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**CEO095 WALGA STATE COUNCIL AGENDA – 6 JULY 2022**

**28 JUNE 2022**



# State Council Agenda

6 July 2022

## NOTICE OF MEETING

Ordinary meeting no. 3 of 2022 of the Western Australian Local Government Association (WALGA) State Council to be held at WALGA, ONE70, LV1, 170 Railway Parade, West Leederville on Wednesday, 6 July 2022 beginning at **4:15pm**.

### 1. ATTENDANCE, APOLOGIES & ANNOUNCEMENTS

#### 1.1. Attendance

<b>Members</b>	WALGA President – <b>Chair</b> WALGA Deputy President, Central Metropolitan Zone Avon-Midland Country Zone Central Country Zone Central Metropolitan Zone East Metropolitan Zone East Metropolitan Zone Goldfields Esperance Country Zone Gascoyne Country Zone Great Eastern Country Zone Great Southern Country Zone Kimberley Country Zone Murchison Country Zone North Metropolitan Zone North Metropolitan Zone North Metropolitan Zone Northern Country Zone Peel 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 Laurene Bonza President Cr Cheryl Cowell President Cr Stephen Strange President Cr Chris Pavlovich Cr Chris Mitchell JP Cr Les Price Cr Frank Cvitan JP Mayor Mark Irwin Cr Russ Fishwick JP President Cr Moira Girando JP President Cr Michelle Rich Cr Carl Celedin Mayor Ruth Butterfield Cr Doug Thompson Mayor Carol Adams OAM Mayor Logan Howlett JP President Cr Tony Dean
<b>Ex Officio</b>	The Rt. Hon. Lord Mayor – City of Perth Local Government Professionals WA President	Lord Mayor Basil Zempilas Ms Annie Riordan
<b>Secretariat</b>	Chief Executive Officer EM Governance & Organisational Services EM Infrastructure Acting EM Strategy, Policy & Planning Acting EM Marketing and Communications Acting EM Commercial Chief Financial Officer Manager Strategy & Association Governance Manager Governance Executive Officer Governance	Mr Nick Sloan Mr Tony Brown Mr Ian Duncan Ms Nicole Matthews Ms Narelle Cant Mr Andrew Blitz Mr Rick Murray Mr Tim Lane Mr James McGovern Ms Kathy Robertson

#### 1.2. Apologies

Pilbara Country Zone, State Councillor Pilbara Country Zone, Deputy State Councillor	Mayor Peter Long Mayor Peter Carter
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### 1.3. Announcements

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

## 2. MINUTES

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### 2.1. Minutes of the meeting held 4 May 2022

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#### RECOMMENDATION

That the Minutes of the WALGA State Council meeting held on [Wednesday, 4 May 2022](#) be confirmed as a true and correct record of proceedings.

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### 2.2. Flying Minute – WALGA Submission Aboriginal Cultural Heritage Act 2021 Co-Design Process, Phase 1

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#### RECOMMENDATION

That the [Flying Minute – WALGA Submission Aboriginal Cultural Heritage Act 2021 Co-Design Process, Phase 1](#) be confirmed as a true and correct record of proceedings.

## 3. DECLARATIONS OF INTEREST

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

## 4. EMERGING ISSUES

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

## 5. MATTERS FOR DECISION

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

## 6. MATTERS FOR NOTING / INFORMATION

- As per matters listed

## 7. ORGANISATIONAL REPORTS

### 7.1 Policy Team Reports

- 7.1.1 Environment and Waste Policy Team
- 7.1.2 Governance and Organisational Services Policy Team
- 7.1.3 Infrastructure Policy Team
- 7.1.4 People and Place Policy Team

### 7.2 Key Activity Report

- 7.2.1 Commercial and Communications Unit

- 7.2.2 Governance and Organisational Services Unit
- 7.2.3 Infrastructure Unit
- 7.2.4 Strategy, Policy and Planning Unit

### 7.3 Policy Forum Report

### 7.4 President's Report

#### **RECOMMENDATION**

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

### 7.5 CEO's Report

#### **RECOMMENDATION**

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

### 7.6 Ex Officio Reports

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

## **8. ADDITIONAL ZONE RESOLUTIONS**

To be advised following Zone meetings.

## **9. DATE OF NEXT MEETING**

The next ordinary meeting of the WALGA State Council will be a Regional meeting hosted by the Peel Country Zone on Friday, 9 September 2022.

## **10. CLOSURE**

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## 5. MATTERS FOR DECISION

### 5.1 Review of advocacy positions relating to Emergency Management (05-024-02-0059 SM)

By Susie Moir, Policy Manager, Resilient Communities

#### RECOMMENDATION

That State Council:

1. Endorse the removal of the following Emergency Management Advocacy Positions
  - 8.1 Community Resilience
  - 8.2 Disaster Mitigation
  - 8.3 Emergency Services Levy
2. Endorse the following Emergency Management Advocacy Positions:
  - 8.1 Emergency Management Principles
  - 8.2 State Emergency Management Framework
  - 8.3 Sustainable Grant Funding Model for Emergency Management
  - 8.4 Consolidated Emergency Services Act
  - 8.5 Resource Sharing
  - 8.6 Lessons Learnt Management
  - 8.7 Emergency Services Levy
  - 8.8 Local Government Grants Scheme (LGGS)

#### Executive Summary

- It is proposed to remove the three existing Emergency Management Advocacy Policy Positions and replace them with a series of more comprehensive policy positions (Appendix 1).
- The new [Advocacy Positions](#) are based on previous State Council endorsed submissions, recommendations from significant reviews and inquiries, and information and priorities captured in sector-wide consultations.

#### Attachments

- Appendix 1 – Proposed Emergency Management Positions
- Appendix 2 – All State Council resolutions relating to Emergency Management

#### Policy Implications

Current Emergency Management Policy Positions reviewed:

##### **8.1 Community Resilience**

*The Association advocates that the Commonwealth Government should commit to continued funding of the Natural Disaster Resilience Program (NDRP) as a fund to assist Local Governments to undertake community resilience building projects to reduce the impacts of identified natural disaster risks on communities.*

##### **8.2 Disaster Mitigation**

*The Association advocates that the Commonwealth and State Governments should commit to specific funding programs to enable Local Governments to undertake essential physical mitigation programs to further reduce the exposure of communities to the impacts of natural disasters and to ensure the protection of essential community infrastructure.*

##### **8.3 Emergency Services Levy**

*The Association advocates for full review of the Emergency Services Levy, its administration, fee structure and distribution mechanism to facilitate funding back to Local Government to support their Emergency Management responsibilities as legislated in the Emergency Management Act 2005.*

## Background

In 2012, WALGA undertook a comprehensive consultation process with the sector including delivering 11 workshops across WA to identify Local Government priorities in emergency management. More recently, WALGA has conducted sector-wide surveys in 2019 (*Before, During and After*) and 2021 (*Local Government Emergency Management Survey*) to gather relevant data and to help inform advocacy in emergency management issues.

WALGA has made numerous sector submissions to reviews and inquiries, including more recently:

- Tropical Cyclone Seroja After-Actions Review (2021)
- Independent Review of the 2021 Wooroloo Bushfire (2021)
- Royal Commission into National Natural Disaster Arrangements (2020)
- ERA Emergency Services Levy Review (2017)
- Special Inquiry into the January 2016 Waroona Fire (the Ferguson Report)
- Perth Hills Bushfire, February 2011 Review (the Keelty Report)

These reviews and inquiries identified opportunities for improvement and WALGA's submissions made recommendations in relation to changes to emergency management processes and systems in preparedness, prevention, response and recovery.

## Comment

WALGA Advocacy Positions guide WALGA's policy, advocacy and capacity building activities and support a consistent and whole-of-sector approach. There are currently three State Council endorsed Advocacy Position Statements relating to Emergency Management in the Emergency Management section of the [Manual](#).

The existing Emergency Management Advocacy Policy positions, 8.1 Community Resilience; 8.2 Disaster Mitigation; and 8.3 Emergency Services Levy have not been updated or reviewed since 2016.

The Office of the Auditor General is currently undertaking a performance audit of the administration of funding for volunteer fire and emergency services.

The proposed Emergency Management Advocacy Positions outlined in Appendix 1, are high-level principles derived from previous State Council endorsed submissions, recommendations from significant reviews and inquiries, and information and priorities captured in sector-wide consultations.

Consultation on the proposed Emergency Management Advocacy Positions was undertaken with the People and Place Policy Team on 6 April 2022 which was supportive of the new positions.

Consultation on the proposed advocacy positions was also undertaken with the Local Government Emergency Management Advisory Group on 7 April 2022. The members of this advisory group provided their support with the following changes suggested (now incorporated in Appendix 1):

- 8.3 Include that all funding guidelines should be comprehensive.
- 8.4 Include that Local Government must be involved in the co-design of the *Consolidated Emergency Services Act*.
- 8.8 Add in a comment that funding should support Work Health and Safety obligations.



## Appendix 1 – Proposed Emergency Management Advocacy Positions

### 8 Emergency Management

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

#### 8.1 Emergency Management Principles

1. The State Government bears fundamental responsibility for emergency management and has the role of providing strategic guidance, support and services for emergency management activities in Western Australia.
2. The State Government should provide financial and resourcing support as necessary to enable Local Governments to adequately deliver their extensive emergency management roles and responsibilities under the State Emergency Management Framework.
3. The Local Government Sector should be engaged as a partner in policy and legislative reviews that impact Local Government emergency management roles and responsibilities.

#### 8.2 State Emergency Management Framework

Local Governments are supported to undertake their emergency management responsibilities by a simple and streamlined State Emergency Management Framework with the primary objectives of:

1. Protecting people, the economy, and the natural environment from disasters;
2. Supporting communities in preventing, preparing for, responding to and recovering from emergencies;
3. Clearly outlining roles, responsibilities and accountabilities for Local Government and other emergency management stakeholders;
4. Scalability and adaptability that supports Local Governments of varied capacity and capability; and
5. Supporting agency interoperability through common systems and approaches to key activities including data management, communications, and hazard management.

#### 8.3 Sustainable Grant Funding Model for Emergency Management

Local Government should be empowered to discharge its emergency management responsibilities through sustainable grant funding models that support a shared responsibility and all hazards approach to prevention, preparedness, response and recovery from natural disasters. A sustainable grant funding model for Local Government emergency management:

1. empowers Local Governments to undertake proactive approaches to preparedness, prevention, response and recovery;
2. supports the resilience of local communities through capacity-building activities and programs;
3. is responsive to the variations in Local Government resourcing and context;
4. develops the skills, capacity and capability of the emergency management workforce; and
5. is consistent, flexible, timely, accessible, scalable, strategic and the guidance provided is comprehensive.

#### 8.4 Consolidated Emergency Services Act

1. The Association advocates for the development of a *Consolidated Emergency Services Act* to provide a comprehensive and contemporary legislative framework to support the effective delivery of emergency services in Western Australia. The Legislation should clearly define the roles and responsibilities of all emergency management stakeholders including Local Government.
2. The Local Government sector seeks ongoing engagement in the scoping and co-design of the Act and associated Regulations and supporting materials such as Guidelines and fact sheets.

3. The Association advocates for DFES to undertake a full costing analysis of the new Act and to provide to Local Government details of the cost implications prior to the release of any Exposure Draft Bill.
4. Any new or increased responsibilities placed on Local Government by the *Consolidated Emergency Services Act* must be accompanied by funding and resource support to enable Local Governments to adequately discharge those responsibilities.
5. The Association recognises that in addition to the *Consolidated Emergency Services Act*, the Regulations and other supporting materials that are developed to support it provide a key resource for Local Governments in understanding and discharging their legislative obligations.

### **8.5 Resource Sharing**

Local Governments and the Association support resource sharing across the Local Government Sector for the purpose of emergency management, to support Local Governments to undertake effective and timely response and recovery to emergencies as well as conduct business as usual. The Association will endeavour to facilitate support to the sector in undertaking resource sharing arrangements.

### **8.6 Lessons Learnt Management**

The Association advocates for the implementation of a transparent and contemporary assurance framework for emergency management lessons management overseen by the State Emergency Management Committee. Findings from inquiries and reviews, and progress on implementation of recommendations, should be publicly reported regularly and consistently.

### **8.7 Emergency Services Levy**

Local Government request the implementation of the recommendations from the 2017 Economic Regulation Authority (ERA) Review of the Emergency Services Levy, which supported increased transparency and accountability in the administration and distribution of the ESL through:

1. Expansion of the ESL to fund Local Government emergency management activities across prevention, preparedness and response;
2. Administration of the ESL by an independent organisation that is funded through consolidated revenue, with regular independent reviews of expenditure and assessment of the effectiveness of ESL funding expenditure to support prevention, preparedness and response activities;
3. The ESL administration fee should recompense Local Governments for the complete cost of administering the ESL;
4. Public disclosure of the allocation and expenditure of the ESL;
5. Public disclosure by the State Government on the progress of implementation of each of the ERA Review recommendations; and
6. A review of the role, responsibilities and reporting arrangements of the Community Emergency Services Manager (CESM) Program.

### **8.8 Local Government Grants Scheme (LGGS)**

Local Government supports:

1. A full, independent review of the LGGS to investigate and analyse how ESL funds are allocated to Local Government via the LGGS;
2. A redesign of the LGGS to remove the ineligible and eligible list and create a sustainable, modern, equitable grants program that funds Local Government emergency management activities across prevention, preparedness and response;
3. An audit of existing buildings, facilities, appliances, vehicles, and major items of equipment for both Local Government Volunteer Bushfire Brigades (BFB) and State Emergency Services (SES) to inform the preparation of a Comprehensive Asset Management Plan and to guide future funding requests; and
4. in the interim, an immediately increase in the quantum of State Government funding to enable the provision of funding of operating and capital grant applications in full, to provide all resources necessary for the safe and efficient operation of Local Government Bushfire Brigades, in accordance with obligations of the Work Health and Safety 2020 legislation.

<b>5.1 Attachment 2</b>
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**Appendix 2 – All State Council resolutions relating to Emergency Management**

<p>           June 2005 – 0058.COM.3/2005            March 2006 – 015.COM.1/2006            October 2006 – 115.COM.5/2006            October 2006 – 113.COM.5/2006            February 2007 – 168.1/2007            February 2007 – 180.1/2007            August 2007 – 250.4/2007            February 2008 – 332.1/2008            February 2008 – 341.1/2008            August 2009 – 550.4/2009            October 2010 – 122.5/2010            February 2011 – 12.1/2011            October 2011 – 119.5/2011            December 2011 – 156.7/2011            December 2011 – 155.7/2011            December 2011 – 154.7/2011            July 2012 – 88.4/2012            September 2012 – 112.5/2012            September 2012 – 111.5/2012            December 2012 – 129.6/2012            March 2013 – 169.1/2013            March 2013 – 168.1/2013            July 2013 – 227.3/2013            July 2013 – 219.3/2013            July 2013 – 226.3/2013            September 2013 – 250.4/2013         </p>	<p>           September 2013 – 253.4/2013            July 2014 – 59.3/2014            July 2014 – 62.3/2014            December 2014 – 115.5/2014            December 2014 – 114.5/2014            May 2015 – 39.2/2015            May 2016 – 37.2/2016            December 2016 - 104.6/2016            December 2016 - 112.6/2016            March 2017 - 6.1/2017            May 2017 - 30.2/2017            July 2017 - 59.7/2017            September 2017 - 91.9/2017            December 2017 - 116.6/2017            December 2017 - 117.12/2017            December 2019 - 140.7/2019            December 2019 - 141.7/2019            December 2019 - 170.7/2019            December 2019 - 171.7/2019            December 2019 - 172.7/2019            May 2020 - 57.2/2020            September 2020 - 126.4/2020            December 2020 - 160.6/2020            March 2021 - 180.1/2021            July 2021 - 244.4/2021            September 2021 - 276.5/2021         </p>
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## 5.2 New Emergency Management Advocacy Position – Community Emergency Service Manager Program (05-024-02-0059 SM)

By Susie Moir, Policy Manager, Resilient Communities

### RECOMMENDATION

That the following WALGA Advocacy Position relating to the Community Emergency Service Manager (CESM) Program be endorsed:

#### **8.9 Expansion of the Community Emergency Services Manager Program**

***That the Association advocates for an expansion of the Community Emergency Service Manager (CESM) Program, as follows:***

- 1. All Local Governments should have the option of participating in the CESM Program.***
- 2. The full cost of the CESM Program should be funded through the Emergency Services Levy.***

### Executive Summary

- The Community Emergency Services Manager (CESM) Program was established to provide Local Governments with additional support to undertake their emergency management functions.
- Following consultation with the sector in 2021, it is proposed to endorse an Advocacy Position for the expansion of the CESM Program.

### Policy Implications

In addition to [Agenda item 5.1](#) on the review of WALGA's Emergency Management Advocacy Positions, this new [Advocacy Position](#) provides a specific position on the CESM Program.

### Background

The CESM Program was developed by the Department of Fire and Emergency Services (DFES) to provide Local Governments and Bush Fire Brigade volunteers with an enhanced and comprehensive approach to bush fire risk management.<sup>1</sup>

The CESM program was launched in 2003 and expanded in 2007 to encompass an all-hazards approach across prevention, preparedness, response and recovery (PPRR). The CESM Program is designed to bolster Local Government emergency management capacity to deliver services to support community resilience, including bushfire risk management, Local Government Grant Scheme funding applications, management of Bush Fire Brigades (BFBs), and supporting the establishment or review of Local Emergency Management Arrangements (LEMA).

The CESM program is co-funded by DFES and the Local Government, making it particularly valuable to Local Governments without the financial capacity to fully fund an officer to undertake their emergency management functions. It is important to note that funding from DFES or the Emergency Services Levy (ESL) is not provided to Local Governments to fund a similar 'officer' role.

One of the key objectives of the CESM program is to develop a partnership that will see a best practice approach to emergency management delivery between the Local Government sector and DFES.

Key focus areas for CESMs are:

- Bushfire Risk Management Plan (BRMP) preparation and maintenance;
- support for the Local Government to comply with their relevant Emergency Management legislative requirements;
- enhancement of volunteer capability and capacity to maintain competencies and skills in line with brigade/unit profiles;

<sup>1</sup> DFES Community Emergency Service Managers Reference Manual, May 2021

4. provision of all hazard community engagement programs and initiatives to educate local communities and reduce the likelihood of emergency incidents; and
5. operational response coordination within the Local Government area.

WALGA's submission to the 2017 Economic Regulation Authority's review of the ESL, supported the ESL funding the CESM function and strongly supported equitable funding of this position between Local Governments to ensure consistency.

Recommendation 14 of the ERA's final report stated that *"the ESL should be used to fund the full costs of the CESMs in local government. However, it should not be used to fund the broader emergency service and management responsibilities of local government, or the administration costs linked to bush fire brigades and SES units"*.

WALGA partially supported this recommendation, subject to a review of the role, responsibilities and reporting arrangements of the CESM Program. This Advocacy Position has been included in the proposed Advocacy Position on the ESL (listed in Appendix 1 under ESL in [Agenda item 5.1](#))

### **Comment**

WALGA's 2021 Emergency Management Survey results indicated that Local Governments with access to the CESM Program generally felt more confident about their management of BFBs, compared to Local Governments without a CESM.

Of the 111 Local Governments with BFBs, 56 Local Governments have a share of 35 CESM positions with varying cost sharing arrangements between DFES and Local Government under individual MOUs (as at August 2021). DFES employs the Metropolitan CESM's under a Fire Services EBA, while the regional CESM's are employed by Local Governments under an EBA or Local Government Officer Award. Presently only Local Governments with responsibility for managing BFBs have CESMs.

Some examples of the different cost sharing arrangements include the following:

- The Shire of Mundaring (Band 2) has 9 BFBs and a DFES-CESM (not shared with another LG) with 50% paid by DFES and 50% paid by the Shire (covering salary, vehicle and other costs).
- The Shires of Morawa, Murchison, Perenjori, and Yalgoo (all Band 4) have a total of 13 BFBs and a shared CESM with 60% paid by DFES and 10% paid by each Shire.
- The Shires of Moora and Victoria Plains (Band 3 and 4 respectively) have a total of 10 BFBs and a shared CESM with 70% paid by DFES and 15% paid by each Shire.
- The Shires of Collie and West Arthur (Band 3 and 4 respectively) have a total of 9 BFBs and a shared CESM with 60% paid by DFES, 28% paid by the Shire of Collie and 14% paid by the Shire of West Arthur.

Some Local Governments have raised issues with the inconsistent cost and resource sharing arrangements, including the weighting of responsibility of the position to DFES, as well as the different leave and salary allocations depending on who is the employer of the CESM. Some Local Governments fund positions from their own revenue that perform the responsibilities of a CESM but do not receive any monetary support from DFES or the ESL.

In WALGA's 2021 Emergency Management survey, 24 Local Governments expressed an interest in accessing the CESM program. 15 Local Governments were 'unsure' if they wanted access to the CESM program and another 15 Local Governments advised that they didn't want a CESM.

On 18 May 2022, the People and Place Policy Team reviewed this proposed Advocacy Position and resolved to support the new Advocacy Position on the expansion of the CESM Program being included in the July 2022 State Council Agenda, subject to the following amendment:

*To remove point 3 of the recommendation:*

3. *All CESMs should be employed by the Department of Fire and Emergency Services, to enable the provision of consistent employment arrangements to all CESMs.*

## 5.3 Draft WA Public Libraries Strategy 2022-2026 and Updated Advocacy Position

By Susie Moir, Policy Manager, Resilient Communities

### RECOMMENDATION

That:

1. the draft WA Public Libraries Strategy 2022-2026 be endorsed.
2. WALGA's existing Advocacy Position on Public Libraries be deleted and replaced as follows:

#### 3.8 Public Libraries

1. *Western Australian Local Government public libraries provide valuable local cultural infrastructure, creating social and community hubs for community capacity building, recreation, education and literacy, digital inclusion, and social connection, cohesion and inclusion.*
2. *WALGA supports the provision of Public Library services in Western Australia through a formal partnership between Local Government and the State Government of Western Australia, governed by the Library Board Act 1951, namely the State and Local Government Agreement for the Provision of Public Library Services in Western Australia (2020).*
3. *The WA Public Libraries Strategy 2022-2026 provides a framework for a shared vision, strategic direction and collaborative action in the provision of a vibrant and sustainable 21<sup>st</sup> century public library network.*
4. *It is essential that a sustainable funding model enables Local Governments to continue to deliver library services to support continued growth and adaptation to changing community needs.*

### Executive Summary

- The Public Libraries Working Group (PLWG) has been overseeing the development of a new WA Public Libraries Strategy 2022-2026 (Strategy) with a focus on strengthening communities, digital inclusion and the value placed on public libraries.
- Consultation was undertaken between February 2021 and April 2022 through workshops with public library professionals; stakeholder interviews with a targeted selection of metropolitan, regional and remote Local Government public libraries; and public consultation via an online survey.
- The new Strategy will support the work of 232 public libraries operated by Local Government around Western Australia.
- Endorsement of the Strategy is being sought from WALGA State Council and the Library Board of Western Australia, prior to submission to the Minister for Culture and the Arts for final approval.
- An updated advocacy position is proposed to reflect current governance arrangements, the outcomes being sought under the new Strategy and the achievement of elements of the existing position under the 2016-2021 WA Public Libraries Strategy.

### Attachments

- Draft WA Public Libraries Strategy 2022-2026

## Policy Implications

WALGA's existing advocacy position:

### 3.8 Public Libraries

WALGA supports:

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

(May 2019 – 46.4/2019)

## Budgetary Implications

WALGA contributed \$16,755 to the consultant's fees to undertake the community consultation, and prepare and draft the Strategy and a proposed Implementation Plan and Evaluation Framework.

## Background

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

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

PLWG identified that the 2017 *WA Public Libraries Strategy* was outdated and engaged a consultant to develop a new strategy in December 2021. The Strategy has been developed, guided by a Working Group involving representatives from WALGA, DLGSC, PLWA, LG Professionals WA and the State Library.

Consultation was undertaken with Local Governments and the public libraries sector during 2021, and further targeted community consultation on the draft Strategy was undertaken through a selection of metropolitan, regional and remote Local Government public libraries, as well as broad community consultation via a survey, from February to April 2022.

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

The Strategy is guided by the following principles:

- Community comes first;
- We are stronger and smarter when we work together;
- We are accountable; and
- We are committed to success.

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

- Libraries Strengthening Community;
- Digitally Inclusive Libraries; and
- Public Libraries Valued as an Essential Community Asset.

## Comment

### WA Public Libraries Strategy 2022-2026

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

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

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

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

An implementation plan is being developed to outline the actions required to achieve the outcomes described in the Strategy and assign responsibility and timelines to these actions, as well as an evaluation framework to measure the success of these actions.

### Updated Advocacy Position

It is appropriate that the existing advocacy position be updated to reflect current governance arrangements and the outcomes being sought under the *Public Libraries Strategy 2022-2026*. In addition, Items 2 and 3 of WALGA's existing Public Libraries Advocacy Position have been achieved under the *2016-2021 WA Public Libraries Strategy*.

An updated Advocacy Position is therefore proposed.

#### **3.8 Public Libraries**

1. *Western Australian Local Government public libraries provide valuable local cultural infrastructure, creating social and community hubs for community capacity building, recreation, education and literacy, digital inclusion, and social connection, cohesion and inclusion.*
2. *WALGA supports the provision of Public Library services in Western Australia through a formal partnership between Local Government and the State Government of Western Australia, governed by the Library Board Act 1951, namely the State and Local Government Agreement for the Provision of Public Library Services in Western Australia (2020).*
3. *The WA Public Libraries Strategy 2022-2026 provides a framework for a shared vision, strategic direction and collaborative action in the provision of a vibrant and sustainable 21st century public library network.*
4. *It is essential that a sustainable funding model enables Local Governments to continue to deliver library services to support continued growth and adaptation to changing community needs.*



**5.3 Attachment 1: Draft WA Public Libraries Strategy 2022-2026**

## WA Public Libraries Strategy 2022-2026

### Libraries are at the heart of our community

Public libraries welcome people of all ages, cultures and beliefs. We offer safe places and are trusted by our community.

Public libraries are important to the Western Australian community and have been for more than 70 years. Every year we welcome more than 11 million West Australians who seek to access library services onsite, online or elsewhere in their community.

Our services offer great opportunities to learn, develop and entertain! With 233 branches across the state, WA public libraries are proud to provide:

- Free access to books, ebooks, audiobooks and other content to entertain and inspire people of all ages and cultures, while boosting reading, recreation and literacy.
- Free access to computers and wifi for those who don't have them at home as well as friendly staff to provide help to those who need assistance or lack confidence in using online services.
- A place for people to come together, connect with one another and with what is happening in their community.
- Opportunities for people of all ages and interests to pursue formal and informal study and lifelong learning.
- Comfortable public spaces where people can study, work, read and relax, with no expectation of buying anything or being sold anything.
- Foster community health and wellbeing, especially for vulnerable people or in times of significant stress, through opportunities to connect and engage.
- Support for the local economy by enabling job seekers, entrepreneurs and micro businesses to access information, wifi services and meeting rooms.

Public libraries aspire to support local community in a way that leaves nobody alone, at a loss or left behind.

### Where people can connect, learn and grow

The 2020 State and Local Government Partnership Agreement for provision of public library services<sup>2</sup> offers a shared vision for public libraries in WA.

***A vibrant and sustainable 21st Century public library network at the heart of the Western Australian community where people can connect, learn and grow.***

Building on the foundation provided by the WA public library system's first statewide strategy in 2017, this new strategy will ensure that we continue to make a real difference for the WA community – large and small, metropolitan, regional and remote.

### Guiding principles

In delivering outcomes for our community through this strategy, public libraries and our partners will be guided by these principles:

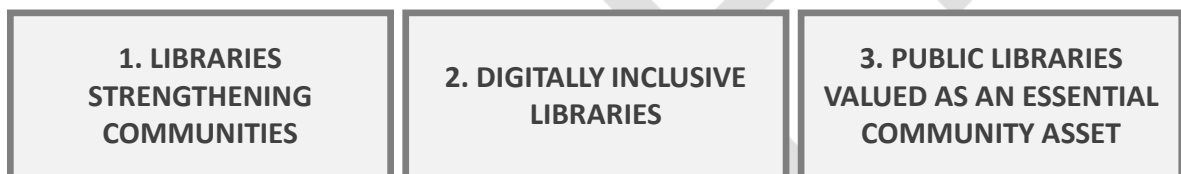
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<sup>2</sup> *State and Local Government Partnership Agreement for the provision of public library services, 2020.*

- **Community comes first.** Everything we do under the strategy will be first and foremost about improving outcomes for the WA community, especially inclusion and empowerment of Aboriginal, culturally diverse and vulnerable communities.
- **We are stronger and smarter when we work together.** We will strengthen existing partnerships and foster new relationships with community organisations, government agencies and other stakeholders to maximise benefit for the WA community.
- **We are accountable.** Local and State Government will be accountable for achievement of the strategy. We will develop plans and measures to ensure we meet community need.
- **We are committed to success.** We will invest in our capability to ensure that we can deliver on the strategy's vision and aspirations.

### Three Pillars

Our partners, stakeholders and community have endorsed the following three pillars as the focus for outcomes under the strategy:



#### 1. Libraries Strengthening Community

We are vibrant community hubs – open to all, well-used and much-loved. While there are core services the community expect, the particular offering of each library will reflect the unique needs of its community. Our approach is to maximise the benefits to our community by responding to local needs. We will:

- 1.1 Give our community a greater say in the services, collections and programs public libraries provide.
- 1.2 Partner in our community to use our resources more effectively, build skills and celebrate local culture and history.
- 1.3 Help people to access further education, get a job and explore their interests through the delivery of learning experiences.
- 1.4 Bring people together and increase community connection and belonging.
- 1.5 Empower Aboriginal people to preserve their language and culture through local ownership and delivery of cooperative library services in Aboriginal communities.

#### 2. Digitally Inclusive Libraries

Computers and the internet are an essential part of everyday life. They enable people to work, communicate and access health, education, government and community services. People who do not have access to these technologies or the skills and confidence to use them are at risk of being excluded from society.

The *Digital Strategy for the Western Australian Government 2021-2025* aims to remove the barriers to digital inclusion – internet connections, affordability and skills.<sup>3</sup> We support delivery of the Digital Strategy and will help all Western Australians, especially those in regional, rural and remote areas, to fully participate in a digital society and digital economy. We will:

<sup>3</sup> *Digital Strategy for the Western Australian Government*, WA Office of Digital Government, 2021.

- 2.1 Provide free and reliable community access to computers, the internet and emerging technologies either in our libraries or through local partners.
- 2.2 Build people's digital skills and confidence through training programs and resources.
- 2.3 Enable people to find, reserve and borrow an item from any WA public library through improved technology and systems.

### **3. Public Libraries Valued as an Essential Community Asset**

Every \$1 invested in our public libraries delivers a return of more than \$4.<sup>4</sup> Yet current data does not show:

- the social impact we have on learning, access to technology, personal wellbeing and social connections, or
- the economic value we deliver by supporting children's and adult literacy, job readiness and a stronger community.<sup>5</sup>

Better data and research on our services will help government, business and community to make more informed decisions on investment in public libraries. We will:

- 3.1 Develop and use measures which demonstrate the impacts our services, spaces and collections deliver for the WA community.
- 3.2 Obtain research and data which tells the story of the social impact and economic value of our services.
- 3.3 Ensure that all public libraries have access to sustainable funding to meet the evolving needs of the WA community.

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<sup>4</sup> *The Value of Public Libraries in Victoria*, SGS Economics and Planning, 2017.

<sup>5</sup> *Standards and Guidelines for Australian Public Libraries*, Australian Public Library Alliance and Australia Library and Information Association, 2020.

## 6. MATTERS FOR NOTING / INFORMATION

### 6.1 2020/21 Local Government Performance Monitoring Project (05-047-01-0011 CH)

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

#### RECOMMENDATION

**That the results of the 2020/21 Local Government Performance Monitoring Project and publication of the Performance Monitoring Dashboard be noted.**

#### Executive Summary

- The 2022 Local Government Performance Monitoring Project (Project) and associated Local Government Performance Monitoring Report shows that Local Governments have maintained high performance in undertaking their planning and building functions during the COVID-19 Pandemic.
- WALGA has undertaken the Project annually since 2018 with data provided by participating Local Governments. The Project has continued to expand with 30 Local Governments participating this year in 2022.
- This year the written Report has been replaced with an [online interactive dashboard](#) accessible on the WALGA website.
- The new format provides several benefits for participating Local Governments, reduces overall project cost and reporting times for WALGA, and will allow the project to grow at an accelerated rate in future years.

#### Attachment

- [2022 Key Indicator Snapshot](#)
- [Performance Monitoring Dashboard](#)

#### Background

The WALGA Local Government Performance Monitoring Project and associated Performance Monitoring Report originated in response to the inaccurate and unfair portrayal of Local Governments' planning performance in the Property Council's 2016 Benchmarking Greater Perth Local Governments report. The Project is undertaken annually and has continued to expand from 11 Local Governments in 2018 to 30 this year.

#### Comments

Local Governments participating in the 2022 Project were: the Cities of Armadale, Bayswater, Belmont, Bunbury, Busselton, Canning, Cockburn, Fremantle, Gosnells, Greater Geraldton, Joondalup, Kalamunda, Karratha, Kwinana, Mandurah, Melville, Rockingham, South Perth, Stirling, Subiaco, Swan, Vincent, Wanneroo; the Towns of Bassendean, Port Hedland and Victoria Park; and, the Shires of Augusta-Margaret River, Broome, Mundaring and Nannup.

These Local Governments represent 79% of Western Australia's total population and between 2009 and 2019 accounted for 86% of the state's population growth. They provide a strong indicator of how the Local Government sector in Western Australia is performing in the areas of strategic and statutory planning and building regulation.

Key findings for 2022:

- Local Governments determined 73,484 applications (development applications, subdivision referrals and building permits), a 40% increase on the previous year,
- 90% of all applications were determined or responded to within statutory timeframes,
- 99% of all development applications were approved,
- 98% of all development applications were determined under delegated authority

- 12 Local Governments have a current Local Planning Strategy (LPS), 14 Local Governments are currently reviewing their LPS, and four Local Governments neither have a current LPS nor are they developing or reviewing their strategy,
- Local Governments continue to have concerns with the length of time to receive consent to advertise and final endorsement for LPS,
- 45% of Local Governments have reviewed, consolidated or undertaken an audit of their Local Planning Scheme within the past five years. 58% of Local Governments are in the process of reviewing their scheme,
- For scheme amendments, on average:
  - Local Governments finalised 2.4 scheme amendments in 2020-21, with each taking an average of 18 months to complete,
  - 44% of the time taken to complete scheme amendments could be attributed to State Government processes. This compares to 47% average over the 5 years of reporting.

WALGA has undertaken a range of process improvements to contemporise how this year's Project is reported. The annual written report has been replaced by an online interactive dashboard which provides access to all five years of Project reporting and allows Local Governments to analyse and compare performance by year, region or against individual Local Governments. Moving to a dashboard format has reduced project costs and reporting times and will allow for faster expansion of the project in future years.

The dashboard provides a collated view of the 30 Local Governments that participate. The relatively low variance collectively and within most of the individual performance indicators suggests that the performance may be reflective of the Local Government sector as a whole, although there are exceptions.

Importantly, while the dashboard is not intended to be a comparison of individual Local Government performance it does allow individual Local Governments to draw comparisons themselves and other Local Governments, which may be useful for those who may have similar development pressures and resourcing.

WALGA has, and will continue to, encourage relevant State Government agencies to consider and use this performance information in any legislation, policy or regulations prepared by the State which affects Local Government.

WALGA is promoting this project to the sector with a view to continue to increase member participation in the 2021-22 financial year reporting period.

## 6.2 Proposed Advocacy Position on Arrangements for Management of Volunteer Bushfire Brigades (05-024-02-0059 SM)

By Susie Moir, Policy Manager, Resilient Communities

### RECOMMENDATION

**That the Proposed Advocacy Position Paper regarding the arrangements for the management of Bush Fire Brigades be noted.**

### Executive Summary

- The Association has prepared a Proposed Advocacy Position on the arrangements for management of Bush Fire Brigades Paper to guide sector consultation on this matter.
- The Paper was circulated to all CEOs on 24 May 2022 seeking feedback, preferably endorsed by Councils, by 8 July 2022 to inform the preparation of a proposed Advocacy Position for consideration by State Council at their September 2022 meeting.
- Adoption of an Advocacy Position on the arrangements for management of Bush Fire Brigades is timely as the State Government is currently preparing the *Consolidated Emergency Services Act*, which is expected to be released for consultation in early 2023.

### Attachment

- [Arrangements for Management of Volunteer Bush Fire Brigades: Proposed Advocacy Position](#)

### Policy Implications

WALGA does not currently have an [Advocacy Position](#) on the arrangements for management of Volunteer Bushfire Brigades.

WALGA has prepared eight updated Advocacy Position Statements relating to Emergency Management, which will be considered at the July State Council meeting ([Agenda Item 5.1](#)). An Advocacy Position on the expansion of the Community Emergency Services Manager Program is also submitted for decision ([Agenda Item 5.2](#)).

### Background

Rural fire management has been the subject of recommendations following a number of reviews over the last 10 years. The [Ferguson Report](#) on the 2016 Waroona Bushfire recommended that the State Government establish a rural fire service to address issues in rural fire management, including insufficient capacity and unsuitable governance to deliver rural fire services. The 2017 [Economic Regulation Authority Review of the Emergency Services Levy \(ESL\)](#) considered the extent to which the ESL should be available to fund the administrative and/ or operational costs of a rural fire service, although it was outside the terms of reference for the ERA to examine the merits of a rural fire service or form a view on the best model of a rural fire service<sup>6</sup>. A number of Local Governments provided submissions to the ERA Review in support of a rural fire service<sup>7</sup>.

### Comment

The Proposed Advocacy Position Paper has been developed to obtain feedback from the sector to assist the Association to prepare an Advocacy Position on the management of Bush Fire Brigades. The Paper outlines the rationale for the following proposed new Advocacy Position:

#### **Management of Bush Fire Brigades**

1. *The Association advocates that the State Government must provide for:*
  - a) *A clear pathway for Local Governments to transfer responsibility for the management of Bush Fire Brigades to the State Government when ongoing management is beyond the capacity, capability and resources of the Local Government;*

<sup>6</sup> [ERA Review of the ESL, 2017, pg 185](#)

<sup>7</sup> [ERA ESL Review – summary of submissions to issues paper and draft report](#)

- b) *The co-design of a suite of relevant guidelines and materials to assist those Local Governments that manage Bush Fire Brigades;*
  - c) *Mandatory and minimum training requirements for Bush Fire Brigade volunteers supported by a universally accessible training program managed by the Department of Fire and Emergency Services (DFES); and*
  - d) *The recognition of prior learning, experience and competency of Bush Fire Brigade volunteers.*
2. *That a Working Group comprising representatives of WALGA and DFES be established to develop a process and timeline for the transfer of responsibility for Bush Fire Brigades in accordance with 1(a).*
  3. *Where management of Bush Fire Brigades is transferred to DFES in accordance with 1(a), DFES should be resourced to undertake the additional responsibility.*

Responses to WALGA's 2021 Local Government Emergency Management Survey indicated that there are a number of concerns within the sector with respect to the current arrangements for management of BFBs. 53% of respondents from Local Governments that manage BFBs expressed that they did not think it was appropriate that Local Government should manage BFBs, while 33% indicated that they did think it was appropriate that Local Governments should manage BFBs but some changes were required to the arrangements. WALGA's 2021 Local Government Emergency Management Survey provided some initial data about the sector's views on this issue and indicated that further consideration of the issue was required. This consultation will enable that data to be interrogated more deeply, and encourages a discussion between BFBs, administration and Elected Members on the matter through the request for Council endorsed responses.

A hybrid model is proposed in order to be responsive to the varying contexts, conditions and communities in Local Governments across the State. Just as every regional community is different and has its own culture, a one size fits all approach to BFB management may not be appropriate:

Across Western Australia 111 Local Governments manage 563 BFBs involving approximately 20,000 volunteers. Local Governments manage anywhere between one and 20 BFBs. Some Local Governments have the support of a Community Emergency Services Manager (CESM) to assist in BFB management. Western Australian Local Governments vary greatly in:

- size, ranging from less than 1.5 to over 370,000 square kilometres;
- population, just over 100 to more than 220,000 people;
- the number of staff employed, from less than 10 to over 1000; and
- revenue received, which in 2019-20 ranged from just over \$2 million to just over \$225 million.

The endorsement of a new Advocacy Position on this issue will guide the Association in its discussions with the State Government as it progresses the consolidation of the *Fire Brigades Act 1942*, *Bush Fires Act 1954* and *Fire and Emergency Services Act 1998* into the *Consolidated Emergency Services Act*.

The Paper was sent to all CEOs on 24 May 2022 for a response by 8 July 2022. Local Governments are encouraged to engage with their volunteers and communities on the matter and pass a resolution through their Council.

A report on the feedback received and a final Proposed Advocacy Position will be prepared for consideration at the 9 September 2022 State Council meeting.

## 6.3 Aboriginal Cultural Heritage Act 2021 Co-design Process, Phase 1 Submission

By Susie Moir, Policy Manager, Resilient Communities

### RECOMMENDATION

That the *Aboriginal Cultural Heritage Act 2021 Co-design Process, Phase 1 Submission* endorsed via Flying Minute on 26 May 2022 be noted.

### Executive Summary

- The *Aboriginal Cultural Heritage Act 2021* (ACH Act) passed the Parliament in December 2021 and is expected to commence in 2023.
- The Department of Planning, Lands and Heritage (DPLH) recently undertook Phase 1 of the co-design process for the regulations, statutory guidelines and operational policies that will support the ACH Act.
- WALGA's submission made 25 recommendations, particularly relating to the proposed activity categories, the need for ongoing sector consultation, and the need to balance the protection of Aboriginal cultural heritage against the requirements for Local Governments to undertake necessary infrastructure and maintenance works in the interests of local communities.
- WALGA's submission was circulated to State Council via Flying Minute process and was endorsed on 26 May 2022.
- Minor amendments were made to the submission as a result of comments received through the Flying Minute process and the submission was provided to DPLH on 27 May 2022.

### Attachment

- [WALGA submission: Aboriginal Cultural Heritage Act 2021, May 2022](#)
- [Flying Minute – WALGA submission: Aboriginal Cultural Heritage Act 2021](#)

### Policy Implications

This submission aligns with WALGA's existing [Advocacy Positions](#) and previous submissions:

#### **3.1.3 Aboriginal Heritage Act 1972 and South West Native Title Settlement**

*The Association acknowledges Noongar people as the traditional owners of the South West Region. Local Government is supportive of conserving and protecting the State's Aboriginal heritage.*

(July 2019 – 68.5/2019)

#### **3.1.2 Reconciliation**

*The Association supports the efforts of the Local Government sector to recognise and respect Aboriginal cultural practices and places of meaning, through the development of Reconciliation Action Plans.*

(September 2012 – 118.5/2012)

It should be noted that an updated WALGA Advocacy Position on Aboriginal cultural heritage is under development.

Previous WALGA submissions:

- *Aboriginal Heritage Act 1972 - 2018 Review Submission* endorsed by State Council in July 2018;
- AHA Review Consultation Phase Two, submission endorsed by State Council in July 2019;
- WALGA's 2020 response to survey during Phase 3 consultation based on previous submissions and member feedback (including the Aboriginal Heritage Reference Group);
- WALGA and DPLH co-facilitated ten place-based online workshops which considered activities regularly undertaken by Local Government (included at Appendix 2 of the Submission).



## Background

The *Aboriginal Cultural Heritage Act 2021* (ACH Act) passed the Parliament in December 2021 and is expected to commence in 2023. The legislation replaces the *Aboriginal Heritage Act 1972*, providing a contemporary framework for the recognition, protection, conservation and preservation of Aboriginal cultural heritage.

DPLH is currently developing the regulations, statutory guidelines and operational policies that will support the ACH Act. Phase 1 of DPLH's co-design process involved a short, five-week consultation period beginning on 26 April 2022 guided by a series of Factsheets. It is understood that these materials will be further consulted on during two subsequent consultation phases later in 2022.

## Comment

WALGA and other stakeholders sought an extension to the 27 May 2022 closing date for submissions but this was not agreed by DPLH.

WALGA's submission was informed by previous WALGA submissions on Aboriginal cultural heritage, the views of WALGA's Aboriginal Heritage Reference Group, and written feedback from some Local Governments. The short time frame provided did not allow for thorough consultation with Local Governments. However WALGA arranged for DPLH to deliver two co-design workshops specifically for Local Governments on 20 and 23 May 2022, attended by 29 Local Governments.

Some feedback was received from State Council via the Flying Minute process, in particular requesting that the submission take a stronger stance on the activity categories in relation to activities on already disturbed and developed land, and for ongoing infrastructure maintenance activities. Minor amendments were made to the submission to address these concerns.

WALGA's submission includes 25 recommendations, primarily relating to:

- The importance of the Activity Table being clearly described and defined to prevent confusion;
- Categorisation of activities being based on underlying condition of the land (previously disturbed land/ uncleared land etc);
- Requirements for the categorisation of particular activities conducted by Local Government and/ or private landholders as exempt (for example, emergency works, compliance with s.33 Notices under the *Bush Fires Act 1954*, ongoing maintenance and upgrades of existing infrastructure);
- Concerns around the application of the legislation to residential, freehold properties larger than 1100 square metres in cities and towns;
- Need for processes to be scalable depending on size of area, type of activity and resources of proponents;
- Need for 12 weeks consultation during the next co-design phase; and
- Requirements for ongoing and sufficient funding to support the the efficient establishment and functioning of the new Aboriginal heritage system, in particular with respect to the ACH Council, Local Aboriginal Cultural Heritage Services (LACHS) and Local Governments.

In 2021 WALGA and DPLH co-facilitated ten place based online workshops to identify activities regularly undertaken by Local Government, which 43 Local Governments participated in. At the conclusion of the consultation process WALGA submitted to DPLH a Draft Composite Local Government Activity List, Consultation Report, and Draft Activity Lists provided by the City of Kalamunda, Town of Port Hedland and Shire of Augusta-Margaret River. These documents have been resubmitted as Annexure 2 of the Submission.

## 6.4 Western Power Access Arrangement Review Submission (05-001-03-0019 ID)

By Ian Duncan, Executive Manager Infrastructure

### RECOMMENDATION

**That the submission to the Economic Regulation Authority concerning the proposed Western Power Access Arrangement 2022-23 – 2026/27 endorsed via Flying Minute on 20 April 2022 be noted.**

### Executive Summary

- The Economic Regulation Authority invited submissions from stakeholders concerning the Access Arrangement proposed by Western Power, that will govern services offered, prices charged, capital and operating expenditure over the five years from 2022/23 – 2026/27.
- The ERA has published a Discussion Paper and held a stakeholder briefing. In addition, Local Government representatives attended a briefing from Western Power.
- A submission has been prepared that identifies matters that require further review and investigation by the ERA particularly relating to streetlighting, safety (pole top fires), network reliability performance measurement and pricing for infrastructure related services.
- Strong support for the proposed network initiated underground power program is offered. Underground power has been demonstrated to offer significant benefits and delivering this in a way that avoids Western Power incurring significant renewal costs to old overhead infrastructure enables residents to face lower costs.
- State Council endorsed the submission by Flying Minute on 20 April 2022.
- The submission was provided to the Economic Regulation Authority on 20 April 2022.

### Attachment

- [Western Power's Fifth Access Arrangement Review: Submission to the Economic Regulation Authority](#)
- [Flying Minute – Western Power Access Arrangement Review Submission](#)

### Policy Implications

This submission is aligned with the endorsed [Advocacy Positions](#):

5.5 Street Lighting December 2017 – 126.6/2017

5.7 Underground Power December 2020 – 145.6/2020

### Background

Western Power operates a regulated electricity network. An access arrangement approved by the Economic Regulation Authority (ERA) sets out the services, terms and conditions, including prices, for Western Power's customers. Local Governments are not direct customers for most services but engage with Western Power in ways that are unique to the sector including streetlighting, underground power and relocation of infrastructure. The approved prices Western Power charges for operation and maintenance of streetlights comprises the majority of the Synergy tariff set by the State Government.

The next Access Arrangement will cover the period 2022/23 to 2026/27. The ERA's review is intended to ensure that Western Power invests in and operates the network as efficiently as possible for the long-term benefit of electricity consumers. Western Power must also maintain security, reliability and safety and take account of the environmental consequences of energy supply and consumption.

### Comment

The Access Arrangement proposed by Western Power primarily focuses on responding to State Government policy in relation to sustainable energy. The key matters addressed in the WALGA submission to the ERA are:

### 1. Streetlighting

The submission seeks further consideration by the ERA of the proposed change to the Reference Service definition, to require that streetlights are maintained to the design standard that existed at the time of their installation rather than the current lighting standards. The current Access Arrangement requires streetlighting to be maintained to current lighting standards. While fixed pole spacing means that it is not feasible to meet current standards in all circumstances, reference to standards existing at some unknown time in the past does not provide a sound basis for Local Governments to work with Western Power to address inadequate lighting and spill lighting, which both lead to complaints from residents.

The Access Arrangement proposed by Western Power introduces a strategy to use LED replacement globes in existing luminaires that would currently use mercury vapour, CFL, metal halide or high-pressure sodium lamps. There has been no consultation with Local Governments or information provided concerning the quality of lighting and lifecycle costs that will be achieved using this approach. The proposed Access Arrangement does not list proposed pricing for streetlights with this combination of technologies. Consequently, it is critical that much more information is provided to the ERA and that it is demonstrated that this approach is both cost effective and deliver a level of lighting that is acceptable to Local Governments.

### 2. Underground Power

The Access Arrangement proposes that \$440 million, net of capital contribution of \$241.9 million (that will be raised from residents through their Local Government or from the State Government), will be spent over five years to underground 875 kilometres of existing overhead electricity distribution lines. This will underground sections of the network where it is cost comparative relative to upgrading the overhead distribution network. This represents a marked acceleration in the program of underground projects relative to the past five years.

The Local Government submission supports prioritising placing electricity distribution infrastructure underground rather than upgrading poles and overhead wires when significant renewal work is required. Where undergrounding can be achieved cost effectively it represents a once in an asset life opportunity to markedly improve the streetscape and capture a wide range of benefits. The submission supports the ERA valuing forward looking benefits from undergrounding distribution infrastructure, such as the ability to accommodate more roof top solar power and electric vehicle charging.

### 3. Safety

Silicone treatments are currently used to reduce the incidents of pole top fires. In the draft Access Arrangement, Western Power proposes to reduce the volume of silicone treatments and incur increased costs in total, due to a change in policy or regulation that requires these treatments be applied only to de-energised lines. Local Governments in peri-urban and regional areas have raised concerns about an increase in pole-top fires. The submission requests that the ERA seek from Western Power alternative approaches to efficiently mitigate the risk of pole top fires, rather than accept the increased risk.

### 4. Customer Communication

The submission acknowledges that social media and websites have an increasing role in communication with customers. The Local Government submission highlights that telecommunications infrastructure is critically dependent on power supplies, so Western Power cannot rely on customers having access to internet-based communications during periods of power outages and some capacity for traditional communication arrangements must be maintained.

### 5. Network Reliability

The Local Government submission highlights that the network wide reliability performance measures do not highlight or provide incentives for Western Power to address the much poorer performance that occurs in parts of the network. It is recommended that focused performance measures be investigated. It is also identified that the blanket exclusion of periods of Total Fire Ban from the performance measures provides no incentive for Western Power to develop safe ways of working

under exemptions that are available, and so potentially better meet customer expectations under these circumstances.

6. Infrastructure Related Services

The submission calls on the ERA to review and if necessary, set efficient prices for defined Western Power services such as connection / disconnection and relocation of poles, stays or domes.

The Infrastructure Policy Team endorsed the submission on 14 April 2022. State Council endorsed the submission by Flying Minute on 20 April 2022. The submission was submitted to the Economic Regulation Authority on 20 April 2022.

## 6.5 Economic Development Research (05-088-03-0004 DM)

By Dana Mason, Manager Economics and Strategic Projects

### RECOMMENDATION

**That the research into the Local Government sector's economic development priorities and activities be noted.**

#### Executive Summary

- With COVID-19 having a significant impact on economic and business activity, WALGA is seeking to gain a renewed understanding of the sector's economic development priorities and activities.
- WALGA has commenced a research project to gather insights into the current economic development landscape and to identify the key issues for local economies for use in policy discussions with the State and Federal Government.
- The findings of the research will be brought to the State Council Economic Development Policy Forum in the second half of 2022 and will be used to shape WALGA's support to the sector on economic issues.

#### Background

WALGA undertook a major piece of work in 2019 to support Local Governments to better understand the role they can play in driving local economic development, and to understand barriers and challenges to Local Government's economic development activities and to put forward solutions.

After a significant period of research and consultation with Local Governments, State Government and other important stakeholders including business groups and universities, the outcome of this project was a series of documents for Local Government aimed at supporting their economic development roles and responsibilities including [an economic development framework and policy agenda](#). Positive feedback has been received that these have been useful tools for Local Governments in looking to establish or refresh their economic development strategies.

Since then, COVID-19 has had a significant impact on local economies, and many Local Governments have focused their economic development activities on the provision of support to assist local businesses to navigate the pandemic and the imposition of restrictions. The pandemic has also seen a number of shifts that may have longer term implications for local economies and Local Government's economic development activities, including the greater use of technology and work from home arrangements.

In light of these developments, WALGA is refreshing its' knowledge base on the local economic development landscape and priorities to ensure the Association has a contemporary understanding of the issues facing the sector with respect to economic development. As part of this work a consultant has been engaged to:

- Undertake desktop research on the current economic development landscape and key economic development information for individual Local Governments;
- Conduct focus groups sessions with Local Governments to explore key economic development topics, issues and challenges identified through desktop research;
- Provide a report outlining:
  - Common areas of focus for the sector (economic development priorities);
  - Opportunities for collaboration across the sector and with other levels of Government, including alignment with Diversify WA;
  - Barriers and challenges faced by Local Governments when undertaking economic development activities; and
  - Proposed policy solutions, including consideration of best practise in other jurisdictions in Australia and around the world.

The findings of the research will be considered by the State Council Economic Development Policy Forum in the second half of 2022.

It is intended that the research will be used to update the policy agenda developed in 2018 which aims to support Local Governments' economic development activities and underpin advocacy to the State and Federal Governments, as well as to WALGA's support to the sector on economic issues.

### **Comment**

WALGA continues to receive feedback that economic development is a focus area for Local Governments. A survey of members was undertaken in November 2021 to inform the future work program and direction for the team. Almost 60 Local Governments from across the state responded to the Survey, with priorities being:

- Access to data and statistics;
- Advocacy; and
- Economic development case studies.

This research project will provide up to date information necessary to allow WALGA to deliver on these services and to meet Members' needs.

## 6.6 Development of Child Safe Policy for Local Government (05-065-03-006 BW)

By Bec Waddington, Policy Advisor Community

### RECOMMENDATION

**That the update on the development of the Child Safe Policy for Local Government be noted.**

### Executive Summary

- The Royal Commission into Institutional Responses to Child Sexual Abuse recommended that Local Governments should designate child safety officer positions from existing staff profiles with support from governments at the national, state and territory levels.
- The Department of Local Government, Sport and Cultural Industries (DLGSC) and the Department of Communities (DoC) are developing a Child Safe Policy for Local Government.
- The development of the policy builds upon the Child Safety Officers Consultation undertaken during 2021.
- A series of co-design workshops will be held with Local Government sector representatives during June 2022. Sector wide consultation is planned for July 2022.
- It is anticipated that the draft policy will be presented to WALGA State Council for endorsement in December 2022, prior to consideration for Ministerial endorsement.

### Attachment

- [Implementation of Child Safety Officers in Local Governments: Summary of Findings](#)
- [Discussion Paper on Implementation of Child Safety Officers in Local Governments: WALGA Submission](#)

### Policy Positions

#### **3.6 Children and Young People**

*The Local Government sector supports the development and well-being of children and young people through strategic partnerships and a combination of services and facility provision. The Association advocates that the State and Commonwealth should continue to invest in the wellbeing of young West Australians.*

December 2018 – 141.7/2018

#### **3.10.2 National Redress**

*WALGA supports Local Government participation in the State's National Redress Scheme, with full financial coverage by the State*

March 2020 – 14.1/2020

### Background

Recommendation 6.12 of the [Royal Commission into Institutional Responses to Child Sexual Abuse](#) (the Royal Commission) recommended that, with support from governments at the national, state and territory levels, Local Governments should designate child safety officer positions from existing staff profiles to carry out the following functions:

1. developing child safe messages in local government venues, grounds and facilities;
2. assisting local institutions to access online child safe resources;
3. providing child safety information and support to local institutions on a needs basis; and
4. supporting local institutions to work collaboratively with key services to ensure child safe approaches are culturally safe, disability aware and appropriate for children from diverse backgrounds.

A Discussion Paper on the implementation of child safety officers in Local Governments was developed by DoC in 2020 to guide sector consultation. The consultation occurred between December 2020 and April 2021, with 55 Local Governments providing input to the WALGA submission which was endorsed by State Council via Flying Minute in March 2021.

The WALGA submission made a number of recommendations including:

- child safety should be embedded across Local Government functions and business areas, rather than as a stand-alone person or position;
- a clear framework needs to be developed outlining the scope of the child safety function, including minimum requirements and reporting requirements;
- the State Government should provide capacity building support to Local Government through the provision of resources including template policies, procedures and guidelines, and ongoing training and skills development;
- the State's independent oversight body needs to be resourced to provide expert officers in each region to provide support and guidance to Local Governments;
- State or Commonwealth funding will be required for the delivery of the child safety function in smaller, less well-resourced Local Governments; and
- State Government and Local Government form a working group to guide further consultation and policy development.

DoC released a summary of the consultation findings in April 2022. The findings report recognised the feedback from the sector including the value of embedding child safety across all Local Government frameworks. It also highlighted the need for further engagement with the Local Government sector to strengthen the approach to child safety, including supporting understanding of child safeguarding, clarifying the child safety function and identifying dedicated training and resources.

### **Comment**

DoC and DLGSC are looking to build on the previous consultation and are currently developing a policy to support Local Governments to implement the child safety functions into existing roles. It is anticipated this will be in the form of a policy template that sets out Local Government responsibilities to support child safe communities but enables flexibility to adapt or embed the policy in each unique Local Government.

Policy development will commence in June 2022 via a co-design process with a representative group of Local Governments. Local Government representatives from WALGA's Community Industry Reference Group, the Child Safety Community of Practice and those involved in previous consultation are invited to participate. Other invited stakeholders include LG Professionals WA, Commissioner for Children and Young People, Youth Advisory Council of WA, People with Disability WA and Aboriginal Health Council.

Alongside this process, WALGA is continuing to advocate to the State Government for:

- a clear framework for implementation, with a clear delineation of State and Local Government responsibilities for child safety;
- capacity building support and resources for Local Governments to support ongoing implementation;
- the State's independent oversight body to be resourced to provide expert officers in each region to provide support and guidance to Local Governments; and
- funding to support Local Government delivery, particularly for Band 3 and 4 Local Governments.

It is anticipated that a draft policy template will be released for sector wide consultation in July 2022. WALGA will provide the final draft template (informed by sector feedback) to State Council for decision at the December 2022 meeting.

The Minister for Child Protection will endorse the final policy.



## 6.7 National Reconciliation Week Local Government Activation Program (05-032-03-0011 VB)

By Vikki Barlow, Senior Policy Advisor Community

### RECOMMENDATION

That the update on the National Reconciliation Week Local Government Activation Program be noted.

### Executive Summary

- National Reconciliation Week (NRW), 27 May - 3 June, is an important annual event central to the *Relationships* pillar of [WALGA's Reconciliation Action Plan](#) (RAP).
- WALGA partnered with Reconciliation WA to support a NRW activation program for all Local Governments.
- 33 Local Governments participated in NRW, delivering 60 events with approximately 1814 attendees.

### WALGA Advocacy Position

#### 3.1.2 Reconciliation

*The Association supports the efforts of the Local Government sector to recognise and respect Aboriginal cultural practices and places of meaning, through the development of Reconciliation Action Plans.*

(September 2012 – 118.5/2012)

### Background

National Reconciliation Week (NRW) is a time for all Australians to learn about shared histories, cultures, and achievements, and to explore how each of us can contribute to achieving reconciliation in Australia. NRW is held from 27 May to 3 June. These dates commemorate two significant milestones in the reconciliation journey, the successful 1967 Referendum and the High Court Mabo decision respectively.

WALGA is actively involved in Reconciliation, working with Local Government, and advocating for improved Aboriginal relationships. NRW is an important event and is vital to the *Relationships* pillar of [WALGA's Reconciliation Action Plan](#) (RAP).

### Comment

This year's NRW theme, '[Be Brave. Make Change.](#)' sought to challenge individuals, families, communities, organisations and government to tackle the unfinished business of reconciliation. In the spirit of this theme, WALGA partnered with Reconciliation WA to provide an opportunity for Local Governments to get involved in the NRW program. A statewide NRW Virtual Breakfast was hosted at Boola Bardip (WA Museum) on Friday, 27 May.

The breakfast was broadcast live with the aim of engaging communities across the State. Participants, including Local Governments were encouraged to participate in the virtual breakfast via video whilst hosting their own NRW Breakfast. The NRW Virtual Breakfast included Welcome to Country from Elders around the State, cultural performances, a fly through collections in Boola Bardip, and an address from Hon. Dr Tony Buti, Minister for Aboriginal Affairs. To complement the virtual breakfast, every Local Government received a free 'NRW Activation Box' to assist them to design and activate COVID-safe breakfast events to suit their local community and circumstances.

As a result of the partnership there was a notable increase in the number of Local Governments who engaged in NRW. A total of 33 Local Governments participated in NRW, delivering 60 events with approximately 1814 attendees.

All Elected Members, Local Government CEOs and officers are invited to attend WALGA's sixth annual [Aboriginal Engagement and Reconciliation Forum](#) to be held on 5 October 2022.

## 6.8 WA Strategic Trails Blueprint 2022-2027 – Draft for Comment (05-053-03-007 BW)

By Bec Waddington, Policy Officer Community

### RECOMMENDATION

**That the update on the WA Strategic Trails Blueprint 2022-2027 – Draft for Comment be noted.**

### Executive Summary

- The Department of Local Government, Sport and Cultural Industries (DLGSC) in partnership with the Department of Biodiversity, Conservation and Attractions (DBCA) have drafted the *Western Australian Strategic Trails Blueprint 2022-2027* which is now open for comment.
- Local Governments have been invited to provide comments directly to DLGSC on the draft plan until 29 July 2022.

### Attachment

- [Western Australian Strategic Trails Blueprint 2022-2027- Draft for Comment](#)

### Background

DLGSC, in partnership with DBCA, have drafted the next five-year trails strategy for Western Australia. WALGA, as a member of the Project Reference Group, has supported the development of the Blueprint, which is currently available as a draft for comment.

The Western Australian Strategic Trails Blueprint 2022-2027 (the Blueprint) is an overarching guide for consistent and coordinated planning, development and management of quality trails and trail experiences across Western Australia. It provides a vision, guiding principles, strategic directions and actions for consideration across the State by government, trail managers, landholders, trail support groups, tourism operators and the community.

The new Blueprint is intended to build on the [Western Australian Strategic Trails Blueprint 2017-2021](#), with a strategic refocus for the trails industry towards deepening trail users connection to country, community and culture, whilst ensuring ongoing economic, environmental and social sustainability of trails developments. Local Governments have a role to play in this integrated framework, which aims to streamline trail planning, development, management and funding across the whole State.

### Comment

Local Governments across WA manage and maintain trails by providing the infrastructure necessary for quality recreation and visitor experiences. Trails provide Local Governments with opportunities to enhance community health and wellbeing, environmental conservation and economic value through tourism opportunities.

DLGSC and DBCA recognise the important role of Local Governments in trail development and management across the State, and have extended the consultation period on the Blueprint to support Local Government feedback.

WALGA is hosting a webinar on 23 June for Local Governments where DLGSC, DBCA and Common Ground will present on the Draft Blueprint.

Local Governments are encouraged to provide feedback on the [Draft Blueprint](#) directly to [DLGSC](#) by Friday, 29 July 2022.

## 6.9 Issues Paper: Local Government Approaches to Tree Retention (05-036-03-0020 RP)

By Ruby Pettit, Policy Officer Planning

### RECOMMENDATION

That the WALGA Issues Paper: Local Government Approaches to Tree Retention (May 2022) be noted.

### Executive Summary

- The Issues Paper: Local Government Approaches to Tree Retention (Issues Paper) seeks to identify issues that Local Governments are experiencing in using existing mechanisms to retain trees on public and private land, further mechanisms which may be used by Local Governments, and possible options for resolving these issues.
- The Issues Paper has been prepared by WALGA's Planning and Environment teams in close consultation with the Tree Retention Subcommittee (the Subcommittee) of the WALGA Urban Forest Working Group, comprising regional and metropolitan Local Government officers and the Department of Planning, Lands and Heritage (DPLH).
- The legal questions arising from the Issues Paper will be used to prepare a Request for Quote for advice from suitably experienced legal firms on the WALGA preferred supplier panel. It is proposed that this work will to be funded collaboratively by Local Governments that wish to receive this advice.
- The legal advice will inform further priorities and actions, for example development of policy guidance for the sector and further advocacy to the State Government on tree retention in the State planning framework.

### Attachment

- [Issues Paper: Local Government Approaches to Tree Retention \(May 2022\)](#)

### Policy Implications

#### 4.6 Urban Forestry

*Local Government supports advocacy and work to further prevent the loss of urban tree canopy, including the Association's collaboration with the State Government and consultation with Local Government, to develop policies to support Local Government's efforts to maintain and grow tree canopy cover.*

(March 2017 – 13.1/2017)

The content and trajectory for the Issues Paper aligns with the existing advocacy position. Following the findings of the legal review and further analysis of the issues identified, [WALGA's Advocacy Position](#) will be reviewed.

### Background

Canopy cover across urban areas in Western Australia continues to decline, predominantly through tree loss on private land. At the same time the extent of hard surface is increasing and is higher than the national average. These trends have significant environmental, economic and social impacts, including the following:

- Increased urban heat island effect as paved surfaces absorb more heat, leading to increased household energy costs, increased heat-related illnesses and harsher, less walkable urban environments;
- Reduced air quality and reduced greenhouse gas emission absorption; and
- Reduced biodiversity and connection to nature in our suburbs.

WALGA has been actively advocating and supporting the sector on the issue of urban forest and tree retention, including proposing a State Urban Greening Program as part of the WALGA State Budget

Submission, the development of the [Better Urban Forest Guide](#) with DPLH in 2019 and delivering the 2020 Urban Forest Conference.

WALGA has also facilitated the Local Government Urban Forest Working Group (UFWG) since 2019.

In early 2021, the UFWG undertook strategic planning to identify focus areas to dedicate the skills and expertise within the Group towards strategic projects. Tree retention was identified as a key priority and an expert subcommittee was formed to progress work in this area.

The Issues Paper has been prepared by the WALGA Planning and Environment teams in close consultation with the UFWG Subcommittee. The purpose of the Issues Paper is to identify the key challenges faced by Local Governments using existing measures for tree retention, as well as additional mechanisms for tree retention.

The Issues Paper poses a number of hypothetical scenarios to ground common situations Local Governments may experience where they seek to retain trees, including:

- Tree valuation methods used by Local Governments which seek financial compensation for the removal of canopy trees;
- Instances where proposed vehicle crossovers are in conflict with trees on road reserves (two scenarios);
- Instances where trees are removed from private land in the absence of other development occurring;
- Tree Preservation Orders made over private land to prevent tree removal; and
- Instances where trees are retained in accordance with the R-Codes Volume 1.

The Issues Paper also includes a general discussion on the scope for additional policy and legislative measures through which trees may be retained:

- The ability of Local Governments to make planning scheme provisions to retain trees on private land;
- The scope for the planning system to consider the amenity impacts of trees and their removal;
- The balance between delivering a public good and protecting private property rights;
- What constitutes a 'significant' tree and what might be achieved by applying a sector-wide definition;
- The impact of standard subdivision processes on established trees; and
- The capacity for the planning framework to better create space for trees to grow and be planted.

WALGA is working with the Subcommittee and LGIS to identify the key legal questions arising from the Issues Paper and prepare a request for quote for suitably experienced legal firms on the WALGA preferred supplier panel. WALGA and the Subcommittee will together identify resource requirements to obtain legal advice and discuss opportunities for collaborative funding of the advice and any further research required.

It is anticipated the legal advice will assist WALGA and the Subcommittee to identify a clear way forward to ensure Local Government tree retention measures can withstand legal challenge and achieve their intended aims. This may include development of policy guidance for the sector as well as further advocacy to the State Government on tree retention in the State planning framework.

## **Comment**

The loss of mature trees across our State's urban areas is already resulting in suburbs that are hotter, less resilient and less liveable. Liveability and urban heat will be increasingly significant issues for Local Governments as heat waves become more common and summer temperatures increase in the coming years.

This Issues Paper represents an important step taken by WALGA and its UFWG, through the Subcommittee, to consider how Local Governments can best allocate resources and interventions to facilitate tree retention and meet their urban forest objectives. The Issues Paper has been prepared

with input and consultation from experienced practitioners and covers in detail common issues experienced by Local Governments in their tree retention work.

To address the potential liabilities and other issues identified in the Issues Paper, it is intended that further advice will be sought from legal and other experts, potentially under a collaborative funding arrangement. This research and advice will be used to prepare guidance and advocacy strategies to assist Local Governments in meeting their responsibility to their communities to ensure liveable and resilient neighbourhoods into the future.

## 6.10 Report Municipal Waste Advisory Council (MWAC) (01-006-03-0008 RNB)

*By Rebecca Brown, Manager, Waste & Recycling*

### RECOMMENDATION

**That the resolutions of the Municipal Waste Advisory Council from its 27 April 2022 meeting be noted.**

### Executive Summary

This item summaries the outcomes of the Municipal Waste Advisory Council (MWAC) meeting held on 27 April 2022.

### Background

- MWAC is seeking that State Council notes the resolutions from its 27 April 2022 meeting, consistent with the delegated authority granted to MWAC to deal with waste management issues.
- Copies of Agendas and Minutes are available from WALGA staff, on request.

### Comment

The key issues considered at the meeting held on 27 April 2022 included:

### Product Stewardship for Photovoltaics

Photovoltaic (PV) systems were placed on the Federal Environment Minister's Product Stewardship Priority List in 2016. An industry agreed nationwide scheme design must be finalised by June 2022, operational by June 2023 and include an approach to deal with legacy PVs.

Progress has been limited and an industry-led, national product stewardship scheme has not been developed. The Product Stewardship Centre of Excellence has been tasked with facilitating the design of a Scheme.

The Issues Paper outlines some of the key considerations in relation to end of life PV management and, using WALGA's [Principles for Product Stewardship](#), identifies the key considerations for designing an effective Product Stewardship Scheme for PVs.

### MUNICIPAL WASTE ADVISORY COUNCIL MOTION

**That the Municipal Waste Advisory Council endorse the Issues Paper: Photovoltaic Product Stewardship.**

**Moved: Cr Price**  
**Seconded: Cr Wheatland**

**CARRIED**

## 7. ORGANISATIONAL REPORTS

### 7.1 Policy Team Reports

#### 7.1.1 Environment and Waste Policy Team Report

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

#### RECOMMENDATION

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

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

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

This report provides an update on matters considered by the Environment and Waste Policy Team at its meeting held on 3 May 2022.

#### 1. Matters for State Council Decision

Nil

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

##### 2.1 Environmentally Sustainable Design Buildings Project

A presentation from Ashley Robb, WALGA Senior Policy Advisor, Planning, on the Environmentally Sustainable Design (ESD) Buildings Project, including the [Supporting the Trajectory for Low Energy Buildings Discussion Paper](#).

##### 2.2 Central Metropolitan Zone resolution

Consideration of the Central Metropolitan Zone Resolution that:

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

The Policy Team resolved that WALGA:

1. provide information to Local Governments through EnviroNews and LGNews and also consider disseminating social media collateral to Local Government; and
2. continue to monitor progress with the Australian Pesticides and Veterinary Medicines Authority (APVMA) review.

##### 2.3 General Updates

An update on WALGA's work:

- seeking Local Government expressions of interest for an aggregated WALGA bid for ARENA Future Fuels funding for electric vehicle charging infrastructure;
- WALGA's Natural Resource Management Community Stewardship Grant application; and
- review of the *Biosecurity and Agriculture Management Act 2007*.

**7.1.2 Governance and Organisational Services Policy Team Report**

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

**RECOMMENDATION**

**That State Council:**

1. retains Advocacy Positions:
  - a. 2.5.56 Rating Exemptions – Charitable Purposes
  - b. 2.9.1 Cyber Bullying Protections
  
2. amends Advocacy Positions:
  - a. 2.2.2 Local Government Audit Structure, by inserting items 5 to 8 as follows:
    5. *Local Government Annual Financial Audits should be completed by the 31 October each year, so that Local Governments can reasonably comply with legislative provisions for Annual Reports and Elector Meetings.*
    6. *Completion of Local Government Annual Financial Audits should not be delayed to enable completion of financial audits of a third party entity to which the Local Government is a participant or member, on the basis that each Local Government and Regional Local Government is a separate and independent entity and Australian Accounting standards equity accounting provisions already apply.*
    7. *Audit issues should be raised with a Local Government no more than four weeks from submission of the Annual Financial Statements to the Office of the Auditor General.*
    8. *Requests the OAG to review the accounting treatment for road assets transferred from Local Government to Main Roads WA, as the approach applied in 2020/21 resulted in significant distortion of operating results for Local Government in the year in which the transfer occurs.*
  - b. 2.5.69 Surveillance Devices Act 1998 Amendment, as follows:
 

*WALGA advocates for amendment of Regulation 4 of the Surveillance Devices Regulations 1999 (WA) so that it includes “Local Government ‘Authorised Persons’ employees as defined in the Local Government Act 1995 section 5.36(1)(b) who perform law enforcement functions on behalf of the Local Government” as a class of Law Enforcement Officers for the purposes of the Surveillance Devices Act 1998 (WA).*
  - c. 2.7 Elected Member Training, as follows:
    - i. Delete items 3 and 4 as these items have been achieved, AND
    - ii. Amend item 2:
      2. *Requests the State Government through the Minister for Local Government to provide funding assistance to compensate Local Governments for Elected Members ~~to receive~~ participation in universal training;*
  
3. adopts WALGA Advocacy Position – Legislative Council Member Allowances – Regional Representation, as follows:

<b>Position Statement</b>	<i>WALGA advocates to State Government through the Minister for Electoral Affairs and the Salaries and Allowances Tribunal to provide additional allowances to Members of the Legislative Council (MLC), on the proviso that they have a staffed office in country areas, to facilitate a regional presence of MLCs.</i>
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The Governance and Organisational Services Policy Team includes the following subject areas:

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

This report provides an update on matters considered, since the last State Council meeting, by the Governance and Organisational Services (GOS) Policy Team at its meeting held on 3 May 2022.

## 1. Matters for State Council Decision

### 1.1 WALGA Advocacy Position Reviews

The GOS Policy Team reviewed a number of WALGA Advocacy Positions and provides recommendations for State Council consideration.

Advocacy Positions may be reviewed in the WALGA [Advocacy Position Manual](#).

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#### **Advocacy Position 2.5.56 Rating Exemptions – Charitable Purposes**

GOS Policy Team comment: Noted that Advocacy Position 2.5.56 is a sub-set of WALGA's Advocacy Position in 2.1.1 Rating Exemptions Review Position Statement:

*A broad review be conducted into the justification and fairness of all rating exemption categories currently prescribed under Section 6.26 of the Local Government Act 1995.*

**The GOS Policy Team recommends State Council retain Advocacy Position 2.5.56 Rating Exemptions – Charitable Purposes.**

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#### **Advocacy Position 2.2.2 Local Government Audit Structure**

The City of Joondalup at its meeting held 15 February 2022 resolved to request WALGA to form an advocacy position on issues concerning the audit relating to the following matters:

- timing of audit
- delays due to third party audits
- the accounting treatment for road assets transferred from Local Government to Main Roads WA

#### Current Policy

*Local Government audits carried out by the Office of the Auditor General should take into account the following:*

1. *Constraint on the audit cost increases*
2. *Audits of Local Governments are completed and reported on in a timely manner and that the processes, procedures and scope of audits are consistently applied.*
3. *Request the Office of the Auditor General include in the “Audit Results Report” for each financial year, a report on the effectiveness and additional value to Local Governments that the responsibility of Financial Audits being assigned to the Office of the Auditor General has provided.*
4. *Request the Minister for Local Government to provide a formal commitment that Performance Audits carried out by the Office of the Auditor General are the financial responsibility of the State Government.*

GOS Policy Team comment: The GOS Policy Team considered that the issues raised by the City of Joondalup echoed concerns raised anecdotally by other Local Governments and were supported.

**The GOS Policy Team recommends State Council amend Advocacy Position 2.2.2 Local Government Audit Structure.**

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### **Advocacy Position 2.5.69 Surveillance Devices Act 1998 Amendment**

GOS Policy Team comment: The GOS Policy Team considered amendment of the Advocacy Position to more broadly encompass the range of officers who may use body worn cameras when performing functions on behalf of a Local Government, including planning, building and health compliance and enforcement.

**The GOS Policy Team recommends State Council amend Advocacy Position 2.5.69 Surveillance Devices Act 1998 Amendment.**

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### **Advocacy Position 2.7 Elected Member Training**

#### Current Policy

The Local Government sector:

1. Supports and encourages all Elected Members to carry out the Elected Member skillset, as a minimum, that comprises:
  - a) Understanding Local Government
  - b) Serving on Council
  - c) Understanding Financial Reports and Budgets
  - d) Conflicts of Interest; and
  - e) Meeting Procedures and Debating.
2. Requests the State Government through the Minister for Local Government to provide funding assistance to Local Governments to enable all Elected Members to receive training;
3. Supports Local Governments being required to establish an Elected Member Training Policy to encourage training and include budgetary provision of funding of tuition costs for Elected Members; and,
4. Supports Local Government election candidates being required to attend a Candidates Information Session, either in person or online, as an eligibility criteria for nomination as an Elected Member.

GOS Policy Team comment: Provisions of the *Local Government Legislation Amendment Act 2019* [s.61] were proclaimed on 9 August 2019, and fulfilled WALGA's advocacy items 1, 3 and 4 above (vide amendments to sections 5.126, 5.128 and 4.48(2)(b) of the Local Government Act 1995 respectively).

Although Item 1 has been achieved, it is considered important for WALGA to retain an Advocacy Position that demonstrates ongoing support for Universal Training of Council Members. At its meeting the GOS Policy Team further recommended amendment of Item 2 of the Advocacy Position to focus the advocacy on compensating Local Governments for Elected Member participation in Universal Training, rather than potentially encompassing discretionary training provided under a Continuing Professional Development Policy.

**The GOS Policy Team recommends State Council amend Advocacy Position 2.7 Elected Member Training.**

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### **Advocacy Position 2.9.1 Cyber Bullying Protections**

GOS Policy Team comment: Whilst the previous Morrison Federal Government had commenced an inquiry into the proposed Social Media (Anti-Trolling) Bill 2022, which included provisions that addressed the WALGA advocacy position, the Bill did not progress and it will therefore remain an advocacy matter to the new Albanese Federal Government.

**The GOS Policy Team recommends State Council retain Advocacy Position 2.9.1 Cyber Bullying Protections.**

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## **1.2 Proposed New Advocacy Position – Regional Members of the Legislative Council Allowances**

The South West Country Zone requested WALGA to advocate to the Minister for Electoral Affairs and the Salaries and Allowances Tribunal to provide additional allowances to Members of the Legislative Council (MLC), on the proviso they have an office in country areas, to facilitate a regional presence of MLCs.

GOS Policy Team comment: The Zone request is consistent with the WALGA submission to the Ministerial Expert Committee on Electoral Reform dated 8 June 2021, prepared via State Council's Electoral Reform Policy Forum and approved by State Council flying minute.

**The GOS Policy Team recommends State Council adopts a new Advocacy Position.**

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

Nil.

### 7.1.3 Infrastructure Policy Team Report

By Ian Duncan, Executive Manager Infrastructure

#### RECOMMENDATION

**That the matters considered by the Infrastructure Policy Team be noted.**

*The Infrastructure Policy Team includes the following subject areas:*

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

This Report provides an update on matters considered, since the last State Council meeting, by the Infrastructure Policy Team at its meeting held on 4 May 2022.

#### 1. Matters for State Council Decision

Nil

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

A submission to the Economic Regulation Authority regarding the 2022/23 – 2026/27 Access Arrangement for Western Power was endorsed by Flying Agenda. Western Power are continuing to engage regarding Electric Vehicle charging stations, but not the critical matters identified in the WALGA submission.

#### 3. Items Referred from Zones

The Policy Team considered and agreed recommendations in relation to:

- Rail safety at crossings, specifically advocacy for changes to regulations and standards to make trains more conspicuous;
- Spillage of materials from ore trucks onto roads;
- Driving on closed unsealed roads.

These recommendations are reflected in the Zone Status Reports.

Additional matters referred from Zones that will be considered at future meetings are:

*A request that WALGA enter into discussions with Horizon Power in relation to programs and funding to transition overhead wires in the Kimberley to underground power.*

#### 4. New Policy Issues

The Infrastructure Policy Team will need to further consider whether WALGA requires an updated policy in relation to the operation and potential withdrawal of warden controlled children's crossings.

## 7.1.4 People and Place Policy Team Report

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

### RECOMMENDATION

That State Council:

1. note the matters considered by the People and Place Policy Team at its meetings on 6 April and 18 May 2022;
2. rescind its decision (resolution no. 326.2/2022) of 2 March 2022 where it relates to Advocacy Position 6.9; and
3. reinstate the Advocacy Position subject to the changes endorsed by the People and Place Policy team on 22 February, that reads:

#### **6.9 Sex Industry Regulation**

**Position Statement** *The Local Government sector supports in principle, the recognition and licensing of sex work in WA as it allows normal regulatory controls to be put in place, on condition that brothels should be excluded from predominantly residential areas.*

**Background** *The Association has been involved in discussions / proposals to decriminalise sex work since 1999. State Council has determined the position through consultation with all member Councils (on several occasions), and consideration of feedback and representative position papers, workshops, discussions with other government agencies, support groups and members of the sex industry. The Association will only comment on regulatory, operational, amenity and cost implications that arise for Local Government from any sex work legislation – not moral issues.*

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

- *Community*
- *Emergency Management*
- *Planning and Building*

This Report provides an update on matters considered, since the last State Council meeting, by the People and Place Policy Team at its meetings held on 6 April and 18 May 2022.

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

#### **1.1 Advocacy Position – 6.9 Sex industry regulation**

At its meeting on 6 August 2021, the People and Place Policy Team considered the review of WALGA's Planning and Building policy positions. As part of that review it determined to remove three outdated policy positions from the manual, including 6.9 Prostitution Legislation.

In the months following the August decision, consultation was undertaken on planning legislation in both New South Wales and Victoria relating to the regulation of the sex industry, with Victoria finalising its reforms in February 2022 and becoming the third Australian state to decriminalise sex work. The recent decisions of other states highlights that the regulation of the sex industry remains a relevant topic for Local Government across Australia.

In light of this, the Policy Team considered the matter again at its meeting on 22 February 2022. At that time, the Policy Team changed their original recommendation and resolved to retain the position subject as per below.

The original decisions made by the Policy Team on 6 August were included in the People and Place Policy Team Report presented to State Council at its 2 March 2022 meeting. Unfortunately, advocacy position 6.9 was inadvertently placed on the list of positions to be deleted.

As this was not the intent of the Policy Team, it now proposed that State Council rescind its decision (326.2/2022) and reinstate advocacy position 6.9 with the changes agreed to by the Policy Team on 22 February.

## 2. Matters for Noting by State Council

### 2.1 People and Place Policy Team meeting on 6 April 2022

At the meeting on 6 April, the People and Place Policy Team:

- Considered relevant matters for decision on the May State Council agenda, including the late item Draft Submission on the Development Assessment Panel Regulations;
- Considered an item from the East Metropolitan Zone relating to third party appeal rights, and determined not to support a proposal for a revision of WALGA's current advocacy position on third party appeals or undertaking a comprehensive sector consultation on third party appeal rights;
- Noted the statewide overview of Local Government Emergency Management Capability;
- Viewed a demonstration of the Planning Performance Monitoring Dashboard ([Agenda item 6.1](#)); and
- Reviewed Advocacy Positions as follows:
  - Considered eight updated Advocacy Positions on emergency management, provided feedback and supported the submission of the positions to the July State Council meeting;
  - Considered the Association's Advocacy Positions on sex industry regulation and rescinded its decision from March 2022 and reinstated the position subject to the changes approved in February 2022 (part of this item).

### 2.2 People and Place Policy Team meeting on 18 May 2022

At the meeting on 18 May, the People and Place Policy Team:

- Heard a deputation from State Councillor Cr John Daw, Shire of Mundaring about third party appeal rights in relation to the East Metropolitan Zone's resolution not to support the retention of Advocacy Position 6.4 (Third Party Appeal Rights) and request a revision by the People and Place Policy Team, and resolved to seek further clarity on WALGA's preferred model in the Advocacy Position;
- Received a presentation from the Coastal Facilitator about the recent Local Government survey findings and ongoing activities and advocacy;
- Endorsed eight new emergency management advocacy positions for consideration by State Council at the July meeting ([Agenda item 5.1](#));
- Considered the new advocacy position on Community Emergency Services Managers (CESMs) and supported the position being included on the July 2022 State Council agenda subject to an amendment ([Agenda Item 5.2](#));
- Considered the proposed Advocacy Position on the management of Volunteer Bushfire Brigades Paper and endorsed it for distribution to the sector for consultation ([Agenda item 6.2](#));
- Received an update on the consultation on the co-design of the regulations and guidelines to support the *Aboriginal Cultural Heritage Act 2021* ([Agenda item 6.3](#));
- Received an update on the consultation on the development of a child safe policy for Local Government being undertaken by the Department of Local Government, Sport and Cultural Industries, and the Department of Communities ([Agenda item 6.6](#));
- Considered the letter received from the Minister for Emergency Services relating to issues with secondary vehicle access in bushfire prone areas responding to previous correspondence from WALGA resulting from a resolution of the South East Metropolitan Zone in November 2021.

The WALGA President attended the 18 May 2022 meeting as an invited guest.

## 7.2 Key Activity Reports

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

*By Andrew Blitz, Acting Executive Manager Commercial, and Narelle Cant, Acting Executive Manager Marketing and Communications*

#### RECOMMENDATION

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

#### Commercial

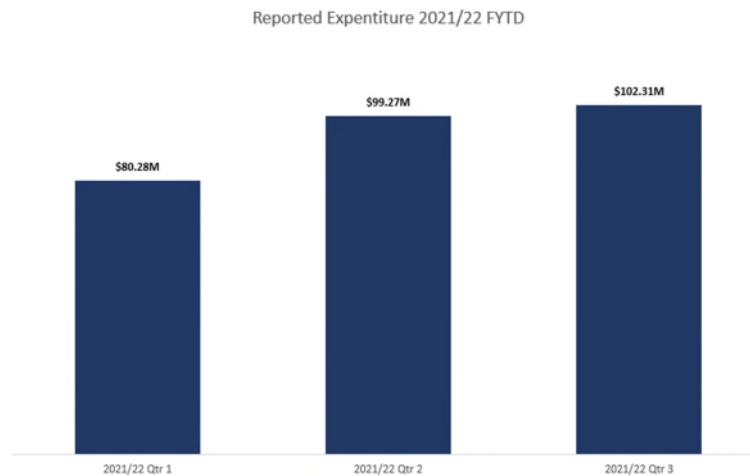
*The Commercial Unit comprises:*

- *Commercial Management*
- *Commercial Development*
- *LGIS Contract Management*

#### Commercial Management

##### Third Quarter Reporting

The operating quarter ending March has closed with reported expenditure of \$102.3 million for the quarter. Year to date WALGA has supplied \$282 million of goods, services and works under the program.



The full year Member expenditure under the WALGA Panels for the previous year ending June 2021 was \$358 million with 47% of this activity being delivered in the key supply areas of Roads, Waste and Energy.

Feedback from Members and Suppliers confirms strong inflationary pressure within the market, coupled with supply chain delays and labour shortages. This has had a moderate impact to date on PSP transactional turnover in some of the smaller value Panels. Forward estimates have taken into account the anticipated delay of many roads and infrastructure projects due to budget constraints in the year ahead. An adverse impact on the sector's Asset Management gap and a longer-term normalisation of works are the likely trends that will influence Preferred Supplier demand.

#### Member Engagement

Due to COVID disruption regional visits to Members between January and May were postponed. A visit schedule has now been set with 102 visits to be made by WALGA Contract Managers and other

staff across the organisation between June to November, 2022. The vast majority of Regional Members will receive an in-person visit from WALGA staff.

Concurrent to this activity a strategy is being developed for enhanced Metropolitan Member engagement. This activity is expected to be more functionally targeted across business units to raise awareness of the PSP value that can be accessed within different technical areas of supply.

### **Preferred Supplier Management System (PMS)**

Market analysis reports outlining Member's spend activity and whole of panel analytics for suppliers are being prepared for distribution.

A systems upgrade process to evolve further automated reporting and integrations with other WALGA systems is being developed.

## **Commercial Development**

### **Energy**

WALGA's Energy Contract has been fully implemented with the initial three year term commencing 1 April 2022. Since the contracting of renewable energy rates there has been a surge in market prices. Project participants are protected from this cost escalation for the duration of the initial term, and the challenge to evolve PPA infrastructure to succeed the first project phase remains a Development priority.

### **Construction**

The first category of the new Construction Preferred Supplier Panel (PSP) has been released with eight providers appointed for the supply of Modular and Prefabricated Dwellings. WALGA will shortly be tendering for additional categories of new building construction, building refurbishment, demolition, earthworks and site remediation. Through development of this new Panel WALGA is commissioning a new set of legal terms, and working with the industry and representative bodies to address some of the pressure points within the construction sector. These relate to inflationary pressure on material supplies, labour shortages, subcontractor protection, and the risk of financial due diligence and ongoing solvency. WALGA aims to make a positive contribution towards balancing demand and supply, mitigating risk, and delivering security of supply to Members and local industry.

### **Preferred Supplier Development**

Regular PSP development activity continues with Panel review and refresh activity to onboard new suppliers to the program. New suppliers have recently been added to the Temporary Labour and ICT Services contracts, with processes pending for the Financial and Corporate Services and Leisure Cultural and Community Services Panels.

There is strong demand for enhanced EV fleet supply options. Although the market is currently subject to significant supply chain delays, the Development team will be looking to secure medium term supply options in conjunction with anticipated access to ARENA grant funding by Members. This is intended to be complemented by further sustainability services and goods supply development.

## **Marketing and Communications**

*The Marketing and Communications Unit comprises:*

- *Marketing*
- *Communications*
- *Member Engagement*

The following outlines the key activities of Marketing and Communications since the May State Council meeting.

### **Marketing**



## **Implementation of Stakeholder Engagement and Member Segmentation Project Recommendations**

WALGA has commenced implementation of recommendations from an external review of WALGA's marketing and communications, and stakeholder engagement, conducted by Marketforce and GRA Partners.

The Stakeholder Engagement and Member Segmentation Project is a priority initiative from the Strategic Plan 2020-2025. The objectives are to build WALGA's reputation as a trusted partner, credible contributor and informed advocate for the Local Government sector and gain a deeper understanding of the membership to tailor service delivery and communication to members.

Following extensive research and consultation with key stakeholders, including members, government, media, industry bodies and the community, WALGA has a model for more contemporary engagement. This model is built around 13 recommendations across seven priority plans: an advocacy framework; brand strategy (refresh); marketing and communications strategy; media and government relations strategies; feedback and integrated research; CRM and marketing technology; and member services.

Marketforce and GRA Partners presented a report of its review at the State Council Informal Briefing Session on 1 June.

The Marketing and Communications Unit is reviewing all of its current processes, activities and measurement tools, and scoping and prioritising the roll out of the recommendations, some of which are already underway.

### **Rates Campaign**

To support Members in countering negative sentiment about increases in rates in 2022, WALGA will run a campaign in June and July that focuses on the positive impact of rate contributions to local communities.

WALGA will be repurposing content from our Your Everyday content to highlight the use of rate revenue to deliver facilities and services for residents and ratepayers. The campaign will be delivered in partnership with Seven West Media and include a 'win your rates' competition to generate community engagement. This will be supported by an integrated digital campaign across WALGA channels and a media strategy.

### **Energy Project – Synergy/WALGA**

WALGA is working with Synergy to promote Local Governments involved in a joint renewable energy procurement project, the largest of its kind in Australia.

Through an agreement with Synergy, negotiated for Local Governments by WALGA, 50 Councils are purchasing 100 per cent renewable energy to power their facilities. This will reduce CO2 emissions from those Local Government facilities by an estimated 150,000 tonnes over the next three years.

Videos showcasing four of the Councils involved in the project will be produced to illustrate and promote the work of WA Local Governments in real action to reduce emissions and be more sustainable.

## **Communications**

### **Federal Election Campaign**

WALGA worked alongside ALGA and local government associations in other states and territories on a five-week Federal election campaign, releasing media statements, writing to Federal Members and candidates, hosting two webinars with Federal Members, and posting on social media.

The social media campaign featured weekly messaging on priority areas, displayed across Facebook and Instagram, and organic social media posts on LinkedIn and Twitter, with links to ALGA's campaign website.

The campaign engaged with 15,281 people in Western Australia, attracting 416 click throughs to the ALGA campaign web pages. The two most popular topics were Economic Recovery and Local Roads and Community Infrastructure.

### **State Budget Communications**

WALGA responded to this year's State Budget, delivered on May 12, with a media statement [here](#) on the afternoon of the Budget. The following morning, WALGA provided Members with information via a newsletter with links to the WALGA website, which hosted detailed information on topics of relevance to the sector.

Social media channels were also utilised to communicate more broadly on the implications of the State Budget for Local Government.

### **Member Engagement**

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

Registration for the 2022 Local Government Convention and Trade Exhibition will open in June. The event will be held at Crown Perth, from Sunday 2 October to Tuesday 4 October.

This year's theme is "Embracing Change" and the conference program will explore current and anticipated changes to the local government landscape, and how the sector can collaborate to inform, guide and embrace change. Speakers secured include:

- Mr Simon Trott, CEO, RioTinto Iron Ore
- Bernard Salt AM, one of Australia's leading social commentators
- Dr Craig Challen, OAM, the Australian cave diver that was part of the rescue of 12 boys and their coach in the 2018 Thai Cave Rescue
- Former coach of the Australian men's cricket team, Justin Langer AM.

#### **Breakfast with Heads of Agencies and Mayors and Presidents Forum**

On 6 May, WALGA hosted a Heads of Agencies breakfast, followed by the bi-annual Mayors and Presidents Forum at the Perth Convention and Exhibition Centre.

The breakfast was attended by 80 Local Government representatives, who had the opportunity to speak directly with 11 Heads of State Government agencies on a broad range of topics of interest and intersect with Local Government.

Following the breakfast, Elizabeth Shaw from PricewaterhouseCoopers gave an enlightening and informative presentation on Workplace Culture and Behaviour in Local Government.

#### **Other Events Hosted by WALGA**

- Harnessing the Benefits of Volunteerism in Natural Areas Workshop, 20 May: 42 in-person, five webinar attendees
- Aboriginal Cultural Heritage Act co-design Workshops, 20 and 23 May: total 90 registrants.
- Environmentally Sustainable Buildings Forum – Transition to 7 Star Homes, 15 June.
- Trails and Local Governments, 23 June.

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

By Tony Brown, Executive Manager Governance and Organisational Services

### RECOMMENDATION

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

*Governance and Organisational Services comprises of the following WALGA work units:*

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

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

### Strategy & Association Governance

#### WALGA Best Practice Governance Review

Undertaking a thorough Best Practice Governance Review of WALGA's governance model was identified as a key strategic priority from the Association's [Corporate Strategy 2020-25](#). A review has also been precipitated by external factors, such as over the past 20 years there has been a series of amendments to the Constitution and the Corporate Governance Charter that has seen a misalignment between key Association governance documents, in addition there are proposed legislative reforms to remove WALGA from being constituted under the Local Government Act 1995 and potential constitutional requirements for WALGA to become a registered organisation under the Industrial Relations Act 1979. Strategically, the Best Practice Governance Review is intended to ensure that WALGA's governance model is contemporary, agile and maximises engagement with members. The review will incorporate all areas of WALGA's Governance structure and processes.

The Governance Review Project is now well underway. A Steering Committee has been formed, with membership including the WALGA President and Deputy President, 2 State Councillors, 2 Elected Members and 2 Chief Executive Officers together with the WALGA CEO. Price Waterhouse Coopers (PwC) have been appointed as consultants to support the Committee through their deliberations. There will be ongoing engagement with State Council, the Zones and other stakeholders throughout the Project, with the aim of presenting an item on principles and framework to 2022 Annual General Meeting and looking to finalise a report by the end of this calendar year. Any proposed constitutional amendments will need to be scheduled for the 2023 WALGA AGM for Member consideration and endorsement

### Employee Relations

#### Proposed State Industrial Relations (IR) transition

WALGA met with the Hon. Bill Johnston MLA, Minister for Industrial Relations regarding the proposed State IR transition on 9 May 2022. At that meeting WALGA confirmed the key priority areas for Local Governments on the transition include the:

1. **Timing of the proposed transition:** WALGA is seeking that the commencement of the 'relevant day' under the regulations provide for a six-month time period (from the commencement of the regulations) before the transition takes effect for Local Governments.
2. **Funding and resource request:** WALGA is asking for \$15 million in funding for Local Governments over two years based on a comprehensive sector survey, and further State Government support by way of educational resources.

3. **Reviving the Local Government taskforce:** Reconfirming the Minister's commitment to reconvene the taskforce to address issues arising during the proposed State IR transition. The Final Report of the Ministerial Review recommended that if the s.14(2) FW Act endorsement is obtained, that a taskforce be assembled and chaired by a representative of DMIRS, to oversee, monitor, assist, facilitate and progress the transition of Local Government employers and employees between the Federal and State IR systems.

## Governance and Procurement

### Local Government Legislative Reform

The Minister for Local Government has invited WALGA on to the working group tasked with the detailed design of the new legislation.

A schedule of meetings for the working group has been developed and WALGA will be represented by our CEO Nick Sloan, Tony Brown and senior members of the Governance and Organisational Services team. The first meeting has been held and considered issues relating to earlier intervention and effective regulation and the potential workings of the Office of the Inspector.

WALGA will provide regular updates to the sector as the legislative reform process progresses and information is able to be shared.

### Regional Subsidiaries

Advocacy continues with requesting the Regional Subsidiary regulations be amended to remove the current bureaucracy. WALGA contracted a legal firm to prepare amended regulations and we have presented these to the Minister for Local Government's Office. There are a number of regional groups who are waiting for the regulations to be amended and will then look to transition to a Subsidiary. The Minister's Office has advised that are looking at this as it forms part of the Minister's legislative reform agenda.

## Training

The training team is working on new course development projects including:

- **LGA30120 Certificate III in Local Government** which can be offered as a Traineeship. Currently the aim is to have this course added to our RTO Scope over the next few weeks.
- **Procurement Courses:** The Procurement course upgrade project is now close to completion and covers 6 specialised Courses:
  - Procurement and Contract Essentials
  - Procurement Planning and Risk
  - Introduction to Specification
  - Contract Administration and Management
  - Compliance, Evaluation and Contract Award
  - Developing Specifications for Excellence
- **Health and Safety Representative** course being registered with the Department of Mines, Industry Regulation and Safety
- **White Card course** – Prepare to work safely in the construction industry, to be added to RTO Scope of Registration in the near future
- **Environment – eLearning Course** – Over the next few weeks, 3 modules are ready to be released:
  - Biosecurity
  - Corporate and community sustainability
  - Climate Change 101

Enrolment numbers continue to be very strong across all courses including Face to Face at WALGA and on-site at Local Governments, which has increased steadily since the last report. Also, feedback received from Learners consistently reflects the high quality of learning resources our team has developed and the strong commitment of our highly skilled and experienced trainers.

### **7.2.3 Report on Key Activities, Infrastructure (05-001-02-0003 ID)**

*By Ian Duncan, Executive Manager Infrastructure*

#### **RECOMMENDATION**

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

#### **Roads**

##### **Condition Assessment of Roads of Regional Significance**

Funding has been provided through the State Road Funds to Local Government Agreement to perform visual condition surveys of Significant sealed roads (ROADS 2040) and video of the Significant unsealed roads over a five-year cycle. The first two phases of this project, covering the Mid West, Great Southern and Goldfields-Esperance regions have been completed. In addition, the survey has included condition reporting on access roads to remote Aboriginal communities. The next phase will cover the Wheatbelt region and following a call for proposals, the Australian Road Research Board (ARRB) have been appointed. There is an opportunity for individual Shires to leverage off this contract and add additional roads at their cost. ARRB will communicate with all the Wheatbelt Shires in this regard.

##### **Local Government Transport and Roads Research and Innovation Program**

WALGA and Main Roads are developing a research program that will deliver guidance to Local Governments to assist in the adoption of technologies and practices that will enhance productivity and delivery of roads and transport initiatives. WALGA has collected topic proposals from Local Governments, and these have been ranked by an operations team of Local Government and Main Roads practitioners. WALGA and Main Roads will next develop scope of works for the selected projects and propose a budget allocation for the 2022/23 financial year.

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

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

#### **Funding**

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

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

#### **Utilities**

##### **Underground Power**

The Economic Regulation Authority has not yet published a response to the submission made by WALGA and others in April regarding the Western Power Access Arrangement to 2027 (AA5).

Western Power has responded to some of the matters raised including outage information that was highlighted in the WALGA submission. Further consultation is proposed, and this process is on-going.

In the absence of a State Government policy or program, Western Power has continued to engage directly with targeted Local Governments to deliver underground power projects using the Network Renewal Undergrounding Program Pilot (NRUPP). These approaches appear to be generally well received by the Local Governments involved and are allowing some capability and capacity in the industry to be maintained pending a larger program of work.

### **Telecommunications**

Telecommunications carriers are again advocating strongly to the Federal Government that multifunction poles, required for expansion of 5G mobile services, be included under the Low Impact facilities Determination (LIFD), which would mean that no planning approval is required prior to their installation. Multi-function poles can be up to 12 metres tall and could potentially be installed by multiple carriers in the same locations. WALGA has been supporting efforts at a national level through ALGA to put forward alternative proposals. The previous Federal Minister was receptive to approaches from the carriers, who are advocating very strongly.

WALGA staff have contributed to an interagency working group to help develop proposals for initiatives that will improve telecommunications (mobile and digital) service quality in regional WA that could be considered as part of the State's Digital Strategy.

## **Road Safety**

### **Road Safety Ratings for Local Government Roads Project**

As part of a project to develop a new tool or adapt an existing tool to evaluate the safety of Local Government roads, WALGA recently held consultation workshops across WA. These workshops were designed to seek feedback from Local Governments on the level of interest in evaluating their road network's safety, the internal capacity and capability to undertake an assessment of their road network, which type of assessment methodology would make the most sense/be feasible for Local Governments, and how the resulting data would be used. Both in-person and virtual workshops were held. The data gathered will inform the direction of the project and support the adaptation or development of a tool to best suit the needs of Local Governments.

### **Road Safety Council Update**

On 25 May, the Road Safety Council received the Road Safety Minister's Expectations. The Council considered governance matters relating to the functions of the Council under the *Road Safety Council Act 2002*. An update on key road safety developments was presented by the Road Safety Commission, including the regulation of eRideables consultation process and review timeframe. Highlighting road safety activity supporting the implementation of the Driving Change strategy, WALGA presented the 2015-2019 Road Safety Performance on Local Government Roads reports and the Royal Automobile Club (RAC) reported on a trial of their Driver Coaching App and provided the results of the RAC Member Priorities Tracker Survey.

### **Demonstration Project – Local Government Road Safety Management System**

The Local Government Road Safety Management System Project has been working closely with the Shires of Manjimup, Esperance and Dardanup to demonstrate how road safety performance can be managed and improved, using the International Standard for road traffic safety management (ISO 39001) as a framework. All three participating Local Governments have mapped their existing Local Government policies, programs or procedures which either incorporate road safety outcomes or could be strengthened to embed best practice road safety into Local Government business. The Shire of Manjimup has moved to the planning stage by developing a draft Road Traffic Safety Policy. This policy outlines how the Shire will adopt a policy of continual improvement through the road safety management system to guide road traffic safety, planning and construction where possible.

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

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

### RECOMMENDATION

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

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

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

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

### Economics and Strategic Projects

#### 2022-23 State Budget

The State Budget was handed down on 12 May 2022. WALGA provided members with a timely update on the [key initiatives in the budget](#) for Western Australian Local Governments.

WALGA considered that the State Budget was focussed on the right areas to address current pain points being felt throughout Western Australian communities, while also looking to address longer term economic and social development. While funding in areas such as regional health, mental health, telecommunications, remote communities, road infrastructure and climate action were all welcome, the sector would have liked to see funding directed towards grass roots initiatives that are being delivered by Local Governments.

Work has now commenced to develop WALGA's submission in advance of the 2023-24 Budget. A briefing on the proposed approach and priorities will be provided at the July Strategic Forum meeting.

#### Local Government Costs

Cost pressures facing Local Governments have been a significant area of focus in recent months, with the sector reporting that the cost of providing community services and infrastructure has increased significantly over the past year as a result of external factors such as COVID-19 supply constraints, the outbreak of war in Ukraine, and shortages of workers.

The Economics team is currently undertaking a new round of forecasts for WALGA's Local Government Cost Index (LGCI), which tracks the change in prices of goods and services for Local Governments. Enhancements continued to be made to the Index to ensure that it remains robust and reliable, with additional data acquired to support the components of the index that relate to construction costs. The Economics team have received many inquiries in recent months around movements in the LGCI to assist Local Governments with budgeting and rate setting. The revised forecasts will be released in June as part of WALGA's Economic Briefing.

To subscribe to the quarterly briefing or find out more contact WALGA Economist Daniel Thomson on [dthomson@walga.asn.au](mailto:dthomson@walga.asn.au).

#### Local Government Economic Development

With COVID-19 having a significant impact on economic and business activity, WALGA is currently updating the research undertaken in 2019 that formed the basis of its Local Government Economic Development Framework.

This project is aimed to support Local Governments to better understand the role they can play in driving local economic development. It also identified barriers and challenges to Local Government's economic development activities and to put forward solutions.

We are reaching out to Local Governments to understand the current economic development landscape and to identify the key issues for local economies for use in policy discussions with the State and Federal Government. These insights will also be used to shape WALGA's support to the sector on economic issues in coming months.

## **Environment**

### **Grants**

#### Natural Resource Management

WALGA received 15 Expressions of Interest from metropolitan and non-metropolitan Local Governments across the South West bio-region to be part of a collective application for the Natural Resource Management – Community Stewardship Grants (NRM Grants). Based on the level of interest from the sector, WALGA submitted a grant application for \$438,000. It is anticipated the successful applicants will be announced in November 2022. If successful, this grant will enable WALGA to assist Local Governments in developing Local Biodiversity Strategies and/or policies, mapping and undertaking native vegetation assessments and development and delivery of a better practice roadside vegetation management training package.

#### Electric Vehicles

WALGA received 22 expressions of interest (11 metropolitan, eight regional Local Governments and three regional councils) to participate in an aggregated WALGA application for Australian Renewable Energy Agency funding for electric vehicle charging infrastructure for Local Government fleets. Funding anticipated aggregated requests for the purchase and installation of chargers totals approximately \$8.5 million. Under the ARENA criteria, the charging infrastructure is targeted at council use (not public charging locations) and will be located at facilities such as administration centres, depots and community centres. Local Governments will provide their matching contribution through the purchase of light battery electric vehicles (BEVs) for their corporate fleets, with 293 vehicles nominated for purchase at a cost of approximately \$15 million. Many Local Governments are also interested in BEV opportunities for commercial and heavy vehicles, including street sweepers, waste trucks, light trucks, buses and graders.

WALGA's is considering the next steps in seeking funding from ARENA, and potential value-add opportunities under the recently announced State Government funding Scheme. This will include investigating supply options for Local Government through WALGA Preferred Supplier Panels (PSPs) and CUA arrangements for BEVs and related hardware and software to facilitate fleet availability and competitive pricing.

### **Biosecurity**

Consultation on the review of the *Biosecurity and Agriculture Management Act 2007* is expected commence in June. WALGA will be also undertaking direct consultation with the sector to inform its submission to the review.

## **Planning and Building**

### **Environmentally Sustainable Buildings Forum – Transition to 7 Star Homes**

On 15 June WALGA hosted an online forum to discuss expected changes to the National Construction Code's energy efficiency standards and Western Australia's transition to 7 Star homes. Over 100 participants from Local Government, state agencies and other invited guests listened to guest speakers from Sustainability Victoria, Department of Communities, Housing Industry Association and accredited energy assessors from Northern Aspect Energy Consultants. The Planning and Building Team also presented a summary of member feedback on WALGA's discussion paper Supporting the Trajectory for Low Energy Buildings.



### **WALGA Urban Forest Conference 2022: Valuing Canopy**

The WALGA Planning and Environment teams are working to deliver a second Urban Forest Conference in November 2022. The conference is a forum to showcase latest research, significant policy and best practice examples in urban forest management and will bring together local and state government, industry and academic stakeholders to explore challenges and opportunities for the urban forest. This year's conference theme is 'Valuing Canopy' and will be held at Curtin University.

### **Development Assessment Panels & Extension of significant development pathway**

The State Government has reestablished the Part 17 pathway for significant projects until December 2023, originally established as a temporary, 18-month economic recovery measure to generate economic output and employment.

WALGA opposes the special development pathway and [outlined](#) our concerns at its reestablishment and the lack of consultation on the decision.

The establishment of a Special Matters Development Assessment Panel has also been delayed until at least early 2023 to allow additional consultation on the reforms. WALGA continues to advocate on this matter.

### **Resilient Communities**

The team has delivered several [webinars](#):

- 8 June 2022: Supporting the Prevention of Violence Against Women: Co-delivered with Our Watch, ALGA and all State and Territory Local Government Associations, directed at Local Government officers, this webinar is the second in the Our Watch series and will look at the role of Local Government in promoting gender equality and preventing violence against women.
- 29 June 2022: Local Government Family and Domestic Violence Toolkit: Delivered by the Local Government Community Safety Network, this Webinar delves further into strategies and initiatives supported by the Local Government Toolkit.
- 23 June 2022: [Trails and Local Government](#): Hosted by WALGA and presented by the Department of Local Government, Sport and Cultural Industries in partnership with the Department of Biodiversity, Conservation and Attractions and Common Ground, this webinar will focus on the value that trails can bring to a Local Government as part of the consultation for the Draft Strategic Trails Blueprint.

### **Local Government Homelessness Knowledge Hub Project**

Shelter WA in partnership with WALGA and Local Government Professionals have developed an **Online Homelessness Knowledge Hub**, which will act as a central online hub of resources and information to support Local Government in providing localised responses to homelessness. Shelter WA was awarded a Strengthening and Adapting Organisations Grant from Lotterywest to undertake the project. The Knowledge Hub will be launched during Homelessness Week 2022, 1 – 7 August.

### **AFAC Independent Operational Review of the Wooroloo Fire (Wooroloo Review)**

The Department of Fire and Emergency Services (DFES) has commenced implementation of a number of the recommendations from the Wooroloo Review. A workshop was held on 9 June to commence work on Recommendations 7 (establishment and management of Vehicle Control Points and the use of Restricted Access permits) and 8 (road clearing capability) with WALGA, City of Swan and Shire of Mundaring invited to attend. Initial contact has also been received from DFES about Recommendation 10 (review of the impact assessment process).

### **After Action Review: February 2022 Severe Weather Event, Concurrent Level 3 Bushfires**

DFES has commenced a review into the 4 Level 3 bushfires that occurred in February 2022 involving DFES, Department of Biodiversity, Conservation and Attractions (DBCA) and WALGA representatives. An initial meeting was held on 8 June 2022 to discuss the lessons management process, review roles and responsibilities, discuss the methodology and data collection plan, stakeholder identification and next steps.

## 7.3 Policy Forum Report

### RECOMMENDATION

**That the report on the key activities of the Mining Communities Policy Forum to the July 2022 State Council meeting be noted.**

#### **Mining Communities Policy Forum**

*Prepared by Kelly McManus, Principal Policy and Advocacy*

The State Government recently announced that a preliminary engineering survey contract has been awarded to local Aboriginal company Gee Gie to assess abandon mine features near Cue, Marble Bar and Yalgoo. Gee Gie will work with the Department of Mines, Industry Regulation and Safety to identify, document and prioritise remediation work of abandoned mine features. Details can be found [here](#)

WALGA is progressing meetings with RDA Midwest Gascoyne and DMIRS.

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

MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
<b>4 May 2022</b> <b>Item 5.1</b> Submission to Statutory Review of the <i>Food Act 2008</i>	That the submission to the Department of Health relating to the Statutory Review of the <i>Food Act 2008</i> , be endorsed subject to an amendment to include an additional sentence on page 11 under Section 2.2, Areas for improvement, Temporary or Mobile Food Businesses, after the second sentence, as follows:  <i>"In addition further consideration could be given to the operation of home-based food businesses and small producers and the constraints experienced in compliance with the Act."</i>  RESOLUTION 334.4/2022	Submission was amended and lodged with the Department of Health.	Complete	Nicole Matthews Acting Executive Manger Strategy, Policy and Planning
<b>4 May 2022</b> <b>Item 5.2</b> Local Government Grant Scheme Funding	That WALGA advocates to the Minister for Emergency Services and the Fire and Emergency Services Commissioner for: <ol style="list-style-type: none"> <li>1. An allocation of Local Government Grant Scheme (LGGS) funding to undertake an audit of existing facilities, appliances, vehicles, and major items of equipment for both Local Government Volunteer Bushfire Brigades (BFB) and State Emergency Services (SES).</li> <li>2. Following the completion of the audit, an allocation of funding through the Local Government Grant Scheme (LGGS) to prepare a Comprehensive Asset Management Plan that:               <ol style="list-style-type: none"> <li>a. Aligns with the principles in the Department of Local Government, Sport and Cultural Industries' (DLGSC) Asset Management National Framework and Guidelines, and the Integrated Planning and Reporting Framework.</li> <li>b. Forecasts the emergency response needs of communities across Western Australia over</li> </ol> </li> </ol>	A letter was sent to the Minister for Emergency Services and Fire and Emergency Services Commissioner advising of the State Council resolution on 25 May 2022.	Ongoing	Nicole Matthews Acting Executive Manger Strategy, Policy and Planning

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	<p>the next 10 years, to estimate the quantum of the facilities, appliances, vehicles, and major items of equipment that will be needed.</p> <p>c. Outlines a 10 year forward plan of modifications, replacements and additions required.</p> <p>d. Investigates the extent to which future BFB facilities can be co-located with other emergency services facilities.</p> <p>3. The establishment of a Working Group involving WALGA, the Department of Fire and Emergency Services (DFES) and LGIS to oversee the preparation of the Comprehensive Asset Management Plan.</p> <p>4. Support for the Comprehensive Asset Management Plan to be reviewed every five years.</p> <p>5. Support for an increase in overall Local Government Grant Scheme (LGGS) funding pool to future capital grants that align with the Comprehensive Asset Management Plan (as updated from time to time).</p> <p>RESOLUTION 336.4/2022</p>			
<p><b>4 May 2022</b> <b>Item 5.3</b> Draft Active Travel to School Roadmap</p>	<p>That WALGA:</p> <ol style="list-style-type: none"> <li>Endorses the Draft Active Travel to School Roadmap, subject to amending Urban Environment Initiative No 1 to “Consult local governments to identify sub-regional school transport challenges and amend existing planning guidelines and develop new guidelines where gaps exist”; and</li> <li>Works with the Department of Transport to finalise the Roadmap and encourage Local Government participation in the initiatives identified where these offer solutions to the local issues encountered in each area.</li> <li>Uses the Draft Active Travel to School Roadmap to strengthen advocacy for increased funding for walking and cycling infrastructure in Western Australia by the State and Federal Government.</li> </ol> <p>RESOLUTION 337.4/2022</p>	<p>The Director General of the Department of Transport was formally advised of the State Council decision.</p>	<p>Complete</p>	<p>Ian Duncan Executive Manager Infrastructure</p>

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<b>4 May 2022</b> <b>Item 5.4</b>	That the WALGA Development Assessment Panel Regulations Submission be endorsed.  RESOLUTION 338.4/2022	The Submission was lodged with the Department of Planning, Lands and Heritage	Complete	Nicole Matthews Acting Executive Manger Strategy, Policy and Planning
<b>4 May 2022</b> <b>Item 5.7</b> LGIS Board Minutes	That WALGA: 1. endorses the revised LGIS Corporate Governance Charter that reflects recent State Council resolutions and other governance changes; and 2. notes: a. the Minutes of the LGISWA Scheme Board workshop held on 24 February; and b. the Minutes of the LGISWA Scheme Board meeting held on 25 March.  RESOLUTION 341.4/2022	No further action required.	Complete	Craig Hansom Acting Executive Manager Commercial
<b>4 May 2022</b> <b>Item 5.8</b> WALGA President's Allowance and LGIS Director Fee	That: 1. State Council endorses that the WALGA President's allowance includes responsibilities for carrying out LGIS Director responsibilities; and 2. the LGIS Director fee for the President's position on the board be retained by WALGA.  RESOLTUION 342.4/2022	This item has been actioned and WALGA's payroll and insurance areas have been notified.	June 2022	Tony Brown Executive Manager Governance and Organisational Services
<b>2 March 2022</b> <b>Item 6.3</b> Detection of Polyphagous Shot-hole Borer and Implications for Local Government	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	An expanded Quarantine Area Notice came into effect on 13 May 2022 and now covers 21 Local Government areas. The new areas covered are the City of Bayswater, City of Belmont, Town of Bassendean and three localities in the City of Swan – South Guildford, Guildford and Caversham.  The QAN continues to apply to the Local Government areas of Cambridge, Canning, Claremont, Cockburn, Cottesloe, East Fremantle, Fremantle, Melville, Mosman Park, Nedlands, Peppermint Grove, Perth, South Perth, Stirling, Subiaco, Victoria Park and Vincent.  WALGA provided an update to the sector on this matter, as well as facilitating a workshop for impacted Local Governments.	Ongoing	Nicole Matthews Acting Executive Manger Strategy, Policy and Planning

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<p><b>2 March 2022</b>  <b>Item 7.3.4</b>            People and Place Policy Team Report</p>	<p>That State Council:</p> <ol style="list-style-type: none"> <li>1. determine to:               <ol style="list-style-type: none"> <li>a. retain the following Advocacy Positions unchanged:                   <ol style="list-style-type: none"> <li>i. 6.4 Third Party Appeal Rights</li> <li>ii. 6.5 Development Assessment Panels</li> <li>iii. 6.8 Planning Fees and Charges</li> <li>iv. 6.12 Town Planning and Alcohol Outlets</li> <li>v. 6.15 Senior Housing Strategy</li> <li>vi. 6.18 Industrial Planning</li> <li>vii. 6.19 Special Residential Zones</li> </ol> </li> <li>b. note the following Advocacy Positions are no longer relevant and approve removal from the WALGA Advocacy Position Manual:                   <ol style="list-style-type: none"> <li>i. 6.3 Local Government Planning Improvement Program</li> <li>ii. 6.9 Prostitution Legislation</li> <li>iii. 6.10 Directions 2031</li> </ol> </li> </ol> </li> <li>2. note the matters considered by the People and Place Policy Team.</li> </ol> <p>RESOLUTION 326.2/2022</p>	<p>The Advocacy Positions Manual has been updated accordingly.</p> <p>Item 1b(ii) of this decision was to remove the advocacy position related to prostitution legislation. The Policy Team rescinded this decision at its meeting of 22 February in light of recent legislative reforms in other States, determining to maintain the position subject to minor modification. Unfortunately, the original decision to delete advocacy position 6.9 was inadvertently left on the list of positions to be deleted in the Policy Team Report presented to March State Council.</p> <p>As this was not the intent of the Policy Team it is now proposed that the Policy Team at its meeting of 6 April will request State Council rescind its decision (326.2/2022) and reinstate advocacy position 6.9 with the changes agreed to on 22 February. This decision will be brought to the July State Council for a decision.</p>	<p>Ongoing</p>	<p>Nicole Matthews            Acting Executive Manger Strategy, Policy and Planning</p>
<p><b>1 December 2021</b>  <b>Item 5.3</b>            2021 Annual General Meeting</p>	<p>That:</p> <ol style="list-style-type: none"> <li>1. The following resolutions from the 2021 WALGA Annual General Meeting be endorsed for action:           <p><u>Cost of Regional Development</u>            That WALGA makes urgent representation to the State Government to address the high cost of development in regional areas for both residential and industrial land, including the prohibitive cost of utilities headworks, which has led to market failure in many regional towns.</p> <p>...</p>           RESOLUTION 294.7/2021</li> </ol>	<p>WALGA is continuing to advocate to the Minister for Lands and the Minister for Regional Development.</p> <p>WALGA has regular meetings with Development WA.</p>	<p>Ongoing</p>	<p>Ian Duncan            Executive Manager Infrastructure</p>

MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
<p><b>1 December 2021</b> <b>Item 5.11</b> Constitution and Governance Review</p>	<p>That the proposed Constitution and Governance Review as outlined in this report be endorsed. RESOLUTION 301.7/2021</p>	<p>The Governance Review Project is now well underway. A Steering Committee has been formed, with membership including the WALGA President and Deputy President, 2 State Councillors, 2 Elected Members and 2 Chief Executive Officers together with the WALGA CEO.</p> <p>Price Waterhouse Coopers (PwC) have been appointed as consultants to support the Committee through their deliberations. There will be ongoing engagement with State Council, the Zones and other stakeholders throughout the Project, with the aim of presenting an item on principles and framework to 2022 Annual General Meeting and looking to finalise a report by the end of this calendar year.</p> <p>Any proposed constitutional amendments will need to be scheduled for the 2023 WALGA AGM for Member consideration and endorsement.</p>	<p>October 2023</p>	<p>Tony Brown Executive Manager Governance &amp; Organisational Services</p>
<p><b>3 September 2021</b> <b>Item 5.2</b> Tender Exemption Provisions – General Practitioner Services</p>	<p>That WALGA:</p> <ol style="list-style-type: none"> <li>1. Adopt a new Advocacy Position Statement under ‘Local Government Legislation - Tender Exemption General Practitioner Services’: <i>WALGA advocates for the inclusion of a tender exemption for General Practitioner (GP) services under Part 4, Division 2 of the Local Government (Functions and General) Regulations 1996, to support Local Governments to secure and retain necessary primary health care services for their communities; and</i></li> <li>2. Undertake additional research in support of the Advocacy Position with the following aims:               <ol style="list-style-type: none"> <li>a. Identify State and Federal Government policy settings and other factors contributing to gaps in primary health care services in regional communities; and</li> <li>b. Quantify the number of regional Local Governments that have current contracts, or are proposing to enter into contracts, for General Practitioner services and the associated costs to Local Government incurred.</li> </ol> </li> </ol> <p>RESOLUTION 264.5/2021</p>	<ol style="list-style-type: none"> <li>1. Correspondence has been sent to the Minister for Local Government advocating for this position.</li> <li>2. The Minister for Local Government held a roundtable discussion with effected Local Governments on this issue. The Ministers Office and the Department of Local Government are carrying out further research on this matter.</li> </ol>	<p>Ongoing</p>	<p>Tony Brown Executive Manager Governance &amp; Organisational Services</p>

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<p><b>3 September 2021</b> <b>Item 6.1</b> Stop Puppy Farming Legislation</p>	<p>1. That the update on the Dog Amendment (Stop Puppy Farming) Bill 2021 be noted.</p> <p>2. That:</p> <ol style="list-style-type: none"> <li>a. any additional costs incurred by a Local Government in administering the Dog Act be paid by the State Government; and</li> <li>b. the Fees and Charges set in Regulations are reviewed bi-annually and at minimum, be adjusted by the Local Government Cost Index.</li> </ol> <p>RESOLUTION 275.5/2021</p>	<p>Correspondence has been sent to the Minister for Local Government advising of resolution 2.</p>	<p>Ongoing</p>	<p>Tony Brown Executive Manager Governance &amp; Organisational Services</p>
<p><b>5 May 2021</b> <b>Item 5.4</b> Review of the State Industrial Relations System</p>	<p>That WALGA:</p> <ol style="list-style-type: none"> <li>1. Seek confirmation from the State Government on whether it intends to re-introduce legislation for Local Governments to operate solely in the State Industrial Relations System.</li> <li>2. If the State Government reintroduces legislation to require all Local Governments to operate within the State Industrial Relations System, continue to advocate for the State Government to:             <ol style="list-style-type: none"> <li>a. Amend the <i>Industrial Relations Act 1979</i> (WA) to include additional provisions to modernise the State IR system; and</li> <li>b. Provide adequate funding and resourcing to ensure Local Governments are equipped with the appropriate tools and training to enable a smooth transition.</li> </ol> </li> </ol> <p>RESOLUTION 207.2/2021</p>	<p>The Industrial Relations Legislation Amendment Bill 2021 (IR Bill) was given <u>Royal Assent</u> on 22 December 2021 as Act No. 30 of 2021. Part 1 of the <i>Industrial Relations Legislation Amendment Act 2021</i> (WA) (IRLA Act) commenced on 22 December, which deals with preliminary matters. All other parts of the IRLA Act will be proclaimed by publishing a notice of proclamation in the Western Australian Government Gazette.</p> <p>The declaration that all Local Governments are not national system employers will have the effect of transitioning all Local Governments to the State industrial relations system if it is endorsed by Federal Minister for Employment and Workplace Relations, Hon Tony Burke MP.</p> <p>WALGA has written to the New Minister for Federal Minister for Employment and Workplace Relations, Hon Tony Burke MP advising that:</p> <ol style="list-style-type: none"> <li>(a) WA Local Governments do not support the legislation mandating Local Governments to operate in the State IR system.</li> <li>(b) However, if the political will of both the WA and Federal Governments are such that WA Local Governments will be declared to be non-national system employers under the FW Act, Local Governments and WALGA wish to work constructively with all parties to ensure any transition is smooth and appropriately resourced to minimise the impact on Local Government employers and employees.</li> </ol>	<p>June 2022</p>	<p>Tony Brown Executive Manager Governance and Organisational Services</p>



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		(c) If you elect to provide in-principal support or endorse a declaration to transfer Local Governments to the State IR system: <ol style="list-style-type: none"> <li>i. Encourage the WA Government to agree to a six-month transitional timeframe from the 'relevant day' before Local Government are required to comply with the State IR system.</li> <li>ii. Enact Federal transitional legislation to deal with proceedings on foot in the Federal IR system at the time of the transition.</li> <li>iii. Encourage the WA Government to allocate appropriate funding and resources to assist the sector with the transition to the State IR system. Currently no funding has been committed to assist with any proposed transition.</li> </ol>		
<b>3 March 2021</b> <b>Item 5.3</b> Eligibility of Slip On Fire Fighting Units for Local Government Grants Scheme Funding	That WALGA: <ol style="list-style-type: none"> <li>1. Supports the inclusion of capital costs of Trailer Fire Fighting Units and Slip On Fire Fighting Units including for Farmer Response Brigades (for use on private motor vehicles) on the Eligible List of the Local Governments Grants Scheme (LGGGS).</li> <li>2. Requests the Local Government Grants Scheme Working Group to include this matter on the Agenda of their next Meeting (expected March 2021).</li> <li>3. Requests WALGA to work with the Local Government Grants Scheme Working Group to develop appropriate operational guidelines and procedures for the safe use of Slip On Fire Fighting Units funded in accordance with the LGGGS.</li> <li>4. Supports the update of the WALGA membership of the Local Government Grants Scheme Working Group to include one Local Government Elected Member and one Local Government Officer, with these appointments determined through the WALGA Selection Committee process.</li> </ol> RESOLUTION 180.1/2021	A letter was sent to DFES Commissioner Klemm on 16 March 2021 advising of State Council's decision on 3 March. The Local Government Grants Scheme Working Group met on 20 March 2021 however did not discuss eligible items in the Manual. An EOI process for the Officer position was successful but a second round process will be run for the Elected member position.  DFES has advised that the Local Government Grants Scheme Working Group has been discontinued. WALGA CEO Nick Sloan is meeting with the DFES Commissioner Darren Klemm on 2 August to discuss how Local Government input to the LGGGS Manual will be collected in future.  DFES advised on 4 June 2021 that the matter of eligibility of slip on units was not yet finalized. Follow up emails were sent to DFES on 26 July 2021 and 20 January 2022.  The FES Commissioner wrote to WALGA on 8 April 2022 advising that DFES undertook extensive investigation and analysis to consider the matter and concluded that due to safety and crew protection concerns, and Government and public expectations of the use of Emergency Services Levy	Complete	Nicole Matthews Acting Executive Manger Strategy, Policy and Planning

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		funds, DFES does not support the proposal. The Commissioner confirmed DFES' partnership with WALGA and its members to identify and enact future opportunities to meet the objective of enhancing rural fire capabilities.		
<p><b>2 December 2020</b></p> <p><b>Item 5.3</b></p> <p>Family and Domestic Violence and the Role of LGs</p>	<p>That:</p> <ol style="list-style-type: none"> <li>1. WA Local Governments recognise the prevalence, seriousness and preventable nature of family and domestic violence and the roles that Local Governments can play in addressing gender equity and promoting respectful relationships in their local community.</li> <li>2. WALGA advocates to the State Government:               <ol style="list-style-type: none"> <li>a. to work with Local Government in defining the role and responsibilities and expectations of Local Governments in family and domestic violence.</li> <li>b. for adequate funding for family and domestic violence programs and services, particularly in regional areas.</li> <li>c. for appropriate resources and funding be allocated to Local Governments to implement any particular roles and actions addressing family and domestic violence as defined in the State Strategy.</li> <li>d. to provide support to Local Government in the broader rollout of the Prevention Toolkit for Local Government.</li> <li>e. to continue advocacy to the Commonwealth Government for additional funding and support.</li> </ol> </li> <li>3. WALGA organises presentations for Local Governments that address family and domestic violence, as part of relevant events or webinars.</li> </ol> <p>RESOLUTION 144.6/2020</p>	<p>WALGA is a member of the Department of Communities Path to Safety: Western Australia's Strategy to Reduce Family and Domestic Violence 2020 – 2030 Reference Group, which reconvened 8 December 2021.</p> <p>A report on the progress of the first Action Plan 2020-2022 highlighted of State Government funding of \$23 million provided as part of the WA Recovery Plan, to help address family and domestic violence in the community. These measures are further supported by the National Partnership Agreement COVID-19 Domestic and Family Violence Responses (National Partnership Agreement). The WA State Government has issued all the \$14.2 million funding received through the National Partnership Agreement. Approximately \$7.9 million in grants have been awarded to WA family and domestic violence service organisations. A quarter of the grants were awarded to Aboriginal Controlled Community Organisations (ACCOs), further building capacity in this sector to deliver culturally safe supports, including services that are specifically targeted at regional and remote parts of the State.</p> <p>WALGA continues to work closely with ALGA and Our Watch, the national peak body in the primary prevention of violence against women and their children in Australia.</p> <p>WALGA in collaboration with the Local Government Community Safety Network Steering Committee delivered an event for the sector on 18 May 2021 focusing on family and domestic violence.</p> <p>The Australian Government is developing the National Plan to End Violence against Women and Children 2022-2032 (Draft National Plan). In February 2022 WALGA submitted a letter supporting the aims, vision, and pillars of the Draft</p>	Ongoing	Nicole Matthews Acting Executive Manger Strategy, Policy and Planning

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		<p>National Plan, consistent with the Association's Advocacy Position Statement on Family and Domestic Violence.</p> <p>The first of 2 Webinars being delivered by ALGA, Our Watch and the State and Territory Associations was delivered on Thursday, 12 May targeting Councillors, CEO's and Executive leaders, on Local Government's role in promoting gender equity and preventing violence against women. The second webinar in June will target all Local Government officers.</p>		