support their nomination.

DECLARATION

That President Cr Karen Chappel JP has been elected WALGA President for a two-year term commencing immediately and concluding at the first ordinary meeting of State Council in 2024.

Nominations for WALGA Deputy President closed at 5:00pm on Tuesday, 22 February and the following nominations were received (in order of receipt):

Deputy President

1. Cr Carl Celedin
2. Cr Helen Sadler
3. Cr John Daw
4. Mayor Mark Irwin
5. Cr Paul Kelly

Each candidate's nomination form and CV (where provided) has been distributed to State Councillors for consideration. The term of office of both the President and Deputy President is for a two (2) year period from 2 March 2022, expiring at the first ordinary meeting of State Council in 2024.

The election was conducted by secret ballot on BoardEffect after each candidate was afforded a maximum of two (2) minutes to support their nomination.

DECLARATION

That Cr Paul Kelly has been elected WALGA Deputy President for a two-year term commencing immediately and concluding at the first ordinary meeting of State Council in 2024.

The meeting was adjourned at 4:38pm.

The meeting recommenced at 4:41pm with WALGA President, Cr Karen Chappel, as Chair.

2. MINUTES OF THE PREVIOUS MEETINGS

2.1 Minutes of meeting held 1 December 2021

Moved: Cr Chris Mitchell
Seconded: Cr Catherine Ehrhardt

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

RESOLUTION 313.2/2022

CARRIED

2.1.1 Business arising from the Minutes of meeting held 1 December 2021

Nil.

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

Moved: Cr Chris Mitchell
Seconded: Cr Catherine Ehrhardt

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

RESOLUTION 313.2/2022

CARRIED

2.2.1 Business arising from the Flying Minute – Submission to Salaries and Allowances Tribunal Local Government Remuneration Inquiry

Nil.

2.3 Minutes of special meeting held 23 February 2022

Moved: Cr Chris Mitchell
Seconded: Cr Catherine Ehrhardt

That the Minutes of the WALGA State Council special meeting held on [Wednesday, 23 February 2022](#) be confirmed as a true and correct records of proceedings.

RESOLUTION 313.2/2022

CARRIED

2.3.1 Business arising from the Minutes of special meeting held 23 February 2022

Nil.

3. DECLARATION OF INTEREST

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

- President Cr Tony Dean declared an impartiality interest in item 5.4: Selection Committee Minutes
- Cr Catherine Ehrhardt declared an impartiality interest in item 5.4: Selection Committee Minutes

4. EMERGING ISSUES

Nil.

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5. MATTERS FOR DECISION

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

By Chris Hossen, Policy Manager, Planning and Building

WALGA RECOMMENDATION

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

Avon Midland Country Zone	WALGA recommendation supported
Central Country Zone	WALGA recommendation supported
East Metropolitan Zone	WALGA recommendation supported
Gascoyne Zone	WALGA recommendation supported
Goldfields Esperance Country Zone	WALGA recommendation supported
Great Eastern Country Zone	WALGA recommendation supported
Kimberley Zone	WALGA recommendation supported
Murchison Country Zone	No meeting held
North Metropolitan Zone	WALGA recommendation supported
Northern Country Zone	WALGA recommendation supported
Peel Zone	WALGA recommendation supported
Pilbara Zone	WALGA recommendation supported
South East Metropolitan Zone	WALGA recommendation supported
South Metropolitan Zone	WALGA recommendation supported

CENTRAL METROPOLITAN ZONE

That the Central Metropolitan Zone

1. Supports Matters for Decision, item 5.1 as listed above in the March 2022 State Council Agenda subject to an amendment to insert the following onto Recommendation 8 of the submission: Local Government, Landgate, the strata sector and the insurance sector.
2. Notes all Matters for Noting and Organisational Reports as listed in the March 2022 State Council Agenda.

GREAT SOUTHERN COUNTRY ZONE and SOUTH WEST COUNTRY ZONE

That WALGA makes a submission on the Draft Position Statement: Planning for Tourism, as follows:

1. Does not support the adoption of the draft position statement, and indicates that substantial engagement should occur with the local government sector as an integral part of developing a revised draft position statement, to be subject of further formal consultation prior to WAPC consideration of that revised draft position statement.
2. Notes that a significant proportion of the detailed policy direction in the draft position statement is inconsistent with the over-arching policy measure, which is that - "Local government are best placed to plan for tourism within their communities, with local knowledge of tourism activity, opportunities, constraints, including potential impacts and what requirements, if any, should be placed on tourism proposals".
3. Expresses its disappointment and concern that the draft position statement was developed without any significant engagement with the local government sector, or with individual local governments that have significant tourism industries and knowledge and experience of tourism issues.
4. Calls for the intergovernmental working group to be re-formed to guide the integrated development of a regulatory regime that allows local governments to make decisions about the regulation of short-term accommodation uses in residential areas, with the State supporting

- and enabling that local level regulation, importantly through the establishment of a state-wide registration scheme.
5. Calls for the intergovernmental working group to include diverse local government representation to ensure that the experience and knowledge of the sector informs the development of the regulatory regime.
6. Sets out that the state-wide registration scheme for short-term accommodation and peer-to-peer platforms should include the following features:
- a. All hosted and un-hosted short-term accommodation must be required to be registered with the scheme before being able to advertise the property, and platforms must publish the registration number as part of the marketing and booking services;
 - b. All peer-to-peer platforms that seek to let short-term accommodation must be regulated through the scheme as a host platform;
 - c. Obligations of registration for both hosts and platforms must be clear and appropriate infringements and compliance tools should be embedded in the regulatory framework;
 - d. Local Governments must be able to maintain the ability to require the provision of additional information and impose additional licencing or operational requirements, depending on their circumstances, including both town planning and Local Government Act (Local Law) regulation;
 - e. Local Government's must be able to set fees commensurate with the cost of providing the service for any role undertaken as part of the scheme;
 - f. Local Governments must have access to all necessary data collected by the scheme to adequately manage the potential impacts of short-term accommodation providers and to ensure local requirements are being met by hosts; and
 - g. Unless Local Governments have 'opted-out', accommodation cannot be registered under the state-wide registration scheme without the prior obtaining and periodic renewal of a 'certificate of local government authority'.
7. Sets out that individual local governments should have the capacity to make their own decisions about whether there are any exemptions from the need to obtain development approval for 'unhosted accommodation'.

SECRETARIAT COMMENT

Recommendation 10 (previously recommendation 8) of the Draft Submission has been amended to reflect the Central Metropolitan Zone's motion.

The Great Southern Country and South West Country Zones passed identical motions that seek significant amendment to the draft submission. The Zone Resolutions seek to strengthen and provide further detail to WALGA's concerns that the detailed policy direction of the draft Position Statement was incongruent with the Policy intent, that:

"Local governments are best placed to plan for tourism within their communities, with local knowledge of tourism activity, opportunities, constraints, including potential impacts and what requirements, if any, should be placed on tourism proposals".

In particular, the Zones are concerned that the proposal to exempt some 'un-hosted' accommodation from requiring development approval would have serious detrimental consequences for their communities and propose that WALGA's opposition to this change be more clearly stated in the submission.

The Zones also propose several changes to the wording of the Association's list of requirements for any state-wide registration scheme.

The Secretariat recognises that the respective Zones have significant experience with the regulation of short-term accommodation and note that any negative consequences of the proposed policy changes will be felt most severely by their communities.

A number of changes are proposed to the draft Submission to address the concerns of the Zones, including:

1. Clarifying in the body of the draft Submission that WALGA's support for the draft Position Statement is in relation to the policy intent and that significant concerns remain with specific policy provisions,
2. Specifying that the WAPC should not endorse the draft Position Statement prior to:
 - a. Further engagement with the Sector, and those Local Governments with significant tourism industries and experience in the regulation of tourism land-uses in particular,
 - b. Consideration of the Association's submission, and
 - c. Clarification on the ability of the state-wide scheme to adequately manage address planning, amenity and management issues associated with both hosted and un-hosted short-term accommodation, that satisfies the WAPC that these issues can be suitably managed outside the planning system.
3. That DMIRS is the appropriate lead agency to establish and operate the state-wide registration scheme, considering their extensive experience in industry regulation,
4. That the State Government should provide adequate financial resources to the lead agency to ensure that the state-wide registration scheme is suitable and fit-for-purpose, and
5. Several minor changes to the necessary features of the state-wide registration scheme, generally in line with the Zone resolutions.

Additional recommendations have also been included to Appendix 1 of the draft submission in relation to Caravan Parks, in response to two late submissions received from the Town of Bassendean and City of Busselton. This change goes to the principle of Local Governments being most suited to plan for tourism land-uses in their communities and would the planning of future and existing caravan sites to be managed locally through review of the local planning framework.

The changes as a result of the Zone Resolutions have been incorporated into the draft Submission. Point 2 of the Recommendation has been added to clarify changes to WALGA's advocacy positions document in response to the submission.

COMPOSITE RECOMMENDATION

Moved: Cr Chris Mitchell

Seconded: Cr Tony Dean

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

CARRIED

Submission (Draft) on Short-Term Accommodation

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 1230 Elected Members and approximately 22,600 Local Government employees as well as over 2.67 million constituents of Local Governments in Western Australia.

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

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

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

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

Background

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

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

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

1. That WALGA request the Minister for Planning to establish, through the Department of Planning, Lands and Heritage, a Technical Working Group, with a goal to reviewing the planning framework in relation to short-term rental accommodation, that gives consideration to:
 - a. A review of Planning Bulletin 99 – Holiday Home Guidelines, with a particular emphasis on expanding the scope of Planning Bulletin 99 beyond ‘Holiday Homes’, to reflect changes in the accommodation market,
 - b. A review of ‘Land Use’ definitions within the Planning framework that relate to short-term accommodation, and
 - c. Establishing a ‘preferred’ approach for the management of ‘home-sharing’ within the planning framework

Parliamentary Inquiry into Short-Stay Accommodation

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

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

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

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

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

General Comments

The Association welcomes the recent release of the *draft Position Statement: Planning for Tourism* and associated Guidelines for public consultation. The draft Position Statement and Guidelines provide an opportunity for the provision of clear and consistent direction to Local Governments on the definition and treatment of short-term rental accommodation in the Western Australia planning framework. Amongst other things, the draft Position Statement and Guidelines supersede and replace Planning Bulletin 99 and provide a more contemporary range of 'Land Use' definitions and a preferred model for the management of home-sharing in the planning framework. The intent of these approaches is consistent with WALGA's current policy advocacy positions. The following section outlines general areas of the *draft Position Statement* and associated Guidelines which are of concern to the Association. More specific, detailed commentary is provided in Appendix 1.

Consultation with the Local Government sector

The Association is concerned that there has been limited consultation with Local Government or WALGA prior to the release of the draft Position Statement the Government accepted the finding of the Inquiry in February 2020 and shortly after formed the interdepartmental working group to advance the matter. The items outlined in Recommendation 7 of the Inquiry provided a robust set of considerations that would have adequately guided the working group. The recommendation and the Government's response also outlined the importance of engaging with the Local Government sector to support the working group's activities. However, there has not been a formal approach by the working group to Local Government or WALGA to support their work. This should occur prior to endorsement of the Policy Statement by the Western Australian Planning Commission (WAPC).

Inconsistent or unjustified provisions

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

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

Lead agency

Recommendation 7 (1d) of the Inquiry was to identify the most appropriate agency to hold the register. The Association understands that the DLGSC has recently been appointed as the lead agency. Considering DLGSC's limited role in the ongoing issuing of licences and permits and limited experience in establishing regulatory framework for industry, the Association does not believe that they are the most suited Department to establish or regulate the short-term accommodation sector. The Department of Mines, Industry Regulation and Safety would be a more

appropriate choice for this role. This would be consistent with other Australian states. Regardless, WALGA looks forward to the opportunity to engage with the State on the development of this scheme in line with the Inquiry's recommendations and the State Government's response.

Conclusion

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

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

Recommendations:

1. That the WAPC not endorse the draft Position Statement: Planning for Tourism and the associated Guidelines prior to:
 - a. Additional engagement occurring with the Local Government sector, and specifically those Local Governments with significant tourism industries and knowledge and experience in the regulation of tourism land-uses,
 - b. The provision of further justification for the need to exempt un-hosted short-term accommodation from development approval, and specifically clarification on,
 - i. Zones in which the exemption would apply,
 - ii. Whether the exemption would apply in bushfire prone areas, flood prone areas, and other areas covered by special control areas,
 - c. Consideration of the recommendations outlined in Appendix 1 of this submission, and
 - d. Clarification being provided on the extent and ability of any state-wide registration scheme to address planning, amenity and management issues associated with both hosted and un-hosted short-

term accommodation, that satisfies the WAPC that these issues can be suitably managed outside the planning system, particularly:

- i. How the Scheme will allow for capturing and reporting of the number of days unhosted short-term accommodation is let in a calendar year, and
 - ii. How the Scheme's design will reduce the ability of hosts to 'game' the system to avoid the need for a development approval while letting their property for more than 60 days.
2. The interdepartmental working group be re-formed to guide the establishment of a state-wide registration scheme, and to include Local Government as a key stakeholder to ensure that the experience and knowledge of the sector informs the Scheme's formulation,
3. That the establishment and operation of the state-wide registration scheme should be managed by the Department of Mines, Industry Regulation and Safety,
4. That the State allocate necessary financial resources to the lead agency to support the establishment of a 'fit-for-purpose' state-wide registration scheme, and
5. That the state-wide registration scheme be developed for both short-term accommodation and peer-to-peer platforms with the inclusion of the following features:
 - a. All hosted and un-hosted short-term accommodation must be required to be registered with the scheme before being able to advertise the property, and platforms must publish the registration number as part of the marketing and booking services,
 - b. All peer-to-peer platforms that seek to let short-term accommodation must be regulated through the scheme as a host platform,
 - c. Obligations of registration for both hosts and platforms must be clear and appropriate infringements and compliance tools should be embedded in the regulatory framework,
 - d. Local Governments must be able to maintain the ability to require the provision of additional information and impose additional licencing or operational requirements, depending on their circumstances, including both town planning and Local Government Act (Local Law) regulation,
 - e. Local Government's must be able to set fees commensurate with the cost of providing the service for any role undertaken as part of the scheme, and
 - f. Local Governments must have access to all necessary data collected by the scheme to adequately manage the potential impacts of short-term accommodation providers and to ensure local requirements are being met by hosts.

Appendix 1: Specific Comments

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

	<p>DPLH will need to consider transitional arrangements for existing schemes and definitions and how the exemption will be incorporated into the deemed provisions to facilitate the policy objectives of the Draft Position Statement. Clarification is sought on whether existing approved bed and breakfasts will automatically transition to the new terminology or will become non-conforming uses for the purposes of future assessment.</p> <p>DPLH will also need to consider the appropriateness of exempting hosted accommodation in bushfire prone areas and the alignment of such a decision with the intent and objectives of <i>State Planning Policy 3.7 Planning for Bushfire Protection</i>.</p> <p>Recommendation:</p> <ul style="list-style-type: none"> 6. Establish new definitions for hosted accommodation, 7. Include hosted accommodation as a matter exempt from seeking development approval in clause 61 of the Deemed Provisions, subject to suitable conditions relating to number of guests and number of rooms, and consideration of bushfire or other natural hazard,
Unhosted short-term accommodation	<p>The draft Position Statement proposes that two new and one amended definition related to unhosted accommodation be incorporated into the LPS Regulations as a model provision. Currently the model provisions provide a single definition for ‘holiday house’. It is proposed to split this definition into three definitions that reflect the three types of dwellings in the Residential Design Codes: Single House, Grouped Dwelling, and Multiple Dwelling. The definitions are identical except for the type of dwelling.</p> <p>Several Local Governments currently use definitions to distinguish between holiday homes in single houses and either grouped or multiple dwellings. Generally, land-use permissibility and number of guests vary between the two definitions with lower maximum guests’ numbers on proposals in grouped and multiple dwellings. The draft Position Statement proposes that guest numbers and room caps would be managed through the local planning framework.</p> <p>There is merit in splitting the land-use definitions by dwelling type, and this is supported. It is recommended that the words, ‘for hire or reward’ be added to the end of all three draft definitions. This will clarify that this land use is only to be applied to those holiday houses/units that are being used in a commercial manner and not for the personal use of a holiday home by the owner. Consideration should also be given to maintaining limits on the maximum number of guests and number of rooms that can be accommodated in</p>

each proposed definition. For example, limiting the maximum number of guests to 2 persons per bedroom.

The Draft Guidelines indicate that Local Governments should consider including holiday house/unit/apartments as a 'discretionary' land use in appropriate zone and suggest that advertising be required for proposals with more than 7 or more guests. This is generally consistent with current practice and supported.

Lastly, it is proposed that unhosted short-term accommodation (in a single house, grouped or multiple dwelling) will be exempt from requiring development approval where it is let for less than 60 days per calendar year. As already stated, no justification has been provided to support this proposal and this proposal was not contemplated or deemed necessary by the Parliamentary Inquiry. Submissions from Local Governments indicate that the practicalities of enforcing this requirement would be impossible and for many Local Governments that have established comprehensive regulatory regimes the change would mean a significant reduction in the ability to adequately manage short-term accommodation and manage the amenity issues in line with community expectations.

DPLH will also need to consider the appropriateness of exempting unhosted accommodation in bushfire prone areas and the alignment of such a decision with the intent and objectives of *State Planning Policy 3.7 Planning for Bushfire Protection*.

It is noted that all unhosted accommodation, including those exempt from development approval, would be required to be registered through the state-wide scheme, and that this may allow for adequate regulatory oversight of unhosted accommodation. The lack of information in this consultation on how the scheme will operate, the data reporting requirements, and how local requirements will be incorporated into the scheme does not allow positions to be taken or recommendations made by the Association. Until such a time that additional information is provided, the Association is not able to support the exemption for unhosted accommodation. This position will be reassessed following the release of information on the Scheme and further consultation with Local Government.

Recommendation:

- 8. Include the words 'for hire or reward' to the draft definitions of holiday house, holiday unit and holiday apartment,**

	<p>9. Consider the need for maximum guest and room limits for each draft definition,</p>
State-wide registration scheme	<p>The Association supports the establishment of a state-wide registration scheme for short-term accommodation. Consultation with members demonstrates overwhelming support for a scheme and the benefits it would bring to the regulation of short-term accommodation in their localities.</p> <p>Local Government experience of local regulation of short-term accommodation through local laws shows the benefits of registration and regulation outside the planning system. The planning system has traditionally not been a useful instrument to manage ongoing compliance, and the use of local laws has shown to be successful at ensuring amenity is maintained and hosts are held to account for the behaviour of their guests and the suitability of the premises.</p> <p>Experience shows that local laws, and their registration scheme in Western Australia, has had limited success in compelling peer-to-peer hosting platforms to ensure compliance with local requirements prior to accepting properties for hire. As has been experienced in New South Wales and Tasmania, state-managed schemes have the power to compel such platforms to follow the rules and ensure compliance. This is vital for the success of any scheme.</p> <p>As has been identified in the draft Guidelines, several Local Governments in Western Australia currently operate local registration and regulatory schemes. This is reflective of the varying impact short-term accommodation has on different communities. It is important that any state-wide scheme be able to capture this variation and reflect the desire of some communities to restrict and/or manage short-term accommodation.</p> <p>In the Government's response to Inquiry recommendation 7 it was noted that the design of the system '<i>...needs to be flexible and not too onerous</i>' and '<i>simple, low cost and user friendly</i>'. Considering these requirements alongside the need to incorporate local requirements into registration, the development of a system similar in design to the section 39 and 40 requests in the liquor licencing regime has merit. This operates by an applicant lodging a request</p>

	<p>for registration with a state agency, as part of the application process a request for a certificate of compliance from the Local Government would be issued. This would allow the Local Government to determine if all local requirements, such as local registration, development approval, pool permit and food licence etc, had been met. Should those items not be required, this would be indicated in the response. This system would be consistent with the intent of Inquiry recommendation 10 and if adequately resourced would not act as an impediment to registration.</p> <p>As previously stated, as there is limited detail on the scheme, the Association's support for the scheme should be read alongside several features already mentioned in the general comments.</p>
Implications for Building Classification	<p>Under the National Construction Code apartments are designated as Class 2 Buildings while buildings hosting tourist accommodation are generally classified as Class 3. There are significant differences between the two classes, such as sprinkler protection in Class 3. The design of Class 2 buildings regularly relies on performance solutions that assume a level of resident familiarity with the building, which is not the case for short-term guests. Class 3 buildings address this through higher safety standards.</p> <p>The existence of short-term accommodation in residential class 2 buildings causes difficulties for Local Governments when approving uses. Under current legislation, a change in the classification triggers compliance with the current standards. This would likely be onerous upgrades, particularly in older buildings. Secondly, it is unclear if the trigger would apply to only the apartment or the whole building. More guidance is needed on this issue.</p> <p>Recommendation: 10. DLGSC should seek guidance from DMIRS on possible solutions regarding the different safety standards for Class 2 and 3 buildings for short-term accommodation. This issue should be discussed in collaboration with Local Government and other relevant stakeholders,</p>
5.2.1 Caravan Parks	<p>The draft Position Statement includes several specific policy measures in relation to Caravan Parks and outlines the WAPC's preference for existing Caravan sites to be retained and zoned to facilitate this policy position.</p>

It is not considered appropriate for planning frameworks to address the issue of intended market and function. The commercial viability of a Caravan Park should be determined by the operator. This being said, in situations where the sole caravan park in a community is proposed to be rezoned, there may be rezoned, it may be appropriate to not support a re-zoning to ensure the adequate supply of affordable accommodation.

To this end, the policy measure seeking to ensure all existing and proposed caravan parks be zoned 'Special Use – Caravan Park' is not supported. As is outlined in Part 5 of the draft Position Statement, Local Governments are best placed to plan for tourism within their communities. Decisions on the appropriate zoning of existing and proposed caravan parks should be left to the Local Government in consultation with affected landowners and the community.

Recommendation:

11. Part 5.2.1 to be re-worded to remove the implied restriction on rezoning caravan sites for non-tourism land uses, and instead note that the WAPC will consider the current supply of caravan sites in an area prior to determining if a re-zoning is appropriate,
12. Local Government, as part of a Scheme Review, should be able to identify the preferred long-term use for caravan sites and apply an appropriate zone in line with the review findings.

MATTERS FOR CONSIDERATION BY STATE COUNCILLORS (UNDER SEPARATE COVER)

5.2 Submission on Inquiry into Financial Administration of Homelessness Services in WA

By Vikki Barlow, Senior Policy Advisor, Community

Moved: Mayor Mark Irwin
Seconded: President Cr Tony Dean

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

CARRIED

Executive Summary

- In November 2021, the Legislative Council, Standing Committee on Estimates and Financial Operations resolved to inquire into the financial administration of services addressing homelessness in Western Australia.
- Consultation to inform the current Submission was undertaken in January and February 2022.
- The draft Submission was considered by the People and Place Policy Team on 22 February 2022.
- Submissions to the Inquiry close 11 March 2022.

Attachment

- [Inquiry into the Financial Administration of Homelessness Services in WA – Consultation Paper](#)
- Inquiry into the Financial Administration of Homelessness Services in WA – Submission

Policy Implications

The draft Submission is consistent with the purpose, intent, and priorities of The Association's existing Homelessness Advocacy Position which emanated from WALGA's submission on the submission to the State Government *Directions Paper for the 10-Year Strategy on Homelessness, All Paths Lead to a Home* (the Homelessness Strategy):

WALGA recognises that Local Government through its planning, health, community development and regulatory powers can facilitate positive local and regional responses to end homelessness, however does not see that it has a lead role. Rather, Local Government's role is one of a stakeholder that requires early engagement in the understanding of collaborative approaches that improve the quality of life for people experiencing homelessness in all of its manifestations.

RESOLUTION 71.5/2019

Background

In March 2019 WALGA consulted with Local Governments across WA to develop a submission on the Homelessness Strategy. The following Local Government priorities were identified during that consultation:

- The importance of Local Government involvement in decision making processes particularly with respect to planning and trialling different housing and accommodation options.
- The need for Local Governments and service providers to have the requisite capacity to guide people experiencing or at risk of homelessness to appropriate support.
- The importance of Local Government involvement in the design and implementation of whole of government responses to homelessness.

The Homelessness Strategy sets out a pathway to integrate and align the efforts of stakeholders to achieve the common vision: *Everyone has a safe place to call home and is supported to achieve stable and independent lives.*

In 2021 the Supporting Communities Homelessness Working Group was convened to oversee the implementation of the Homelessness Strategy. The Working Group is co-chaired by Department of Communities, Ruah Community Services and Noongar Mia Mia. WALGA is a member of the Working Group, representing the interests of Local Government.

On 17 November 2021, the Legislative Council Standing Committee on Estimates and Financial Operations resolved to [inquire into the financial administration of services addressing homelessness in Western Australia](#). In particular the Committee is considering:

1. The current funding and delivery of homelessness services;
2. 'All Paths Lead to a Home', Western Australia's 10 Year Strategy on Homelessness 2020 – 2030;
3. Existing data systems and how data informs service delivery; and
4. Any other related matter.

WALGA undertook consultation with Local Government between January and February 2022 via:

- The Community Industry Reference Group (CIRG), which comprises 15 Local Government Directors and Executive Managers representing a diverse mix of Regional and Metropolitan Local Governments with expertise in community and social policy.
- A consultation session with 12 Local Governments involved in a range of homelessness policy responses: and
- A Consultation Paper and sector survey which received 20 Local Government responses, including 7 from regional Local Governments.

Comment

Feedback from Local Government was largely supportive of the Homelessness Strategy and of strengthening partnership approaches to improve the efficiency and effectiveness of funding for homelessness services. The sector highlighted significant challenges in supporting homelessness policy responses due to critical shortages of housing and accommodation and gaps in the collection of state-wide data to inform a data driven approach to prioritisation of funding.

The five recommendations in the Submission are:

1. Economies of scale should be optimised by directing homelessness funding to the expansion of initiatives that are aligned with the Homelessness Strategy, supported by strategic partnerships (Local Government and not-for-profit);
2. There should be continued investment in approaches that have a proven track record;
3. The capacity of the statewide data collection system requires expansion to increase consistency, coordination, equity of access and effectiveness of Homelessness Services;
4. Outputs and outcomes of the Homelessness Strategy should be promoted through strengthened communication and feedback channels between the *Supporting Communities Forum - Homelessness Working Group* and the Local Government Sector; and
5. Priority should be given to community housing and crisis accommodation options in regional areas, which can be facilitated through partnerships between Local Government, the Community Housing Sector, developers and State and Federal Government.

Draft Submission on:

Financial Administration of Homelessness Services in WA

LEGISLATIVE COUNCIL WA ESTIMATES AND FINANCIAL OPERATIONS COMMITTEE: SUBMISSION TO THE INQUIRY INTO FINANCIAL ADMINISTRATION OF HOMELESSNESS SERVICES IN WA

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 1230 Elected Members and approximately 22,600 Local Government employees as well as over 2.67 million constituents of Local Governments in Western Australia.

Background

Local Government makes a significant contribution to improving, promoting, and protecting the health of communities through its planning, health, community development and regulatory powers. Homelessness is an emerging community policy issue impacting widely and in varying degrees on the sector and one which Local Government is increasingly being called upon to address.

The Local Government sector is highly diverse with respect to capacity, capability, financial and human resources, local populations, and geographic location (metropolitan, regional, remote). Different Local Governments have adopted a range of formalised strategy, policy and plans, as well as informal ad hoc approaches targeting homelessness and social disadvantage. Therefore, the Association welcomes the opportunity to provide feedback to the Inquiry Terms of Reference.

In March 2019 the Association engaged with Local Governments across WA to develop a submission to the State Government Directions Paper for the 10-Year Strategy on Homelessness, All Paths Lead to a Home ('the Strategy').

WALGA's Advocacy Position on Homelessness:

WALGA recognises that Local Government through its planning, health, community development and regulatory powers can facilitate positive local and regional responses to end homelessness, however, does not see that it has a lead role. Rather, Local Government's role is one of a stakeholder that requires early engagement in the understanding of collaborative approaches that improve the quality of life for people experiencing homelessness in all of its manifestations. [State Council Resolution July 2019-71.5/2019]

Local Government priorities with respect to homelessness are:

- Local Government involvement in decision making, with respect to designing and trialling place-based housing and accommodation options.
- Local Government and service providers having the resource and skill capacity to guide people experiencing or at risk of homelessness to appropriate support; and
- Local Government involvement in the design and implementation of whole of government responses to homelessness.

General Comment

The Association remains supportive of the principles and focus areas of the Strategy and supports a collaborative approach to implementation to ensure that funds spent on homelessness deliver value and maximise returns to the community.

The underlying critical issues of lack of housing supply and affordability mean that without a significant sustained injection of new capital, it will be difficult to eliminate endemic homelessness in line with the stated aim of the Strategy.

The Association welcomes the 2020-21 budget announcements from the State Government with \$2.5 billion to be invested in housing and homelessness initiatives over the next four years.

Overall Recommendations

In developing this submission, the Association undertook an extensive engagement process with Local Government which resulted in five recommendations:

1. Economies of scale should be optimised by directing homelessness funding to the expansion of initiatives that are aligned with the Strategy, supported by strategic partnerships (Local Government and not-for-profit).
2. There should be continued investment in approaches that have a proven track record.
3. The capacity of the state-wide data collection system requires expansion to increase consistency, coordination, equity of access and effectiveness of Homelessness Services.
4. Outputs and outcomes of the Strategy should be promoted through strengthened communication and feedback channels between the *Supporting Communities Forum - Homelessness Working Group* and the Local Government Sector.
5. Priority should be given to community housing and crisis accommodation options in regional areas which can be facilitated through partnerships between Local Government, the Community Housing Sector, developers and State and Federal Government.

Response to the Inquiry Terms of Reference

1. Current Funding and Delivery of Services

Housing and Homelessness Funding

In the 2021-22 State Budget the State Government committed an additional \$884 million for housing and homelessness initiatives. This includes the \$6 million Local Government Partnership Fund for Homelessness (the Fund) launched in August 2021 and developed to assist Local Governments to deliver, in partnership with local service providers, on-ground homelessness initiatives responsive to local needs. Approximately \$1.5 million is allocated each year over 4 years to the Fund. Local Government is committed to working constructively with the State Government to implement the Fund over the next three years and to identify future funding opportunities.

Local Governments welcome additional funding that supports the provision of local services that support localised policy responses to homelessness. However, the Fund encourages competition between Local Governments and within the not-for-profit sector. The Fund positions Local Government as the lead procurer of services which does not align with the role of Local Government as defined in the Strategy.

Local Governments reported that the short application window was problematic as it did not allow adequate time for stakeholder engagement, proposal planning and developing a solid rationale and outcomes for projects. The Fund's co-contribution requirement (including in-kind contributions) was a barrier for many Local Governments which did not have existing budget or resources dedicated to developing new initiatives or in locations where service providers were not present, particularly regional areas.

The Local Government sector recommends that the Fund focus on expanding and improving existing successful programs with functioning partnerships and scope to achieve economies of scale and wider impact. For example, the Library Connect Program, piloted by St Patricks and the City of Fremantle, provides skilled and qualified outreach workers at public libraries to connect vulnerable people to services. This is a proven model that could be applied across several Local Government Areas through a joint application.

Reducing requirements for co-contribution and supporting opportunities for joint applications from geographically proximate Local Governments will make the Fund more accessible to all Local Governments, particularly small and/or regional Local Governments.

Local Government looks forward to further engagement with the Department of Communities on the scope and requirements of the Fund ahead of the second round.

Housing First

Housing First is the primary model and approach underpinning the Strategy. Housing First prioritises providing people with permanent housing with the support of flexible tailored wrap around services.

The State Government allocated \$34.5 million in the 2020-21 budget, as a discrete initiative under the Strategy, to establish the Housing First model at locations determined to be high priority Local Government Areas (LGAs), including Perth, Bunbury, Mandurah, Rockingham, and Geraldton.

Local Government feedback indicates a range of positive outcomes from the Housing First program such as the Moorditj Mia 'Strong Home' program in City of Cockburn and the recent housing of 19 people experiencing homelessness in the City of Mandurah. However, the sector reports inconsistencies in the roll out of the Housing First model, in part due to the limited capacity of the lead service provider to engage across multiple Local Governments. The ongoing chronic shortage of housing and accommodation is a significant limiting factor to the success of the Housing First program.

The **Zero Project** and **By Name List** is highly regarded as an effective platform to provide coordinated oversight to data collection across the Housing First priority locations. However, the targeted approach to the implementation of the Housing First program makes it difficult to establish a broader data-informed picture of homelessness.

Homelessness Services

The provision of assertive outreach services is invaluable in managing complex health and mental health issues of chronic rough sleepers. From a Local Government perspective, this plays an important role in reducing the burden on Local Government front-line employees such as Rangers, library staff and customer service officers.

Local Government feedback indicates widespread gaps in the provision of specialist homelessness services. The most frequently reported gaps are in relation to:

- Aboriginal Housing Support.
- Specialist Homelessness Accommodation and Support.
- Youth Accommodation and Support; and
- Assertive Outreach.

Often people are required to travel outside the immediate area to access homelessness support services and transport and distance can be significant barriers.

The chronic shortage of social and affordable housing and crisis accommodation results in increased rough sleeping, couch surfing, overcrowding and people sleeping in vehicles. People experiencing family and domestic violence, mental

health and alcohol and other drugs issues face long wait lists for housing and shortages in crisis accommodation.

The current funding of Specialist Homelessness Services is inadequate to provide a consistent and equitable level of service across the State. It is understood that some service providers do not have the capacity to service large geographical areas stipulated in their funding agreements.

Local Government feedback indicates that the cessation of the Department of Communities Local Communities Coordination (LCC) program has had a significant impact. The LLC program was highly effective in assisting chronic homeless people to connect with appropriate services. It is essential that the State Government take a lead role in local area coordination that applies across Local Government boundaries to ensure the collaboration of key stakeholders in place-based approaches.

2. 'All Paths Lead to a Home', Western Australia's 10-Year Strategy on Homelessness 2020-2030

The Strategy is a whole-of-community plan, setting the direction for all levels of Government, business, and the community sector in responding to and preventing homelessness in Western Australia. The Strategy is in its second year of implementation guided by the first *Action Plan 2020 – 2025*.

Local Government supports the Strategy, and it is widely accepted as a valuable resource guiding our State vision for ending homelessness and providing direction on the role of Local Government.

Currently there is inequity of service provision across Local Government areas leading to an emerging culture of 'service shopping' where those localities that provide services end up with a disproportionate number of homeless people seeking help. The Strategy acknowledges the diversity of Local Governments with respect to their varying levels of involvement and engagement in local policy responses. Acknowledging the varying level, ability, and availability of resources, supports and services for people experiencing homelessness between Local Government areas, there is an opportunity to better involve Local Governments in planning and implementing service delivery to improve consistency.

The Supporting Communities Forum - Homelessness Working Group plays an important role in communicating information s about the implementation of the Strategy and achievement against the performance indicators. The Association welcomes the opportunity to work with the Supporting Communities Forum to promote Strategy outcomes to the Local Government sector.

3. Existing data systems and how data informs service delivery

The Association recognises the need for data to be managed within a safe legal framework. Establishing effective state level data systems and data sharing agreements to govern the use of data is essential to the effective planning and coordination of service delivery.

The 'By Name List' is used by the State Government to identify hotspot areas, track trends, and allocate critical resources such as Assertive Outreach Services. However, several Local Governments do not have access to the 'By Name List' and therefore not all Local Governments are represented in the data.

There is an opportunity to further develop a shared, centralised, state-wide data system which would assist Local Governments to understand the number of people accessing specialist homelessness services in their area. Local Governments have identified initiatives such as the *Rough Sleeper Count* and *Connections Week* as important initiatives to establish baseline data about homelessness and to engage stakeholders.

Many Local Governments do not have the resources available to develop data systems at a local level, while other Local Governments are contributing to a coordinated multi-agency approach. For example, one Metropolitan Local Government is a member of the Human Services District Leadership Group and provides the backbone support to the Interagency Homelessness Working Group. Data management agreements have been developed as part of the Metropolitan Partnership Forum.

4. Any other matter

Housing

It is widely reported that Western Australia is experiencing a housing crisis with a severe shortage of social and affordable housing for low and very low-income households, and a rental crisis whereby low-income and disadvantaged households are generally priced out of the market.

The current COVID-19 pandemic has added pressure across all parts of the housing system including exacerbating issues with supply, affordability, security of tenure, choice (limited diversity of housing stock) and associated issues such as overcrowding, particularly in rural and remote communities.

Local Government is increasingly called upon by local communities to address housing supply issues and associated community impacts and to provide timely localised solutions. Many Local Governments work closely with their communities, State Government, developers, and the community housing sector to identify underutilised land for joint housing projects. The high cost of developing land in regional areas is a disincentive to developers and investors.

However, the sector reports that many of these housing projects are at full capacity with long waiting lists. There is a significant lag in delivery of new housing projects resulting in escalating unmet demand, overcrowding, couch surfing and sleeping in

makeshift dwellings or cars, which is particularly evident in regional and remote areas.

In remote Western Australia, housing is provided by the Department of Communities, principally, and there is limited room for Local Government in this space without significant funding and resources.

Projects supported by all three tiers of Government can provide positive solutions. An example is the Great Southern Housing Initiative (GSHI), which is a Federal and State joint funded project that delivered jobs and housing to several Shires in the Great Southern Region of WA. The Shires of Broomehill-Tambellup, Cranbrook, Gnowangerup, Jerramungup, Katanning and Kojonup developed between two and six dwellings each for independent seniors and regional employees. The Initiative delivered a total of 52 units, employed several local workers and created 15 sustainable and long term-jobs while also attracting 22 critical regional employees.

Where resources and capability exist, Local Government can lead in the facilitation and delivery of social housing projects. For example, the Shire of Harvey led the development of Brunswick River Cottages, a social and affordable housing model that addresses the shortage of age-appropriate accommodation in Brunswick Junction and provides older people with opportunities to live healthy, positive, and productive lives, connected to and participating in their local community.

The Social Housing Economic Recovery Package (SHERP) is a \$319 million investment into social housing and forms part of the State Governments \$884 million housing and homelessness funding. SHERP is targeted at construction of new dwellings and refurbishment and maintenance of existing dwellings.

There is an opportunity to further develop the SHERP package to align with the delivery of the Housing First program to address immediate housing supply issues.

Local Government and State Government can work together to address complex social issues such as homelessness. As government service provision varies depending on location, demand and capacity, a partnership approach ensures good governance and sound decision making. Local Government brings local knowledge, expertise, and a willingness to work in partnership with the State Government and other key stakeholders.

For further information please contact Susie Moir, Manager Resilient Communities, on smoir@walga.asn.au or 9213 2058.

5.3 Finance and Services Committee Minutes 16 February 2022 (01-006-03-0006 TB)

Moved: Cr Paul Kelly
Seconded: Cr Chris Mitchell

That the Minutes of the Finance and Services Committee meeting held on 16 February 2022 be endorsed.

RESOLUTION 316.2/2022

CARRIED

Executive Summary

- The Finance and Services Committee met on 16 February 2022.
- The Committee endorsed the WALGA Budget Plan for 2022-23.
- The Minutes have been distributed to members of State Council under separate cover.

Attachments

- Finance and Services Committee Minutes 16 February 2022
- Attachments to Minutes:
 - Item 2.1 – Management Financials Pack – detailed pack
 - Item 2.2 – Financial Dashboard – 31 January 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 16 February 2022 together with attachments have been distributed to members of State Council under separate cover.

The following items were considered at the meeting:

- Finance Governance
 - 2.1 Finance report for the seven months ended 31 January 2022

- 2.2 Financial Management Compliance
- 2.3 Budget Plan 2022-23
- 2.4 Corporate Services Projects Update
- 2.5 Appointment of Additional Bank Signatories
- Commercial and Communications
 - 3.1 Commercial Development and Management – February Update
- Governance and Organisational Services
 - 4.1 Governance & Organisational Services Report
 - 4.2 WALGA Training – Course Development Report

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.

5.4 Selection Committee Minutes (01-006-03-0011 CO) – CONFIDENTIAL

By Chantelle O'Brien, Governance Support Officer

President Cr Tony Dean and Cr Catherine Ehrhardt both declared an impartiality interest in item 5.4 and left the meeting at 4:49pm.

Moved: Cr Chris Mitchell
Seconded: Cr Les Price

That the recommendations contained in the 23 February 2022 Selection Committee Minutes be endorsed.

RESOLUTION 317.2/2022

CARRIED

President Cr Tony Dean and Cr Catherine Ehrhardt returned to the meeting at 4:51pm.

Executive Summary

- The Selection Committee held their meeting on 23 February 2022 to consider nominees to be put forward for appointment for the following vacancies:
 - Biosecurity Council of WA
 - WA Local Government Grants Commission
 - Local Health Authorities Analytical Committee (LHAAC),
- The Minutes containing the Selection Committee's recommendations for State Council endorsement and resolution for noting, are provided as an attachment.

Attachment

- Selection Committee Minutes – 23 February 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

Biosecurity Council of WA

Following a written request from the Minister's Office, WALGA sought nominees for a Member on the Biosecurity Council of WA. Nine nominations were received.

WA Local Government Grants Commission

WALGA were requested to provide a panel of three for the Minister's consideration to be appointed to the WA Local Government Grants Commission to represent Country Urban Local Governments (designated as Cities of Towns). Two nominations were received including the incumbent member whose term will expire 31 August 2022.

Local Health Authorities Analytical Committee (LHAAC)

Due to a resignation from a Metropolitan Member, LHAAC are seeking to fill the vacancy. No nominations were received on this occasion and the Selection Committee resolved to readvertise the vacancy in the next round for consideration by State Council at the 4 May State Council meeting.

Minutes containing the Selection Committee's recommendations are attached.

5.5 LGIS Board Minutes – CONFIDENTIAL

By Craig Hansom, LGIS Contract Manager, Commercial and Communications

Moved: Mayor Logan Howlett

Seconded: Mayor Carol Adams

That State Council note the following summary of the LGISWA Scheme Board meeting held on 25 November.

RESOLUTION 318.2/2022

CARRIED

Executive Summary

- The Scheme financial report for the period ended 31 October shows a YTD operating deficit of \$1.4 M, with a capital ratio of 149% vs MCR.
- The Board approved a contract award to Mercer Investments as Scheme Investment Services Manager for an initial term of five years.
- The Board approved a contract award to Moore Australia as Scheme Internal Audit Services Provider for an initial term of one year.
- The Board approved the activation of the optional two-year extension to EY's appointment as Scheme Auditor.
- The Board approved activation of the optional two-year extension to PwC's appointment as Scheme Actuary.
- The Board endorsed an updated risk profiles model for LGISWA.
- The Board completed a facilitated LGIS Board performance and skills review.

Attachments

- LGISWA Board Minutes 25 November 2021

Background

The LGIS Board meeting minutes held on 25 November have been distributed to the members of the State Council under separate cover.

Comment

Items of note from the minutes include:

- The Scheme financial report for the period ended 31 October shows a YTD operating deficit of \$1.4 M, which is \$2.31 M below budget. Total Capital equals \$33.7 M (a capital ratio of 149% vs MCR).
- The Board approved a contract award to Mercer Investments (Australia) Limited as Scheme Investment Services Manager for an initial term of five years ending 19 January 2027, with options to extend for further terms of three plus two years.
- The Board approved a contract award to Moore Australia as Scheme Internal Audit Services Provider for an initial term of one year ending 30 November 2022, with options to extend for up to two further terms of two years each.
- The Board approved the activation of the optional two-year extension to EY's appointment as Scheme Auditor.
- The Board approved activation of the optional two-year extension to PwC's appointment as Scheme Actuary.
- The Board endorsed engaging the services of PwC to conduct a review of LGISWA governance, management and reporting practices against APRA prudential standards review.
- The Board endorsed an updated risk profiles model for LGISWA following the Risk and Audit Committee conducting a facilitated review of the risk profiles model for strategic risks to the Scheme.
- The Board resolved to adopt the Scheme Manager proposed Member Engagement and Communication Plan for 2022/23.
- Following a facilitated LGIS Board Performance Review, the Board agreed that the suggested treatments for nine recommendations be added to the Action List for further review.
- Following a facilitated LGIS Board Skills Review, the Board agreed that the identified skills enhancement be added to the Action List for future training and/or professional development opportunities and in Director succession planning considerations.
- The Board agreed to adopt working group recommended changes to the format and content of LGIS agendas and minutes. Changes to the Corporate Governance Charter and induction program for Board members will be updated accordingly.

LGIS Board members Cr Paul Kelly and WALGA CEO Nick Sloan will be in attendance at the State Council meeting to respond to questions and provide any further explanation that may be sought.

5.6 LGIS Scheme Management Agreement – CONFIDENTIAL

By Craig Hansom, Acting Executive Manager, Commercial and Communications

Moved: Cr Chris Mitchell
Seconded: President Cr Cheryl Cowell

That State Council endorse the use of the common seal for signing a new fixed-term LGIS Scheme Management Agreement.

RESOLUTION 319.2/2022

CARRIED

Executive Summary

- WALGA endorsed a revised LGIS Scheme Management Agreement between WALGA and JLT/Marsh in June 2019.
- The revised Agreement included an option to renegotiate in 12 months to allow time to complete a series of actions endorsed by State Council following the review of the LGIS service that would have an impact on the terms of the Agreement.
- Implementation of the series of actions remained incomplete in most part as a consequence of those actions requiring financial support that have been postponed as part of contingency budget adopted by WALGA in response to COVID-19.

- An additional 12-month term of the WALGA JLT/Marsh Agreement was endorsed by WALGA in September 2021 and enacted via a WALGA-JLT Heads of Agreement.
- WALGA has now completed the necessary outstanding reviews and continued to enhance the LGIS contractual and management framework.
- A new LGIS Scheme Management Agreement can now be finalised that provides a better contractual arrangement and improved governance oversight of the Scheme.

Attachment

- LGISWA Scheme Management Agreement 2022

Background

WALGA has undertaken a comprehensive review of LGIS, commissioning three separate but sequential reports into governance, operation and future options required to ensure the service continues to meet the risk cover needs of the Local Government sector in WA.

In total the three independent reports – Deloitte, Gurry, Working Group – made 55 recommendations which were consolidated into themes for consideration by State Council by way of presentation and workshop to define a series of actions to be undertaken.

WALGA endorsed 10 actions which included updating of the WALGA JLT/Marsh Scheme Management Agreement but also included a number of actions that would affect components of a future agreement.

The updated WALGA JLT/Marsh Scheme Management Agreement, approved by WALGA in June 2019, was for a perpetual term but subject to review by WALGA at any time. Consequently to accommodate the potential for changes resulting from the review actions, State Council nominated that the updated Agreement be open to renegotiation after 12 months.

However, delays to the completion of the actions – most significantly the inability to commence those requiring additional budget allocations that have been postponed due to the WALGA COVID-19 contingency budget – required an additional extension of the terms of the Agreement for an additional 12 months. This was enacted via a WALGA-JLT Heads of Agreement in September 2021.

Comment

The considerations requiring previous extension of the terms of the WALGA-JLT LGIS Scheme Management Agreement for an additional 12 months are now complete. These are:

- Increase insurance covers into the Scheme that were previously offered by broking services;
- Undertake a Review of LGIS risk mitigation services; and
- Review the LGIS marketing function for efficiencies.

These reviews have been in conjunction with changes that provide improved governance oversight:

- LGIS rebranded as a WALGA service;
- Confirmed services are provided under an “all-in” mutual model;
- Improved treatment of non-WALGA members;
- Return of the Board induction process to WALGA;
- Review of State Council delegations to LGIS Board;
- Review of the LGIS Corporate Governance Charter; and
- Changes to the LGIS trust Deed for improved WALGA oversight.

As such, a new WALGA-JLT LGIS Scheme Management Agreement can now be finalised. Negotiations with JLT have confirmed their agreement to the new terms. Key elements of the new agreement are:

- A fixed fee model subject to KPI based indexing;
- A fixed term arrangement;
- Independent review of management and broking fees to assess Value-for-Money;
- KPIs to be reviewed and supplemented (where required) on an annual basis; and
- Restriction of Marsh/JLT services delivered outside (and through) the Scheme.

Terms carried across from the existing WALGA-JLT Heads of Agreement include:

- Increased insurance covers delivered through the Scheme;
- Discontinuation of the separate reinsurance broking agreement;
- Fixed fee broking, with no WALGA commissions;
- Reinsurance commissions paid back into the Scheme; and
- A new WALGA remuneration model and fee.

Ongoing reviews and improved governance mechanisms continue to enhance the WALGA LGIS contractual and management framework. Most notably, these include the following review items that are proposed to be completed in the next 12 months:

- Benchmarking against other national schemes; and
- Development of a WALGA LGIS contingency plan.

It is recommended that State Council approve the use of the common seal for signing the new LGISWA Scheme Management Agreement.

5.7 Appointments to State Council Committees

By Nick Sloan, Chief Executive Officer

Executive Summary

- The Corporate Governance Charter provides for the establishment of Policy Teams, delegated Committees and Policy Forums.
- State Council made appointments to the Finance and Services Committee and the four Policy Teams at its 1 December 2021 meeting.
- However, State Council referred appointments to the Committees back to the Secretariat in liaison with the Acting President, President Cr Karen Chappel, for consideration and for recommendations for appointments to be presented to this meeting.

The CEO provided an update to the meeting on this item.

The appointment of State Councillors to Committees will be deferred to a special meeting of State Council to be held within the next few weeks. Nominations will be sought from State Councillors shortly.

6. MATTERS FOR NOTING / INFORMATION

6.1 COVID-19 – Update

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

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

WALGA RECOMMENDATION

That the COVID-19 Update report be noted.

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 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 Zone	WALGA recommendation noted
Murchison Country Zone	No meeting held
North Metropolitan Zone	WALGA recommendation noted
Northern Country Zone	WALGA recommendation noted
Peel Zone	WALGA recommendation noted
Pilbara Zone	WALGA recommendation noted
South East Metropolitan Zone	WALGA recommendation noted
South Metropolitan Zone	WALGA recommendation noted
South West Country Zone	WALGA recommendation noted

Moved: Cr Frank Cvitan
Seconded: Cr Les Price

That the COVID-19 Update report be noted.

RESOLUTION 320.2/2022

CARRIED

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

By Dana Mason, Manager Economics and Strategic Projects

WALGA RECOMMENDATION

That the 2022 WALGA Federal Budget Submission be noted.

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 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 Zone	WALGA recommendation noted
Murchison Country Zone	No meeting held
North Metropolitan Zone	WALGA recommendation noted
Northern Country Zone	WALGA recommendation noted
Peel Zone	WALGA recommendation noted
Pilbara Zone	WALGA recommendation noted
South East Metropolitan Zone	WALGA recommendation noted
South Metropolitan Zone	WALGA recommendation noted
South West Country Zone	WALGA recommendation noted

Moved: Cr Frank Cvitan
Seconded: Cr Les Price

That the 2022 WALGA Federal Budget Submission be noted.

RESOLUTION 320.2/2022

CARRIED

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

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

WALGA RECOMMENDATION

That State Council note:

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

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 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 Zone	WALGA recommendation noted
Murchison Country Zone	No meeting held
North Metropolitan Zone	WALGA recommendation noted
Northern Country Zone	WALGA recommendation noted
Peel Zone	WALGA recommendation noted
Pilbara Zone	WALGA recommendation noted
South East Metropolitan Zone	WALGA recommendation noted
South Metropolitan Zone	WALGA recommendation noted
South West Country Zone	WALGA recommendation noted

Moved: Cr Frank Cvitan

Seconded: Cr Les Price

That State Council note:

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

RESOLUTION 320.2/2022

CARRIED

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

By Ashley Robb, Senior Policy Advisor, Planning

WALGA RECOMMENDATION

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

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 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 Zone	WALGA recommendation noted
Murchison Country Zone	No meeting held
North Metropolitan Zone	WALGA recommendation noted
Northern Country Zone	WALGA recommendation noted
Peel Zone	WALGA recommendation noted
Pilbara Zone	WALGA recommendation noted
South East Metropolitan Zone	WALGA recommendation noted
South Metropolitan Zone	WALGA recommendation noted
South West Country Zone	WALGA recommendation noted

Moved: Cr Frank Cvitan
Seconded: Cr Les Price

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

RESOLUTION 320.2/2022

CARRIED

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

By Tim Lane, Manager Strategy and Association Governance

WALGA RECOMMENDATION

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

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 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 Zone	WALGA recommendation noted
Murchison Country Zone	No meeting held
North Metropolitan Zone	WALGA recommendation noted
Northern Country Zone	WALGA recommendation noted
Peel Zone	WALGA recommendation noted
Pilbara Zone	WALGA recommendation noted
South East Metropolitan Zone	WALGA recommendation noted
South Metropolitan Zone	WALGA recommendation noted
South West Country Zone	WALGA recommendation noted

Moved: Cr Frank Cvitan
Seconded: Cr Les Price

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

RESOLUTION 320.2/2022

CARRIED

7. ORGANISATIONAL REPORTS

7.1 Key Activity Reports

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

Moved: Cr Carl Celedin
Seconded: Mayor Carol Adams

That the Key Activities Report from the Commercial and Communications Unit to the March 2022 State Council meeting be noted.

RESOLUTION 321.2/2022

CARRIED

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

Moved: Cr Carl Celedin
Seconded: Mayor Carol Adams

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

RESOLUTION 321.2/2022

CARRIED

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

Moved: Cr Carl Celedin
Seconded: Mayor Carol Adams

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

RESOLUTION 321.2/2022

CARRIED

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

Moved: Cr Carl Celedin
Seconded: Mayor Carol Adams

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

RESOLUTION 321.2/2022

CARRIED

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

Moved: President Cr Phil Blight
Seconded: Mayor Carol Adams

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

RESOLUTION 322.2/2022

CARRIED

7.3 Policy Team Reports

7.3.1 Environment and Waste Policy Team Report – Chair, Cr Les Price

Moved: Cr Les Price
Seconded: Mayor Peter Long

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

RESOLUTION 323.2/2022

CARRIED

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

Moved: Cr Russ Fishwick
Seconded: Mayor Carol Adams

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

CARRIED

7.3.3 Infrastructure Policy Team Report – Chair, President Cr Stephen Strange

Moved: President Cr Stephen Strange
Seconded: Cr Chris Mitchell

That State Council:

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

RESOLUTION 325.2/2022

CARRIED

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

Moved: Cr Tony Dean
Seconded: Mayor Peter Long

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

CARRIED

7.4 President's Report

Moved: President Cr Stephen Strange

Seconded: Cr Chris Mitchell

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

RESOLUTION 327.2/2022

CARRIED

7.5 CEO's Report

Moved: Cr Les Price

Seconded: Cr Chris Mitchell

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

RESOLUTION 328.2/2022

CARRIED

7.6 Ex-Officio Reports

7.6.1 Local Government 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.

8. ADDITIONAL ZONE RESOLUTIONS

Moved: Cr John Daw

Seconded: President Cr Phil Blight

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

RESOLUTION 329.2/2022

CARRIED

CENTRAL COUNTRY ZONE

Regional Telecommunications (Strategy, Policy and Planning Unit)

That WALGA partner with Telstra and Western Power to scope, design and cost a solution to enable full mobile and internet connectivity through the Central Country Zone area, including suitable back up power generation to ensure continued mobile connectivity during emergency outage events.

Local Government Agricultural Freight Group (Infrastructure Policy Team)

That the Central Country Zone recommend that the Local Government Agricultural Freight Group be disbanded and request WALGA to consider establishing a policy forum to encompass all Freight issues.

EAST METROPOLITAN ZONE

People and Place Policy Team Report – Advocacy Position 6.4: Third Party Appeal Rights (People and Place Policy Team)

That the East Metropolitan Zone:

1. Does not support the retention of Advocacy Position 6.4 (Third Party Appeal Rights);
2. Requests that the State Council People and Place Policy Team revise the WALGA policy position on third party appeal rights.

GOLDFIELDS ESPERANCE COUNTRY ZONE

Request for WALGA to advocate on behalf of LGAs to the WA State Government to join the National Heavy Vehicle Regulator (Infrastructure Policy Team)

GVROC request that the WALGA State Council request the WALGA Infrastructure Policy Team to investigate the matter further and advocate for Western Australia's inclusion on the NHVR.

NORTHERN COUNTRY ZONE

Country Ambulance Service (Strategy, Policy and Planning Unit)

That the Northern Country Zone of WALGA request that WALGA call for:

1. The expedited release of the WA Parliament's inquiry into the delivery of ambulance services in Western Australia; and
2. Greater allocation of resources to regional ambulance services to address an unsustainable over-reliance upon volunteer officers.

NORTH METROPOLITAN ZONE

Power Outages Over Christmas Period (Infrastructure Unit)

That WALGA writes to the Minister for Energy and request a report be provided to WALGA detailing specific issues relating to Western Power outages during late December 2021 and the heatwave period during Christmas.

PEEL COUNTRY ZONE

Western Australian Trails Strategy (Strategy, Policy and Planning Unit)

That the Peel Zone requests WALGA to seek an update on the implementation of the Western Australian Trails Strategy (notably the Peel Trails Plan) and report back to the Zone.

PILBARA COUNTRY ZONE

Anti Social Behaviour – Pilbara Region (Strategy, Policy and Planning Unit)

That the Pilbara Country Zone requests the WALGA Secretariat to prepare a report for State Council's consideration on advocacy to State Government to extend the Kimberley Justice Strategy into the Pilbara Region.

9. DATE OF NEXT MEETING

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

10. CLOSURE

There being no further business the Chair declared the meeting closed at **5:41pm**.