



WALGA

WORKING FOR LOCAL GOVERNMENT

AGENDA

Annual General Meeting

Perth Convention Exhibition Centre
Perth

Wednesday, 5 August 2015



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AGENDA

**Annual General Meeting
of the
Western Australian
Local Government Association**

to be held at the
**Perth Convention Exhibition Centre
21 Mounts Bay Road, Perth
Riverside Theatre (Level 2)**
on
**Wednesday, 5 August 2015
at 1.30 pm**

1.1 Meeting Program

- 1.30pm** **Welcome address by WALGA President, followed by the National Anthem and the Welcome to Country**
- 1.45pm** **Address from Hon Tony Simpson MLA, Minister for Local Government; Community Services; Seniors and Volunteering Youth**
- 1.55pm** **Address from Hon Mark McGowan MLA, Leader of the Opposition**
- 2.05pm** **WALGA President's Annual Report**
- 2.20pm** **Mayor Troy Pickard, President, Australian Local Government Association**
- 2.30pm** **Announcement of Local Government Honours for:**
- Long & Loyal Service Awards
 - Merit Awards
 - Local Government Distinguished Officer Awards
 - Eminent Service
 - Life Membership
- 3.05pm** **Presentation of Local Government Diploma Certificates and WALGA President Local Government Scholarship Diploma**
- 3.15pm** **Introduction of the WALGA State Council by CEO Ricky Burges**
- 3.30pm** **Afternoon tea**
- 3.45pm** **AGM Business Session Commences:**
- Attendance, Apologies and Announcements;
 - Confirmation of Minutes from last AGM (Attachment 2);
 - Adoption of President's Report;
 - Consideration of 2014/2015 Financial Statements; and
 - Consideration of Executive and Member Motions
- 5:30pm** **Close of Annual General Meeting**

1.2 Annual General Meeting – Order of Proceedings

1.1 Record of Attendance and Apologies

1.2 Announcements

2.0 Confirmation of Minutes

Minutes of the 2014 WALGA Annual General Meeting are contained within this AGM Agenda.

DRAFT MOTION:

That the Minutes of the 2014 Annual General Meeting be confirmed as a true and correct record of proceedings.

3.0 Adoption of President's Annual Report

The President's Annual Report for 2014/2015 is contained within this AGM Agenda.

DRAFT MOTION:

That the President's Annual Report for 2014/2015 be received.

4.0 WALGA 2014/2015 Financial Statements

The audited 2014/2015 WALGA Financial Statements will be distributed to all members prior to the meeting.

DRAFT MOTION:

That the WALGA Financial Statements for 2014/2015 be received.

5.0 Consideration of Executive and Member Motions

As per motions listed.

6.0 Closure

1.3 Metropolitan and Country Zones

The Zones of the metropolitan and country Local Governments of the Western Australian Local Government Association are as listed below.

Metropolitan Zones

Central Metropolitan

Town of Cambridge
Town of Mosman Park
City of Subiaco

Town of Claremont
Shire of Peppermint Grove
City of Vincent

Town of Cottesloe
City of Perth

East Metropolitan

Town of Bassendean
Shire of Kalamunda

City of Bayswater
Shire of Mundaring

City of Belmont
City of Swan

North Metropolitan

City of Joondalup

City of Stirling

City of Wanneroo

South Metropolitan

City of Cockburn
City of Kwinana

Town of East Fremantle
City of Melville

City of Fremantle
City of Rockingham

South East Metropolitan

City of Armadale
City of South Perth

City of Canning
Town of Victoria Park

City of Gosnells

Country Zones

Avon – Midland Country Zone

Shire of Chittering
Shire of Gingin
Shire of Northam
Shire of Wongan-Ballidu

Shire of Dalwallinu
Shire of Goomalling
Shire of Toodyay
Shire of York

Shire of Dandaragan
Shire of Moora
Shire of Victoria Plains

Central Country Zone

Shire of Beverley
Shire of Cuballing
Shire of Lake Grace
Shire of Pingelly
Shire of Wandering
Shire of Williams

Shire of Brookton
Shire of Dumbleyung
Shire of Narrogin
Shire of Quairading
Shire of West Arthur

Shire of Corrigin
Shire of Kulin
Town of Narrogin
Shire of Wagin
Shire of Wickepin

Goldfields Esperance Country Zone

Shire of Coolgardie
City of Kalgoorlie-Boulder
Shire of Menzies
Shire of Wiluna

Shire of Dundas
Shire of Laverton
Shire of Ngaanyatjaraku

Shire of Esperance
Shire of Leonora
Shire of Ravensthorpe

Gascoyne Country Zone

Shire of Carnarvon
Shire of Upper Gascoyne

Shire of Exmouth

Shire of Shark Bay

Great Eastern Country Zone

Shire of Bruce Rock
Shire of Kellerberrin
Shire of Merredin
Shire of Narembeen
Shire of Trayning
Shire of Yilgarn

Shire of Cunderdin
Shire of Kondinin
Shire of Mount Marshall
Shire of Nungarin
Shire of Westonia

Shire of Dowerin
Shire of Koorda
Shire of Mukinbudin
Shire of Tammin
Shire of Wyalkatchem

Great Southern Country Zone

City of Albany
Shire of Denmark
Shire of Katanning
Shire of Plantagenet

Shire of Broomehill-Tambellup
Shire of Gnowangerup
Shire of Kent
Shire of Woodanilling

Shire of Cranbrook
Shire of Jerramungup
Shire of Kojonup

Kimberley Country Zone

Shire of Broome
Shire of Halls Creek

Shire of Christmas Island
Shire of Wyndham/East Kimberley

Shire of Derby/West Kimberley

Murchison Country Zone

Shire of Cue
Shire of Murchison

Shire of Meekatharra
Shire of Sandstone

Shire of Mount Magnet
Shire of Yalgoo

Northern Country Zone

Shire of Carnamah
City of Greater Geraldton
Shire of Morawa
Shire of Perenjori

Shire of Chapman Valley
Shire of Irwin
Shire of Mullewa
Shire of Three Springs

Shire of Coorow
Shire of Mingenew
Shire of Northampton

Peel Country Zone

Shire of Boddington
Shire of Waroona

City of Mandurah
Shire of Serpentine-Jarrahdale

Shire of Murray

Pilbara Country Zone

Shire of Ashburton
Town of Port Hedland

Shire of Cocos (Keeling) Islands
Shire of Roebourne

Shire of East Pilbara

South West Country Zone

Shire of Augusta-Margaret River
City of Bunbury
Shire of Collie
Shire of Harvey

Shire of Boyup Brook
City of Busselton
Shire of Dardanup
Shire of Manjimup

Shire of Bridgetown-Greenbushes
Shire of Capel
Shire of Donnybrook-Balingup
Shire of Nannup

1.4 Zone Representatives to State Council 2014/2015

Five (5) ordinary meetings of the WALGA State Council were held between July 2014 and May 2015 with attendance as follows:

<u>Members</u>	<u>Attendance</u>	<u>Members</u>	<u>Attendance</u>
WALGA President		North Metropolitan Zone	
Mayor Troy Pickard	5	Cr David Michael	3
		Cr Geoff Amphlett	4
Deputy President		Mayor Tracey Roberts JP	5
President Cr Lynne Craigie	5	Cr Sam Thomas (Deputy)	1
		Mayor Giovanni Italiano (Deputy)	1
Avon-Midland Country Zone		Northern Country Zone	
Cr Lawrie Short	5	President Cr Karen Chappel	5
Central Country Zone		Peel Country Zone	
President Cr Phil Blight	5	Cr Wally Barrett	5
Central Metropolitan Zone		Pilbara Country Zone	
Cr Janet Davidson JP	5	Cr Lynne Craigie	5
Mayor Heather Henderson	5	South Metropolitan Zone	
East Metropolitan Zone		Mayor Carol Adams	4
Cr Steve Wolff	4	Cr Doug Thompson	4
Cr Mick Wainwright	5	Mayor Logan Howlett	4
Goldfields Esperance-Country Zone		Cr Jon Strachan (Deputy)	2
Mayor Ron Yuryevich AM RFD	5	Cr Maria Rico (Deputy)	1
Gascoyne Country Zone		South East Metropolitan Zone	
Cr Ross Winzer	5	Mayor Henry Zelones OAM JP	5
Great Eastern Country Zone		Cr Fiona Reid	5
Cr Eileen O'Connell	5	South West Country Zone	
Great Southern Country Zone		Cr Wayne Sanford	4
President Cr Ken Clements	5	Cr Murray Scott (Deputy)	1
Kimberley Country Zone		LGMA (ex-officio)	
Cr Chris Mitchell	3	Mr Mark Chester	3
Cr Elsie Archer (Deputy)	1	Mr Jonathon Throssell (Deputy)	2
Murchison Country Zone		Associate Member (ex-officio)	
Cr Simon Broad	5	Rt Hon Lord Mayor, City of Perth	0
		Ms Lisa Scaffidi	0

1.5 Local Government Medal Recipients and Honorary Life Members

LOCAL GOVERNMENT MEDAL RECIPIENTS *(Alphabetical order)*

Lang OAM, Mr HM (Murray)(2003)	Mitchell AM JP Mr W (Bill) (2010)
Manea AM, Dr E (Ern)(2000)	Morris AM JP, Mrs P (Pat) (2006)
Maslen AM AFSM, Mr R (Rich)(1999)	Reynolds AM JP, Mayor Cr L (Linton)(2005)
Mickel AM JP, Cr I (Ian)(2005)	Robartson AM, OAM, Cr C (Clive)(2005)

HONORARY LIFE MEMBERS *(Alphabetical order)*

Archer, President Cr E (Elsia)	Manea AM, Dr E (Ern) (Deceased)
Bajada, Mr A (Alex)	Maslen AM AFSM, Mr R (Rich)
Barrett-Lennard OAM JP, Mr I (Irwin)	Mickel AM JP, Mr I (Ian)
Boothman, Mayor D (David)	Mitchell, AM JP, Mr W (Bill)
Brockman, OAM Mr F (Frank)(Deceased)	Monagle, Cr P (Peter)
Broad, Cr S (Simon)	Morris AM JP, Mrs P (Pat)
Campbell JP, Mr P (Peter)	Norris, Mayor R (Ron)
Chown, Mr EL (Ted)	North AM JP, Mr J (Joe)
Cole, Mrs D (Delys)	Park OAM, Mr H (Humphery)
Cook OAM JP, Cr J (Jim)	Parry AM JP, Dr J (John)
Cooper JP, Mr P (Phil)	Paterson JP, Dr J (John)
Cowan, Cr H (Halley)	Patroni, OAM JP Cr R (Romolo)
Cox OAM JP, Mr J (John)	Pech AM JP, Cr K (Ken)
De San Miguel OAM JP, Mr D (Don)	Reynolds AM JP, Mayor Cr L (Linton)
D’Orazio, Mr J (John) (Deceased)	Robartson AM, OAM, Cr C (Clive)
Donaldson, Hon Mr BK (Bruce)	Rowell OBE, Mr RM (Rob)
Donohoe, Mr K (Ken)	Sabourne OAM JP, Cr J (John)
Finlayson AM MM JP, Mr R (Ray) (Deceased)	Snook, Mr G (Gary)
Foulkes-Taylor OAM, Mr HMJ (Michael)	Star, AM Mrs J (Jan)
Hardwick AM JP, Mrs C (Christine)	Strugnell SC, Mr P (Peter)
Kelly, Mr P (Paul)	Stubbs AM, Mr R (Roger)
Kenyon, JP Mayor T (Terence)	Trent, Cr K (Kevin)
Knight AM JP, Mrs A (Annette)	Tyzack, Cr T (Terence)
Kyle AM, Mr P (Peter)	Yuryevich AM RFD, Mayor RS (Ron)
Lang OAM, Mr HM (Murray)	Zelones OAM JP, Mayor H (Henry)
Lynch, Mr J (John)	

2. President's Message

The past year brought to an end one of the most challenging periods in Western Australian Local Government history. The uncertainty and turbulence for the sector following the State Government's 2009 commencement of its reform agenda, and up to the 17 February 2015 announcement that the process would be abandoned, was unprecedented.

The announcement followed the defeat of three community polls in East Fremantle, Kwinana and South Perth. The results were evidence of the absence of a clear vision, adequate funding for implementation and meaningful community engagement by the State Government, and the Association appropriately withdrew its support as an immediate consequence.

Many Members felt a deep sense of frustration at the time, effort and money expended on the reform process and subsequently WALGA coordinated a \$5.4 million claim for reimbursement by the State Government for direct costs incurred by affected metropolitan Councils.

However, it is a credit to the sector's resilience and commitment to serving the community that many achievements were delivered during and indeed despite the reform process.

The Association has had input into, and in some cases been instrumental in bringing about, changes to legislation that will make Local Government operations easier, more contemporary and more effective.

Examples include the Regional Subsidiaries Bill currently before Parliament, input into the Building Act 2011 and regulations on the Dog Act 2013, as well as securing changes to Elected Member remuneration and codes of conduct.

Negotiations on funding for roads, libraries, community infrastructure, waste and environment initiatives and much more have returned tens of millions of dollars in funding for Local Governments. Current negotiations continue on the upcoming State Road Funding agreement, and in our discussions we are keeping Member feedback on funding allocations and opportunities for improvement at the forefront.

WALGA as an organisation has continued to adapt in response to the evolving needs of its members, with an expanded Governance function, accredited Registered Training Organisation status and a vastly increased Preferred Supplier program offering with more than 600 suppliers.

WALGA has also increased awareness of the organisation and the role of Local Government through television and promotional initiatives such as the recent

'Places to Start' campaign promoting the importance of Council facilities.

WALGA is also residing in a new home for Local Government at 170 Railway Parade, West Leederville. This is a great achievement for the sector and Local Government House Trust, both in achieving a Five Star Green Star rating for the building but also the long term financial investment in the property itself.

WALGA has continued its commitment to advocate for Local Government at a Federal level with regard to the upcoming three-year indexation freeze on Financial Assistance Grants. Nationally this will cost \$925 million with Western Australian Councils \$117 million worse off. As our Members know, the impact will be hardest felt in smaller Local Governments, where FAGs account for up to 49 per cent of turnover.

Other issues WALGA continues to address at a Federal level include the White Paper review of the Federation and Taxation, as well as the funding relationships between the three spheres of government. These issues have the potential to significantly impact on both the operational requirements of Local Government and the revenue obtained by the sector to carry them out.

I would finally like to recognise the hard work of Ricky Burges, her Executive Team and all WALGA staff as well as the valuable contributions and support of all those who have helped to bring about the sector's achievements during the year.

Mayor Troy Pickard
President

OVERVIEW OF KEY OUTCOMES FOR 2014/15

WALGA is committed to providing representation and services that deliver value to Member Local Governments.

It delivers these benefits by:

- Providing Strong Representation
- Providing Effective Leadership
- Building a Positive Profile
- Enhancing the Capacity of the Sector

In support of these objectives, significant achievements by WALGA for its Members during the past year are as follows:

Strong Representation

Metropolitan Reform

Following the revocation of the Governors Orders on Friday 13 March 2015 that officially ended the State Government's reform process, WALGA's focus shifted to

coordinating a claim for reimbursement of Councils' costs associated with reform and ensuring that lessons learned throughout the failed process could be applied within the sector for future benefit. One clear lesson was that reform must be deeper and broader than lines on maps. For example, sector-led initiatives such as the Integrated Strategic Planning framework have already shown improvements across Local Government and are an example of the sector's appetite for clearly defined reform with tangible benefits. Another clear lesson is that for Local Government to deliver meaningful, lasting change, key issues relating to Australia's vertical fiscal imbalance, cost transfers from other spheres of government, and increasing service demands must be addressed. Further, a State Government approach based on partnership and consultation, rather than confrontation, with Local Government is more likely to deliver positive and durable results.

The Association supported the sector on the challenges of the State Government's structural reform program during 2014/15 through the following initiatives:

Local Government Reform Toolkit

The reform toolkit was a valuable resource for the sector during the implementation process. During the past year, the toolkit was updated with new information and working examples. The toolkit had 1,046 registered users and averaged approximately 200 visits per week.

Local Implementation Committee Assistance

WALGA staff offered to attend all Local Implementation Committees (LICs) and provide support if required. WALGA was represented on four LICs and assisted with information sharing and access to WALGA expertise and resources.

Metropolitan Reform Implementation Policy Forum

WALGA's President established a Reform Implementation Policy Forum consisting of State Councillors, Mayors, Councillors, CEOs, LGMA representatives and WALGA staff. The forum assisted in the identification of sector-wide and systemic issues, which guided WALGA's advocacy to the State Government via the State's Metropolitan Reform Implementation Committee (MetRIC) as well as Ministerial and Departmental meetings. In addition to the Policy Forum, WALGA's CEO Ricky Burges established a Mayors and Presidents Support group to facilitate discussion on issues during the process.

Metropolitan Reform Project Director Group

A Project Director Group was established to share information across the sector to assist with reform implementation.

Employee Relations Assistance

WALGA's Employee Relations staff provided significant assistance to the sector on employee relations and other human resource issues. Relevant information including

employee relations fact sheets were provided together with the establishment of a Metropolitan Reform Human Resources Group.

Regional Subsidiary Model

The Association welcomed the reintroduction of legislation by the State Government to enable the regional subsidiary model for Local Government cooperation. This followed the introduction of similar legislation by the National Party the previous year. The Association has long campaigned for the legislative change based on the South Australian Subsidiary Model whereby a Regional Group forms a legal entity for the delivery of services on a regional basis without the need to become a formal Regional Council. This suits Councils that prefer a representative structure to carry out a shared service delivery model.

State Road Funds to Local Government Agreement

WALGA adopted a pro-active approach following the State Government's sudden move away from the long standing State Roads Funds to Local Government Agreement in the 2014 State Budget, a move that effectively stripped \$100 million over three years from local road funding. This, in addition to the loss of \$10 million in the State Budget for regional run off safety programs and the withholding of \$99 million for road safety projects in the Road Trauma Trust Account was a serious blow to the sector, which continues to try and cope with a \$100 million annual backlog for basic maintenance on local roads. WALGA commenced negotiations with the Minister for Transport's office in February 2015 for the 2016/17-2020/21 Agreement and is hopeful of a positive outcome to ensure the community is kept safe on local roads.

Development Assessment Panels Review

Following advocacy from the Association, a review of the Development Assessment Panels was initiated by an independent Parliamentary Review Committee. The Committee received and reviewed public submissions and is currently conducting public hearings with Local Government, affected ratepayers, DAP panel members and the development industry. The final report is proposed to be tabled in Parliament in September 2015.

Industrial Matters

During the past year, the Association handled 60 formal industrial matters of which 51 were finalised and nine are underway. The formal industrial matters were predominantly unfair dismissal claims and adverse actions in the Fair Work Commission, but there was a wide variety of different types of claims. One matter was taken to an arbitrated hearing in industrial tribunal during the 2014/15 financial year. The original matter was successfully advocated by WALGA, though the decision was then the subject of an appeal.

Collective/Enterprise Agreements

The Association was engaged as expert negotiators for six organisations in their enterprise agreement bargaining meetings during the 2014/15 financial year. The Employee Relations staff also provided support to a number of other Local Governments to help assess their existing agreements for compliance, ambiguities and opportunities and to help tailor enterprise agreement document drafts to their specific strategic needs.

State Closed Circuit Television Strategy

For many years WALGA Members have sought the Association's support to advocate for better management and coordination of Closed Circuit Television (CCTV) infrastructure. The development of a State CCTV Strategy and commitment of \$4 million in State Government grants for Council CCTV therefore represents an excellent advocacy outcome for the sector. It recognises there is a clear need for a more coordinated effort in regard to the purchase, implementation and management of CCTV in Western Australia.

Effective Leadership

Federal Local Government Industry Award Review

The Local Government Industry Award 2010 (LGIA) is currently being reviewed by the Fair Work Commission (FWC) in accordance with the statutory requirement to conduct a review of all modern awards every four years.

The Australian Services Union (ASU) and United Services Union NSW (USU) have made submissions to significantly change the LGIA. If accepted, the proposed changes will result in less flexibility and increased costs for Local Government. WALGA is currently advocating on behalf of the Local Government sector in the four year review of the LGIA, in partnership with LGANT and other Local Government Associations. WALGA has sought feedback from all Local Governments on any proposed amendments to the LGIA and the view of the sector as to whether to insert provisions dealing with dispute resolution training leave and overtime at double time from noon Saturday. Feedback from the sector may request that WALGA entirely oppose the submissions put forward by the ASU and USU, which will require arbitrating some or all of the matters in the Fair Work Commission.

Heavy Vehicle Access Planning

Access to the local road network for large heavy vehicles varies widely across Western Australia's agricultural areas. The differences can be the result of history, rather than policy or road conditions. There is a strong presiding view from ratepayers and industry that the access arrangements no longer meet their requirements. The Association convened workshops with groups of Local Governments in the Wheatbelt and developed maps of ultimate desired heavy vehicle access arrangements. The workshops were an excellent

opportunity for Local Governments to discuss the rationale for access provided and the conditions applied. Main Roads WA agreed to provide training for Local Government officers to assess roads for their suitability for restricted access vehicles to help inform planning and prioritisation of the technical assessments required. Work is also ongoing to assess a large number of roads as well as ensure that if changes are implemented that the resultant network is able to be sustainably managed.

State Emergency Risk Framework

WALGA is working with the State Emergency Management Council to implement the State Emergency Risk Framework to Local Government. The State-wide project assesses all 27 hazards that are prescribed in emergency management legislation across the State and Local Government. The project ensures emergency strategies keep up with growing challenges such as climate change, population growth, infrastructure and resource project expansion.

Public Libraries – Visioning project

WALGA is developing a strategic vision and framework for public libraries in Western Australia. The Association is leading a comprehensive review of library services and operations, both as they currently stand and as they may evolve over the next ten years.

2014 WA Local Government Convention and Trade Exhibition

Held at the Perth Convention and Exhibition Centre, the Convention program featured a series of concurrent presentations covering relationship management, social media, Local Government reform, governance and planning issues, all designed for further information gathering and to encourage replication of leading practice in the sector. 525 full delegates attended the Convention. Speakers included Hon John Howard OM AC, former Queensland Premier, Hon Anna Bligh, Rabia Siddique and Major-General John Cantwell.

Sector Events

Throughout the year WALGA coordinated special events to help enhance leadership within the sector. Among these were:

State and Local Government Political Forum

Held on Wednesday, 6 August. Mayors, Presidents and CEOs had ten minute 'speed date' style exchanges with Director Generals, presentations from Government Ministers and a facilitated discussion between Local Government leaders and State Government Ministers.

End of Year Cocktail Function

The 2014 President's End of Year function was held in the courtyard of WALGA's new headquarters on Thursday, 11 December. Over 100 State Councillors, Life Members, CEOs, Mayors and Presidents, Members of Parliament and senior WALGA staff attended.

Breakfast with Mark McGowan MLA

Held on Friday, 6 March, this event provided an opportunity for more than 40 Elected Members to hear from Leader of the Opposition, Hon Mark McGowan MLA.

Members of Parliament Breakfast

The annual Member of Parliament Breakfast was held on Tuesday, 5 May and hosted by the WALGA President. This breakfast presented an opportunity for State Councillors and WALGA Executive staff to meet with Members of Parliament in an informal setting.

Breakfast with Hon Ken Travers MLC

Held on Wednesday, 6 May, this event provided an opportunity for more than 40 Elected Members to hear from Shadow Minister for Transport, Agriculture and Food, Infrastructure, Wheatbelt and Mid-West, Hon Ken Travers MLC. The breakfast was recorded and made available to Elected Members who were unable to travel to Perth for the event.

Metropolitan Reform Breakfast and Workshop

More than 90 metropolitan Elected Members, CEOs and senior officers were invited to participate in this joint WALGA/LGMA workshop about cultural change on Thursday, 4 December. AFL identity, John Worsfold addressed the audience prior to a workshop facilitated by Lynda Foylan.

Security and Local Government Forum

Held on Thursday, 4 December, this event explored innovative strategies to improve safety and security within communities. Expert speakers included Andrew Jones, Office of the Fair Work Ombudsman and Dr Paul Cozens, Curtin University.

Emergency Management Breakfast with Sir Bob Parker

On Monday, 16 March Sir Bob Parker, the former Mayor of Christchurch, New Zealand, spoke to over 80 guests about the critical issues and challenges Christchurch faced in the aftermath of the February 2011 earthquake.

Best Practice in Procurement Forum

This forum explored procurement best practice and provided the opportunity to learn from Local Governments that participated in the CCC's program of procurement governance audits. Speakers included Acting CCC Commissioner, Christopher Shanahan, the Department of Local Government and Communities, the Department of Finance, and the CEOs from the Cities of Joondalup, Melville and Wanneroo. More than 80 CEOs and senior staff attended the forum on Wednesday, 13 May.

Positive Profile

Local Government Television Campaign

The successful *Places to Start* television promotion campaign has continued to deliver consistent improvements in the community's awareness and perception of Local Government services and facilities. The past year's schedule of commercials has featured three elite Western Australian sports identities explaining how they got a start in their careers through the provision of facilities by their Local Governments. The 2014/15 series included former Australian cricketer Mike Hussey with the corresponding State-wide advertisement featured heavily in the coverage of the Boxing Day test. The other two ambassadors, Hockeyroo Ashleigh Nelson, who is originally from Wagin and former AFL footballer David Wirrpanda, have similarly proven popular with audiences. The campaign continues to deliver excellent results in terms of the community's improved perceptions of Local Governments' provision of services and facilities, especially in terms of how they are valued by the public and improve lifestyles. The campaign has also served to improve perceptions of how well Local Governments keep the community informed. The advertisements can be viewed at the WALGA website at www.walga.asn.au and are available on request to Local Governments to use on their Council websites or at public facilities.

Planning Institute of Australia National Award for Local Biodiversity Program

In November 2014, the Association won the Planning Institute of Australia, Western Australia Division, Hard Won Victory Award for its Local Biodiversity Program. In April 2015, the Association then won the National Hard Won Victory award. This award recognised the Association's continued effort to assist the sector prioritise and protect biodiversity across the Local Government estate. The program helped Local Governments to develop local biodiversity strategies and inform strategic land use strategies, schemes and policies, and as a result the sector is working towards protecting 30,000 hectares of high value biodiverse landscapes.

Western Australia 2014 Resilient Australia Award

WALGA won the Western Australian State 2014 Resilient Australia Award - Not for Profit Division for its training course: Building Emergency Capacity in Local Government. The course was designed for Elected Members and Local Government officers to address risk and vulnerability through increased planning and preparedness measures for communities across Western Australia.

Showcasing Positive Community Health Outcomes

WALGA continues to sponsor and be Patron of the Children's Environment and Health Report Card, led by the Public Health Advocacy Institute of Western Australia. The Children's Environment and Health Report

Card project aims to encourage and inspire Local Governments to enhance their public health plans, policies and initiatives in the area of children's health and wellbeing. In its third year now, the project demonstrates the outstanding commitment and vital role in making the changes that can benefit the health of their populations.

Media Reports

Throughout the course of the past 12 months, WALGA and the Local Government sector were featured in approximately 1,655 media reports of which the overwhelming majority were either positive or neutral in their representation

Localeye

The *localeye* mobile application was released to the public on both iOS and Android platforms in June 2014. The application enables users to find Local Government facilities and events wherever they travel throughout the State. In response to feedback from Members, the application has been further enhanced to be more user friendly and enable Councils to more easily update their information. The revised *localeye* application has recently been launched and is currently being promoted to Councils and the public.

Road Ribbon for Road Safety Christmas Campaign

The WALGA RoadWise Program launched the new Road Ribbon for Road Safety Christmas campaign on 16 November 2014. The campaign urged people to take care on the roads and promote road safety messages to friends, family and colleagues to help reduce road trauma in Western Australia. The campaign included developing an extensive suite of resources and promotional material to encourage and assist community involvement in the new campaign. More than 51,000 road ribbons and in excess of 400 large cardboard ribbons were distributed across the State as part of campaign promotions. 93 Local Governments and RoadWise Committees, 95 State Government Agencies and a large number of businesses, organisations and community groups participated through local promotions, events and community displays. Local Government participation in the 2014 Road Ribbon for Road Safety campaign increased 42 per cent when compared to the 2013 White Ribbons for Road Safety campaign. It is estimated that the new Road Ribbon for Road Safety campaign reached in excess of 400,000 people during the campaign period, a significant contribution to raising awareness of the importance of road safety over the festive season.

Bus Stop Infrastructure Partnership Agreement

A partnership agreement was developed with the Public Transport Authority (PTA) to support a more effective and cooperative working relationship between the PTA and Local Government in relation to bus stops and associated infrastructure, including shelters. The agreement defines the roles and responsibilities of Local

Government and PTA in the planning, installation and maintenance of bus stop infrastructure with a strong emphasis on consultation between the parties to maximise benefits to the community. Some financial assistance for the maintenance of bus shelters is provided as part of the agreement and a complete register of bus shelter infrastructure will be developed to support planning for future needs.

Community Research Program

The Association's initiatives to improve the perception of the sector and raise the profile of WALGA are underpinned by a comprehensive annual survey of the community. The survey comprises a random sample of 1,000 people geographically stratified across the State into inner metropolitan, outer metropolitan, regional centres, and remote and rural. The survey has a sampling error of ± 3.1 per cent at the 95 per cent level of confidence. Respondents were asked how they currently learn about their Council's/Shire's activities and how they prefer to get such communication. The survey showed that the community was most likely to be influenced, and prefer to receive information, through three communication channels: local newspapers, mail (not electronic) and the Council/Shire website. Members are able to use the findings of this research to better tailor their communication strategies and ensure messages are being received by the intended audience.

President's Column

Each month current and emerging issues that are important to the Local Government sector are highlighted and given relevance to the wider community through the President's column in *The West Australian* newspaper. The column is run in the second Tuesday edition of each month. Issues covered during the past 12 months have included a focus on Local Government funding challenges, the sector's views on reform and Local Governments' role in commemorating the Anzac Day Centenary.

Enhancing Capacity

Governance Advice and Support

The Association continued in 2014/2015 to build on one of its key functions in advising and guiding the sector on its compliance obligations and good governance charter under the *Local Government Act 1995* and Regulations. WALGA finalised the conversion of the Complete Guide to the Local Government Act and Local Laws Manual to an electronic online format and developed an eLearning module called 'Introduction to Making Local Laws'. The Association also developed a freely available template for Waste Local Law and Implementation Guideline in consultation with the Waste Authority. The Association coordinated the sector response to changes in the *Local Government Act 1995* and Regulations, notably the *Local Government Legislation Amendment Bill 2014* and proposed amendments relating to procurement and

tenders under the *Local Government (Functions and General) Regulations 1996*.

Preferred Supplier Program

WALGA delivered superior prices and value for money to Members purchasing goods and services through contracts with more than 600 Preferred Suppliers. More than \$350 million of goods, services and works was procured through the program, achieving aggregate savings of \$60 million to the sector. Major supplier development activity occurred in the core activity areas of road construction, waste management, energy and ICT services.

eQuotes, WALGA's automated request for quote system, delivered 2,500 supplier engagements. Ten Councils have now implemented customised eQuotes systems to meet local supplier needs.

Procurement Consultancy Services

Outcomes included the development of procurement resources such as establishing and growing a procurement network, enhancements to the WALGA Procurement Handbook, establishment of online reference resources, and the launch of a Procurement Compliance Checklist.

CouncilConnect

A \$300,000 investment in the development of CouncilConnect has led to a greatly enhanced product. CouncilConnect now provides the sector 67 websites that have been designed, hosted and supported by the program.

Asset Management

128 WALGA Members are now using ROMAN II to meet their integrated planning and fair value accounting requirements. More than 30 Pocket RAMM tablet devices are now in use throughout the sector.

Town Planning Guidelines for Alcohol Outlets

WALGA has finalised the Town Planning Guidelines for Alcohol Outlets, and has supplemented the guidelines by organising workshops for Members to discuss their individual situations in considering alcohol outlets in their Councils/Shires. Further workshops will be undertaken as required in 2015/16.

Household Hazardous Waste Program

The Association continued the successful delivery of the Household Hazardous Waste Program through both Local Government and Regional Council facilities, ensuring that hundreds of tonnes of household hazardous waste including pesticides, paints and solvents, were appropriately disposed of. The program is funded by the Waste Authority through the Waste Avoidance and Resource Recovery Levy. The program has been extended by a year with \$2.6 million allocated. Over four years of the program more than 2,000 tonnes of household hazardous waste has been

either diverted from landfill or prevented from impacting on our environment.

Environmental Planning Tool

With the expiry of State and Commonwealth grant funding, the Association began delivering the Environmental Planning Tool as a cost recovered service. It is a niche product designed to inform Local Government decision making, regardless of its internal capacity to access and analyse mapping information. It has been specifically developed to improve the efficiency and consistency of consideration of biodiversity in land use planning and to support strategic planning for natural reserve management. The benefits of the tool include improved efficiency in the preparation of desktop assessments for proposed planning scheme amendments and development proposals, access to up-to-date environmental information within and outside Local Government boundaries (providing a regional context to proposals), and a cost effective method of communicating with key stakeholders on various aspects of local strategic, statutory and biodiversity conservation planning and management.

Bin Tagging

The Association coordinated a successful behaviour change pilot program that focused on increasing recycling and reducing waste at the household level. The Association, with funding from the Waste Authority through the Waste Avoidance and Resource Recovery Levy, partnered with the Cities of Joondalup and Kwinana, and the Town of Cambridge to undertake the pilot. The results of the pilot showed substantial increases in correct recycling at the household, with Councils recycling rates in the pilot areas increasing by as much as 33 per cent.

Estimating Costs of Heavy Vehicle Traffic on Roads

A methodology and easy-to-use tool was developed and published to assist Local Governments estimate the cost impact from a large freight task using the local road network. The tool was specifically designed to support Councils negotiating with mining companies and other industries that generate significant road freight tasks, to recoup the costs that will otherwise be borne by the local community. A consultative process with Main Roads WA and the Office of the Minister for Transport sought to minimise regulatory input in enabling Local Governments to reach mutually satisfactory arrangements with industry.

Changing Places

WALGA is partnering with the Disability Services Commission to develop change place facilities and invest in community infrastructure. The project will see \$2.75 million delivered to Local Governments to improve access and inclusion to community infrastructure to assist people with disabilities.

Local Government Recovery Coordinators Course

WALGA was successful in securing funding from the Commonwealth Natural Disaster and Resilience Program to develop a specific course for the training of Local Government Recovery Coordinators. The LRC role is an appointment under the *Emergency Management Act 2005*. The course will become part of the broader emergency management training suite WALGA offers.

Recruitment Services

WALGA's Recruitment Service is measured in a number of ways, including the number of professional placements in a variety of roles within the sector, coupled with a significant number of Chief Executive Officer and senior executive positions. WALGA's Recruitment Service works with the Employee Relations team to provide assistance in drafting and negotiating contract terms of employment, and with the Governance team to provide advice and assistance in Governance-related matters. The Recruitment Service has continued to process 457 Temporary Work (Skilled) Visas and Permanent Resident Visas. Since late 2014, the service

has gained contract management responsibilities for the 12 temporary labour hire Preferred Suppliers.

Training

Phase 2 of the Country Local Government Fund (CLGF) Elected Member training program for Regional Councillors, delivered in partnership with the Department of Local Government (DLGC), was completed in June 2015 with a total of 32 courses being delivered to 308 Elected Members across regional Western Australia. Phase 3 is currently in the planning phase with various Zones and host Councils. In total, 192 training courses were completed by Elected Members and Officers in the 2014/15 financial year. A total of 2,097 registrations were received, with attendees completing training on-site at various metropolitan and regional Local Governments, WALGA's headquarters and online. This equated to a 15 per cent increase in registrations and a 22 per cent increase in courses completed from the previous financial year. In response to stakeholder feedback, a number of procurement, planning, emergency management and governance courses are currently under development for delivery in 2015/16.

4. Consideration of Executive and Member Motions

4.1 Eradication of Trachoma in Australian Populations (05-030-02-0009 AH)

Town of Bassendean to move:

MOTION

That WALGA advocate to the Federal and Western Australian State Government a Nationwide program for the eradication of Trachoma in Indigenous Populations, especially in Western Australia.

MEMBER COMMENT

That WALGA State Council seek the State Governments advice on how reduced Commonwealth health funding and the introduction of the Indigenous Advancement Strategy (IAS) program has impacted on health service delivery to discrete Aboriginal Communities, in order to address a Western Australian program for the eradication of Trachoma in Indigenous Populations.

There are 287 discrete Aboriginal Communities in Western Australia with over 17,000 people across 22 Local Governments. As part of the Federal Budget 2014/2015, the Commonwealth Government announced significant policy reform to Aboriginal service delivery with the introduction of the Indigenous Advancement strategy and Remote Community Advancement Network.

There is \$4.9 billion of programme funding over four years that is available under the five IAS programmes managed by the Department of Premier and Cabinet. There is concern that the funding structure is not addressing the health needs of remote communities and that many organisations who were funded are no longer. Further funding changes have been made to the Commonwealth Health Budget which has resulted in a number of health programmes ceasing. This has impacted health service delivery in Western Australia.

A key concern is the future of funding and support for the eradication of trachoma in Aboriginal Communities. The State Government has announced the development of an Aboriginal Investment strategy. The Aboriginal Affairs Cabinet Sub Committee considers cross-agency initiatives to improve the effectiveness of spending and reduce duplication. The Committee has recommended the development of an Aboriginal Investment Strategy for Western Australia.

The development is being led by the Department of Regional Development.

IN BRIEF

- A key concern is the future of funding and support for the eradication of trachoma in Aboriginal Communities.
- Communities need programs of sustainability and such proposed Trachoma Eradication Programs can be the core of a betterment and sustainability system for remote communities.

Background

The Fred Hollows Foundation has estimated that the elimination of Trachoma in Australia (Western Australia) can be achieved with a program funded by ten million dollars and Indigenous People can be involved. Australia is the only Developed Country in the world that still has extensive Trachoma affected peoples. This presents a great challenge to Australian Governments to train and utilise Indigenous people to address not only Trachoma, but the turn-around of remote indigenous communities.

Such programs can be the lynch pin to revitalize and renew remote communities. There has already been an assessment of rating sustainability in remote communities with many seen as sustainable. These communities need programs of sustainability and such proposed Trachoma Eradication Programs can be the core of a betterment and sustainability system for remote communities. The involvement of Indigenous people in their own community sustainability is greatly beneficial.

Knowledgeable and expert Foundations like the Fred Hollows Foundation can become the core of such a Trachoma Program and this can be done for a very small investment in "Closing the Gap". Closing the Gap identifies the deficiencies that affect Indigenous Populations and Trachoma ranks as a major contributor to the impact on negative health of Indigenous People.

Trachoma is a completely preventable disease and can be prevented if only the will be there.

SECRETARIAT COMMENT

The need for greater investment in controllable diseases is acknowledged. There is already a comprehensive State program for Trachoma Management in WA for discrete Aboriginal Communities. WA is one of the leading States in the management of Trachoma through targeted personal hygiene programs and use of new generation 6 month and 12 month antibiotics.

4.2 Prescribed Burning Program (05-024-02-0044 AH)

Shire of Bridgetown-Greenbushes to move:

MOTION

That WALGA lobby the Minister for Regional Development to negotiate conditions on the use of Royalties for Regions funds for enhancement of the State Government's prescribed burning program to ensure that these additional funds are used only for prescribed burns for asset preservation and protection around towns and settlements and that the funds not be used for broad scale prescribed burning of forests and national parks distant from towns and settlements.

IN BRIEF

- The State Government has announced an additional \$20 million investment in prescribed burning under the Royalties for Regions Program.
- The focus of this additional investment should be on asset preservation and protection around towns and settlements rather than broad scale prescribed burning

MEMBER COMMENT

On 11 May 2015 the State Government announced a four year Royalties for Regions investment of \$20 million to increase prescribed burning in the South West. These funds are on top of the Department of Parks and Wildlife annual prescribed burning budget of \$10 million per annum.

The Government announcement stated that the new funding will fund extra positions and extended employment contracts for seasonal land management officers to expand the prescribed burning effort. The Minister for Regional Development, the Hon Terry Redman MLA was quoted as saying that "the extra Royalties for Regions investment would bring greater security and protection to South-West communities".

The Shire of Bridgetown-Greenbushes endorses the above comments of the Minister for Regional Development. Royalties for Regions funding shouldn't be used to prop up the normal operations of Government departments that have otherwise been short changed from years of reduced budget allocations. Instead Royalties for Regions funding should be used to enhance normal Government expenditure and in this case it should be ensured that the additional funding directed to the prescribed burning program should be focused on the preservation of assets and public safety in our settlements and towns rather than the funding being simply used by the Department of parks and Wildlife to meet acreage targets in the easier to burn areas such as forests and national parks. Often these areas are remote from towns and settlements and it is easier to carry out larger burns. Whilst there may well be strong environmental benefits in such burns the focus of the additional funding over the next four years should be the preservation of built assets.

SECRETARIAT COMMENT

Given the limited funding available within the state for bushfire risk mitigation, it is critical that any additional funding for prescribed burning is used in high priority areas of the state, particularly those that are in close proximity to towns, settlements and significant economic infrastructure.

Identification of the priority areas and the subsequent prescribed burning programs could be done through coordination of the results of the bushfire risk management planning process, which is currently being piloted by several Local Governments, the DFES mapping generated for the purposes of the soon to be implemented, WAPC state planning policy – bushfire prone areas and the office of bushfire risk management's approvals process.

4.3 Bushfire (Planning) Regulations – Local Government Impacts (05-024-02-0056 AH)

City of Bunbury to move:

MOTION

1. That WALGA move to seek that the Fire and Emergency Services Commissioner recognises existing Local Government bushfire risk assessment processes that demonstrate sufficient rigour and accept that Local Government's Bushfire Risk Mapping in the application of the new Bushfire (Planning) Regulations.
2. That appropriate support be provided to Local Government, to offset the costs and delays that will be incurred as a result of implementing the new Regulations into the development application processes. This would include (but not limited to) training in bushfire risk assessment - Bushfire Attack Level (BAL). A media campaign to explain the new Regulations and its impacts would assist in deflecting some of the negative reaction that may be incurred by Local Governments.
3. That WALGA request the State Government to assist with the implications of State owned lands providing risk to developments. Rather than insist on construction requirements to increase resilience for new structures, it may be more beneficial to treat the risk. This would be especially important where existing structures are also impacted. Currently, the Bush Fires Act (1954) does not bind the Crown.

IN BRIEF

- The State Government has brought down new regulations on development within areas of the State declared as 'bushfire prone'.
- A State wide map will highlight areas that will be declared, being essentially, any land that is within 100 metres of bushland greater than 1 hectare in area.
- Local Government will be expected to manage the application of the Regulations, to new development within those areas, upholding the requirements of 'AS 3959 (2009) – Construction of buildings in bushfire-prone areas'.

MEMBER COMMENT

Large areas of the State are likely to be declared as Bushfire Prone by the Fire and Emergency Services Commissioner. These will be demonstrated on a State map of Bushfire Prone Areas. The rationale for the decision on bushfire prone status is essentially any area that is within 100 metre proximity to bushland that is greater than 1 hectare in area. Some smaller parcels will also be included, whereby they may be relatively close to other areas of bushland that can be aggregated in some situations.

While no-one would be against recognising and avoiding high risk developments, this suite of arrangements passed from State Government, will be highly problematic for Local Government.

Local Governments were given limited opportunity to comment on early risk assumptions, through a relatively crude process. Early communications indicated that the Office of Bushfire Risk Management (OBRM) would accept a Local Government's risk mapping, if the Commissioner was satisfied with its rigour. This has not happened at this stage, nor have we seen the final OBRM maps, to indicate the potential of this situation to impact Local Governments.

These new regulations have the potential to impact considerably upon Local Governments through the following:

- This system only looks at new development applications, putting the bushfire safety focus on that environment alone. It does not recognise the need to manage existing risks.
- This system will require a cadre of bushfire risk assessors, likely to be contractors, adding to development costs. The competencies required and formal training programs for these persons, has not yet been established.
- The focus on risk management in this case, will be on the building proponent (element at risk) not on the bush land manager (source of risk). There is no focus on working to reduce risk by treating areas presenting that risk. It is likely that any land managed by Local Government that is seen to present increased complexity and/or costs to a developer or owner, would attract considerable criticism for that Local Government.
- There is a strong potential for insurance premium rises on existing structures, due to a likely increase in replacement construction costs.
- For construction within declared bushfire prone areas, there will be an increase in cost to construct to the new standards, a need for Local Government to understand, apply and police the construction standards. There is likely to be a relatively hostile reaction from builders/owners to this new regime of costs and compliance complexity.
- Some areas of land, rated as BAL 40 or BAL FZ may be now impossible to build on, due to an external risk (adjacent bushland). This would drastically reduce the value of these lands, with likely political backlash.

The AS 3959 considers bushfire risk based upon only three factors, being the proximity of potential development to bushland, the predominant vegetation type and the gradient under that vegetation. The new Bushfire (Planning) Regulations consider only proximity to bushland. This is a crude risk assessment process, which will cause huge areas to be presumed to be high risk. It will be up to the developer/owner to prove lower risk levels exist, which in many cases will be the case.

Using the *AS/NZS ISO 31 000 (2009) – Risk Management – Principles and guidelines* encourages that consideration of ‘risk versus consequence’ measures and other factors such as bushfire behaviour, would be prudent. Further, the use of the National Risk Assessment Guidelines (NERAG) to challenge the assumptions made, would further add confidence to risk assessments.

Where a Local Government could demonstrate that their processes contain that rigour, then these should be upheld. A very high percentage of the land that is within 100 metres of existing bushland (and likely to be declared as bushfire prone) could easily be demonstrated to be an acceptable bushfire risk and avoid the added complexity of the new Regulations.

SECRETARIAT COMMENT

The declaration of bushfire prone areas by the State Government and the application of minimum state-wide bushfire standards for development in bushfire prone areas is consistent with State Councils resolution of May 2013 (200.2/2013). Prior to forming this resolution, the Association undertook widespread consultation with members to discuss arrangements for managing bushfire risk and received strong support from the sector for the State Government taking the lead in identifying bushfire risk areas and establishing state wide planning provisions for bushfire mitigation.

The Association understands that the Western Australia Planning Commission (WAPC) have made substantial modifications to the previously advertised draft State Planning Policy (SPP) 3.7 Planning for Bushfire Risk Management and its associated Guidelines. The Association has been informed by the Department of Planning intends to release the revised draft Policy and Guidelines for public

consultation in July. The Association will be preparing a submission to WAPC in relation to the revised draft SPP and will be seeking feedback from members to inform this submission.

The Association understands that any default declaration of 'bushfire prone areas' as being within in 100m of a hectare of bushfire vegetation is only an interim measure which will be superseded by the release of bushfire prone area mapping. This mapping will be further refined over time. Further, it is important to note that the declaration of a bushfire area does not automatically mean that higher construction standards will be necessary, rather a more accurate assessment of bushfire risk will need to be undertaken by development proponents.

Throughout the process of developing the proposed land-use planning bushfire risk management policy framework, the Association has consistently advocated that the State provides the necessary funding for any additional requirements placed on Local Governments, including any training for Local Government officers.

4.4 Integrated Response by Local Governments to Hoarding (05-026-03-0016 AH)

City of Bunbury to move:

MOTION

That WALGA:

1. **acknowledge that hoarding is a complex problem for Local Governments to address in Western Australia.**
2. **facilitate the development of an integrated response to the problem of hoarding by using consistent best practice standards which can be applied by all Local Governments in Western Australia.**

IN BRIEF

- A Toolkit exists for Metropolitan Local Governments however this does not apply for regional Councils.
- Local Governments can only prosecute offenders under Health Legislation
- An integrated response to the problem which can be applied by all Local Governments would be an initial step to looking at these issues

MEMBER COMMENT

The Department of Health has developed a squalor toolkit which is used by the Metropolitan Local Governments.

In circumstances when regional Local Governments have tried to implement the recommendations/requirements of the tool kit for cases, the support from key agencies was not available in regional areas.

This results in regional Local Governments only ability to address the problem being to prosecute the offender under Health legislation and on some occasions this action may result in the Local Government incurring considerable costs.

It is felt that an integrated response to the problem of hoarding by using consistent best practice standards which can be applied by all Local Governments in Western Australia would be an initial step to looking at these issues.

SECRETARIAT COMMENT

The recommended action is consistent with WALGA policy.

4.5 Shark Hazard – Local Government Expectations (05-017-02-0006 AH)

City of Bunbury to move:

MOTION

1. That WALGA move to seek that the State Government declare Shark Attack as a 'hazard' within the Emergency Management Regulations (2006) and assign an Hazard Management Agency, for the development and maintenance of Hazard Management Arrangements. This agency would then also be responsible for the provision of community information and advice, to enable the community to make informed decisions with their use of the marine environment.
2. That WALGA recommend the adoption of the South West Local Government Response Flowchart and Responsibility Matrix, as the basis for Local Government response to any credible risk from sharks in local waters.
3. That WALGA act on behalf of WA Local Governments in the negotiation with the Department of Fisheries, to ensure that Local Government Officers are not expected to make any response decisions, where they do not have the Subject Matter Expertise, nor jurisdiction (i.e. when to open a beach after sighting, or when to close a beach etc.) for those decisions.

IN BRIEF

- The Shark hazard in WA is not a 'declared hazard' under the Emergency Management Regulations. No agency is identified to be responsible to manage community information or advice, nor develop arrangements to manage the hazard.
- The Department of Fisheries has developed draft Hazard Plans that identify a range of responsibilities to Local Government (as land owners), where they would have limited subject matter expertise or jurisdiction, to under-pin any decisions or actions.

MEMBER COMMENT

There is currently an expectation from the Department of Fisheries (DoF), that Local Government staff will respond to any shark sighting (confirmed or not) and close beaches and warn public. This also assumes that Local Government Officers remain constantly available to travel to a beach to carry out this work, immediately. This was first noted in the draft Shark Hazard Plan from that Department on 20 September 2012.

Local Governments in the main, have jurisdiction only to the high water mark and would not be considered to be experts in shark behaviour. The DoF have established and funded a 'Shark Response Unit', which presumably, would have the peak body of knowledge on this subject. Therefore, it would seem odd that the DoF would expect Local Governments to be making decisions, with respect to the risk that a shark may present and/or what should be done in respect of that risk.

As a result of a string of unfortunate fatal encounters with sharks, the media showed understandably high levels of interest in the shark risk. In the absence of a credible response agency, these reports were not challenged for credibility, nor wisdom. The resultant media coverage then raised the public interest and the matter became political. If there had been an identified Hazard Management Agency to provide an active and visible spokesperson role, that interest could have been managed and taken the form of public safety information and advice. It would have tempered the tone of the reporting and gone some way to educating the community on the actual risks and presumably, what people could do to manage their exposure. Any other declared hazard enjoys the benefit of a 'one source – one message' environment, which ensures consistent, credible information is provided on which

community members may base their decisions, along with the mandated responsibility to communicate.

In early 2014 the City of Bunbury, through the Chief Executive Officer, sought the assistance of the other South West Local Governments mentioned in the DoF Draft Shark hazard Plan (plus Harvey). The result was the establishment of a working group who worked collaboratively to develop a process and ultimately a Response Plan. This plan was developed to guide any Local Government response to any report of a shark hazard. This work recognised the limitations of Local Government in the jurisdiction and subject matter expertise as well as other agencies that would have a role (i.e. Department of Parks and Wildlife (DPaW)). The group then conducted a workshop, funded by WALGA and the participating Local Governments, along with the agencies that would be impacted in the South West. The Departments of Fisheries and Premier and Cabinet had senior staff in attendance, including the Acting Director General of DoF.

DoF and Premier and Cabinet continued not to accept the South West proposed processes.

With the summer tourist season beginning, the City of Busselton took to providing an interim solution, essentially causing a hiatus in the collaborative work that was being undertaken. Further, it would seem that DoF and the State Government were not concerned with the discontent of a few Local Governments and keen to preserve the status quo.

Under the current situation, whereby DoF have effectively handed over responsibility to Local Governments, there is potential conflict between community expectations for a safe environment and the risks that Local Governments and their Officers face in making decisions. This is especially the case, in a subject area where they do not possess the expertise nor jurisdiction to operate. DPaW and other land managers are in a similar position (though DPaW do have jurisdiction on the water). Should there be scrutiny over a decision that was made prior to an incident, the Local Government and/or its Officer may be held to account over why they had made a decision that had ended unsatisfactorily. Equally, adherence to the 'do nothing' option carries its own risks, in that public safety may be seen to be compromised, especially if a Local Government could be proven to have known of that risk.

Any action or decision taken as a result of a shark sighting, should be under-pinned with due recognition of the skills and knowledge of the decision-maker and their jurisdiction to act. Protection from subsequent scrutiny and criticism must be provided by a process which follows sound risk management processes and clear, concise guidance documentation.

SECRETARIAT COMMENT

In 2012 the State Emergency Management Committee developed a comprehensive risk management strategy for Western Australia to have a better understanding of the risks to which the State is exposed and to ensure that emergency management strategies are in place. In 2013 the State Government commenced the *State Risk Project* which has identified 27 hazards - both natural and made in Western Australia. The State Risk project demonstrates an integrated approach and consistent framework for risk assessment and management across the State.

4.6 Inland Waterway Shoreline Management (05-064-01-0001 MB)

City of Mandurah to move:

MOTION

That WALGA lobby for a single State Government agency to be responsible for inland waterway shoreline management in the same manner as the Department of Transport' current role to administer the State Government's policy directly relating to coastal management.

IN BRIEF

- WALGA's support is requested to address the management and responsibility of inland waterways shoreline management.

MEMBER COMMENT

Local Governments which have estuarine and riverine environments experience shoreline erosion. Others may have a coastal environment where-in coastal erosion occurs from time to time.

It is agreed that the requirement to investigate the mechanisms of shoreline erosion and to undertake significant protection works is equal to that which is required along the coastline.

Inland waterway shoreline erosion is addressed through a number of agencies that have specific interests. For example, the Swan River Trust and the Department of Water have specific areas of interest. On the other hand, the Department of Transport has carriage of coastal management via its Coastal Protection Policy for Western Australia.

The aims of this Coastal Protection Policy are to:

- Ensure the provision of the appropriate level of advice and assistance to coastal managers investigating and recommending coastal protection solutions
- Ensure that valuable coastal assets, whether natural or constructed, are protected from the unwanted impacts ocean forces
- Ensure the adoption of the most appropriate and cost-effective interventions to project coastal property at risk of damage from sea erosion
- Provide support to broader coastal management policies of the State.

The specific principles that guide this Coastal Projection Policy are to:

- Minimise the need to interfere with natural coastal processes
- Undertake coastal protection works only if the benefits outweigh the cost
- Ensure that the direct beneficiaries of coastal development carry all consequential costs
- Ensure that the coast continues to be available for the benefit of the whole Community Services and Infrastructure Projects
- Ensure that local coastal managers receive proper guidance and assistance to solve their coastal protection problems
- Establish that coastal protection is a partnership between the State and local coastal managers, with the lead taken by the local coastal managers, and
- Ensure that the most appropriate coastal protection technologies are considered.

Both the policy and principles should be equally applicable to estuarine and riverine environments.

There appears to be a reluctance to address inland waterways shoreline management in the same manner that currently applies to coastal management.

Support via WALGA to address this anomaly is sought.

SECRETARIAT COMMENT

As outlined in the July 2015 State Council Agenda, the Department of Transport is reviewing its *Coastal Protection Policy for Western Australia*. It is noted that the new draft policy document does not provide greater clarity for local government and does not provide a greater amount of transparency on how the Department of Transport will be helping to manage the coastal environment.

The policy is pared back from the previous version (as cited by the City of Mandurah). Therefore, at a time when coastal management roles and responsibilities should be solidified, the Department seems to be tempering its response to this issue and notions of operational responsibility.

It is also noted that the Swan River Trust has recently developed a comprehensive foreshore asset management system to manage the approximately 300km of foreshore of the Swan Canning system. As members may be aware, the Swan River Trust is currently in the process of being absorbed into the Department of Parks and Wildlife (DPAW).

Discussion with the Director General of the Department of Parks and Wildlife have indicated the potential for such a role to be considered by DPAW, beyond the current remit of the Swan and Canning River estuaries.

4.7 Planning for Waste Management Facilities (05-025-03-0003 MB)

Shire of Toodyay to move:

MOTION

That WALGA request the State Government as a matter of urgency:

- **Develop a waste management infrastructure plan for Western Australia**
- **Progress regulatory reforms to establish a framework for planning and siting of landfills.**
- **Implement a moratorium on new private landfill approvals until adoption of a durable planning framework.**

IN BRIEF

- Planning for future landfills in WA has stalled.
- State policy discourages new landfills on the Swan Coastal Plain.
- New landfills are considered on a case by case basis by small LGAs with no State Plan.
- Planning framework for waste management now urgent.

MEMBER COMMENT

The State Waste Strategy *Creating the right environment*¹, adopted in 2012, identifies targets for waste diversion from landfill for the metropolitan and non-metropolitan areas. In the 2014, the Department of Environment Regulation (DER) released a *Discussion Paper on the Review of the Waste Avoidance and Resource Recovery Act*². The Paper identified that “about 43% of Perth’s waste is currently recovered... the balance is sent to landfills which have capacity until around 2025 on current projections or until 2030 if the targets in *Western Australia’s Waste Strategy, Creating the right environment*, are met”.

The Paper states one of the “Waste Strategy’s initiatives is long-term planning for waste and recycling processing. The focus of the planning is on waste processing and recycling facilities that divert waste from landfill to promote the most efficient use of resources”. The process of developing this plan was commenced through a Strategic Waste Infrastructure Planning Project³ however after the initial research (which is still to be released) this process appears to have stalled.

Regulatory reform is also highlighted in the DER Paper. The Paper notes there is a need for reform to the planning and siting of landfills and the establishment of framework to assist decision making for new landfills. The Paper states:

There is increasing pressure for metropolitan waste to be disposed to landfill outside of the metropolitan area. These pressures are in part the result of increased waste generation, and the limited supply of future putrescible landfill space in the metropolitan area arising from the preference for no new putrescible landfills on the Swan Coastal Plain to address groundwater issues.

There is a strong case to reform the landfill policy and regulatory framework to include planning, siting and compliance considerations so that landfills can be managed consistent with government policy. Policy considerations should balance the need to ensure availability

¹ Waste Strategy, available from <http://www.wasteauthority.wa.gov.au/publications/western-australian-waste-strategy-creating-the-right-environment>

² DER Discussion Paper, available from

³ Strategic Waste Infrastructure Planning Project, available from <http://www.wasteauthority.wa.gov.au/programs/strategic-waste-infrastructure-planning/>

of sufficient landfill space to manage residual waste and unplanned events (such as spikes in waste caused by natural disasters or failures in alternative waste-processing infrastructure) with the need to limit supply to encourage maximum diversion from landfill.

Despite the reforms and planning highlighted, there is not a strategic infrastructure plan in place for waste management facilities. Decisions regarding waste management facilities, whether it be landfills, recycling facilities or waste to energy plants, are made on a company by company or Council by Council basis. Small rural Councils are bearing the brunt of the lack of a wider planning framework. The industry licensing system is also out dated and under review. Private waste management companies may be able to take advantage of this policy vacuum, resulting in inappropriate facilities with long term licenses.

SECRETARIAT COMMENT

WALGA fully supports the need for better strategic planning for all waste management facilities and understands the concerns raised by the Shire. The Association's Submission on the Review of the Waste Avoidance and Resource Recovery Act highlighted that without such planning there will be limited coordination of infrastructure selection and placement.

4.8 Management of Narrow Leafed Cotton Bush (05-046-03-0010 MB)

Shire of Murray to move:

MOTION

That WALGA Lobby the Minister for Agriculture and Food seeking support for a multi-tiered approach to the management of Narrow Leafed Cotton Bush including:

- **Training Local Government staff who can assist with infringing any land-owners not managing cotton bush and other declared pests.**
- **Provide funding to regional biosecurity groups of \$100,000 per annum to ensure their survival.**
- **Make Changes to the Biosecurity and Agriculture Management Act 2007 (BAM) to ensure any pest rate raised stays within the district**
- **Request cabinet address the issue of cotton bush and the inaction of state departments in managing their own land.**

IN BRIEF

- The current situation and impacts of Cotton Bush and other Declared Species in the South West Agricultural Region
- That State Government work with Local Government who are in the firing line of these impacts and empower them under current legislation
- That the proposed funding model is reviewed.

MEMBER COMMENT

Several Local Governments in the South West Agricultural Region (including the Shire of Murray) are suffering and continue to suffer from the impacts of C3 declared pest species and in particular from narrow Leafed Cotton Bush (*Gomphocarpus fruticosus*).

Two years ago the Shires of Murray and Dardanup tabled a motion to the WALGA AGM asking them to lobby the government to put more resources into control of Cotton Bush. Since then the Department of Agriculture and Food have suffered several significant cuts to its personnel and operations. This has led to a significant loss of on ground control and compliance measures.

Due to the increase in absentee landholders and idle subdivisions fuelled by the land speculation in the economic boom followed by stagnation since the global financial crisis this has led to a significant number of peri urban properties being effectively unmanaged which has helped lead to an uninhibited spread of Cotton Bush throughout Murray and many other LGAs.

In Murray alone there are 177 recorded instances of Cotton Bush infestations one of which is over 1200 hectares in size. This is 9% of all the properties in the Shire. This is expected to lead to a cumulative impact on the agricultural sector of WA between \$400,000 and \$800,000 per annum.

The State Government has favoured a community based model for delivery of pest management in the form of a Recognised Biosecurity group and there is one set up in the Peel region which is making some positive impact. However the Shire feels that this is not enough and has some serious concerns about the potential imposition of a Declared Pest Rate which is an effectively another levy on rate payers in an area suffering from significant unemployment. There is also the fact that under the Biosecurity and Agriculture Management Act 2007 (BAM) there is no guarantee that any money collected in a rate has to be spent in that region.

It is also a concern that the rate would be effectively penalising those who are currently doing the right thing and may be used to fund government owned tracts of land being managed.

Murray has also been lobbying to have Local Government officers empowered under the BAM Act in a similar way to how the Fire Act is managed as there are already provisions in the Act for this to occur. The Shire has been requesting this for two years but to date there has been no action.

The Shire would like support from WALGA in achieving these goals and achieving a continuation of the current RBG funding framework which sees Local Government money matched by State for their continued running without the impost of a declared pest rate. The Shire of Murray seeks support in generating a whole of government approach including:

- Training up any Local Government staff who can assist with infringing any land-owners not managing cotton bush and other declared pests.
- Giving those trained staff the authority to infringe landowners not managing cotton bush and other pests
- Provide funding to regional biosecurity groups of \$100,000 per annum to ensure their survival.
- Make Changes to the BAM Act to ensure any pest rate raised stays within the district.
- Have cabinet address the issue of cotton bush and the inaction of state departments in managing their own land.

SECRETARIAT COMMENT

The current funding from the DAFWA to underpin the creation of Recognised Biosecurity Groups is from a strategic grant from the State NRM Program. Accordingly there is no certainty that the current level of DAFWA support for the formation of RBGs will continue.

There is no core funding in the forward estimates of the DAFWA budget to ensure the continuation of funding required to support future Recognised Biosecurity Groups (RBG's). A policy shift by the Government is therefore required if it is to match Local Government investment, be it through contributions to a levy raised by an RBG, or of its own volition and revenue (rates).

In relation to the issue of regulation and enforcement, the Association position is to empower a Local Government CEO, should the relevant Local Government desire, to be delegated under the *Biosecurity and Agricultural Management Act (2007)* to undertake regulatory functions, thereby having the force of the BAM Regulations at their disposal for specific declared species.

The Association has raised this with both the Minister directly, and through its interim submission on the draft State Biosecurity Strategy, and will continue to advocate for this outcome. Funding will be required to build the capacity of local government officers in undertaking a regulatory role on specific declared species.

An amendment of the BAM Act legislation will be required to ensure that any monies collected within a region are spent in the region in which it is collected, as currently Section 138 (f) of the BAM Act provides Director General discretion in the use of funds in the Declared Pest Account for "any purpose authorised under this Act or another written law".

4.9 Illegal Camping (05-034-01-0007 JMc)

Shire of Northampton to move:

MOTION

That WALGA is to investigate legislation changes to allow Local Governments to recover fines issued to illegal campers through vehicle hire companies (as a majority of offenders are from overseas using hire vans/vehicles), as an example, to try and assist Local Governments to control this activity and recover costs incurred in policing illegal camping.

IN BRIEF

- Local Government needs a tight legal mechanism to allow receipt of infringements to assist in recouping part of the costs for policing this activity

MEMBER COMMENT

Illegal camping throughout the Shire and other coastal areas (and no doubt inland areas) is becoming a real problem with many offenders being from overseas. We issue infringement notices (on the spot fines) where illegal camping is occurring within our town sites but those fines and our Rangers warnings/ requests to relocated are simply ignored by these persons.

Local Government needs a tight legal mechanism to allow receipt of infringements to assist in recouping part of the costs for policing this activity and also to act as a deterrent. Use of local laws provisions is simply not good enough.

SECRETARIAT COMMENT

Difficulties associated with recovery of illegal camping fines is an Australia-wide issue particularly impacting popular coastal locations.

Illegal camping often presents a conundrum to communities, keen on the one hand for tourism visitations to stimulate the local economy but aware also of the negative impact illegal camping may have on sensitive environments or the general amenity of popular local attractions.

The capacity to issue infringements for illegal camping has a positive deterrent effect on responsible tourists, but it is agreed that recovering fines in certain circumstances is problematic.

It is notable there is no similar State-based legislation of the nature proposed in the Member motion, and research will be required to determine whether it is legislatively feasible and will result in a workable deterrent to the practice of illegal camping.

4.10 Non-rateable Properties: Charitable use of Land (05-034-01-0007 JMc)

City of Mandurah to move:

MOTION

That WALGA increases it's lobbying for an amendment to the Local Government Act 1995 Section 6.26(2)(g) to allow land used for charitable purposes to be rateable if it is used for housing.

IN BRIEF

- The Western Australian Local Government Association's support is requested to lobby for legislative amendments to allow land used for charitable purposes to be rateable if it is used for housing.

MEMBER COMMENT

Non-rateability of land used for charitable purposes, particularly in the areas of retirement and social housing, is presenting an increasing cost burden to the community if Local Government is to be able to provide services and infrastructure. This also raises issues of equity and fairness in both the rating of properties and the ability to access and utilise Local Government services and facilities.

The demographic shift towards an ageing population is likely to see a growth in retirement/lifestyle housing and the involvement of charitable organisations will probably increase with it. Although meeting the needs of the aged is a charitable purpose, it is not the exclusive domain of charitable organisations. Residents of these villages are not forced by their personal circumstances to seek shelter but mostly are making a lifestyle decision to move to the village. The business model of villages operated by charitable organisations is the same as commercial providers in that in-going residents provide a substantial payment, generally as an interest-free loan, and pay for all operating costs. The services provided, the financial arrangements and quality of accommodation are the same, and in some cases better, than commercial providers. In these circumstances it is not equitable that a non-profit organisation should be relieved of a rates burden for providing the same service and facilities as their commercial counterpart. It also brings into question the nature of the charity actually being provided.

As a matter of policy, the implementation of tax exemptions for older people in an ageing society will tend to skew the cost burden towards a reducing number of people able to pay. Revenue raising policies which rely on fewer people to provide income tend to act against growth and development. The attraction of cost relief should be resisted to allow agencies such as Local Governments to provide the best possible environment for all of its population. Residents of retirement villages, although not property owners, have available to them the same rebate as property owners under the Rates and Charges (Rebates and Deferments) Act 1992. In addition residents of villages benefit from being exempt from the provisions of minimum rating which local governments can apply under the Local Government Act 1995 S6.35.

With respect to social housing, the need for affordable housing for those who would not otherwise be able to pay for accommodation, or who are otherwise disadvantaged, is recognised. Local Governments should support the progress made in providing these types of accommodation. However, when this form of housing was provided by the Department of Housing, it was known that, as Crown Land, homes were not rateable. Despite this, recognising that residents used Local Government services and facilities, sometimes to a disproportionate extent, the Department paid property rates on an ex gratia basis. Since the decision has been made to outsource this activity, the non-profit organisations have actively, and mostly successfully, obtained relief from the payment of rates. The business case for outsourcing for the government is self-evident but the cost transfer has been to the rate-paying community.

There is reluctance from the State Government to address this issue. It would appear that the Government is content to allow the matter to be decided through decisions by the State Administrative Tribunal and judgment by the WA Supreme Court. This tends to produce a fragmented solution as individual issues are decided on a case by case basis. It is better to have clarity through legislative amendments so that both Local Governments and housing providers have certainty.

SECRETARIAT COMMENT

The Member motion aligns with the Association's policy in relation to charitable land use rate exemptions, which reads:

1. *Amend the Local Government Act to clarify that Independent Living Units should only be exempt from rates where they qualify under the Commonwealth Aged Care Act 1997;*
2. *Either*
 - a) *amend the charitable organisations section of the Local Government Act 1995 to eliminate exemptions for commercial (non-charitable) business activities of charitable organisations;*

or

 - b) *establish a compensatory fund for Local Governments, similar to the pensioner discount provisions, if the State Government believes charitable organisations remain exempt from payment of Local Government rates.*

The motion also aligns with State Council's current position on affordable housing.

4.11 Financial Limits for Tenders (05-034-01-0001 JMc)

City of Melville to move:

MOTION

That the *Local Government (Functions and General) Regulations 1996* (as amended from time to time) be amended so the minimum threshold for the purchase of a good or service, be altered to match the threshold level from time to time gazetted under the *State Supply Policies for State Government Departments and instrumentalities*.

IN BRIEF

- Purchases in excess of \$100,000 require a tender.
- The threshold was set in 2007.
- A link to State Government purchasing provides:
 - ongoing review;
 - a higher threshold.

MEMBER COMMENT

The current financial threshold levels under these Regulations require Local Governments to use an open tender process for the purchase of goods or services with a value of over \$100,000. This threshold level has existed since February 2007 when it was changed from \$50,000 by an Amendment to these Regulations.

Local Governments may also avail themselves of the WALGA Contract Panels which allow quotations for work above \$100,000 to be sought from contractors and suppliers who have pre-qualified for the Contract Panels through an open public process that satisfies the requirements of the Regulations.

With respect to State Government Departments and instrumentalities whose purchasing activities are generally covered under the *State Supply Commission Act 1991* and its subsidiary legislation (with a plan for this to be eventually subsumed by the Department of Finance) the minimum threshold for open tenders is a value of \$150,000, and this is varied from time to time by policies issued under the State supply legislation (currently \$250,000).

The proposed motion simply links Local Governments to State Government Departments where similar processes and controls over purchasing practice exist, and then suggests that the Regulations be amended to simply link the Local Government threshold to the one in force from time to time for State Government Departments.

SECRETARIAT COMMENT

The Member motion aligns with current Association policy.

At the time of writing, the Department of Local Government and Communities is finalising amendments to the *Local Government (Functions and General) Regulations 1997*. It is WALGA's position that the tender threshold should align with the threshold that applies to State Government agencies, \$250,000. The current proposal is to amend the Regulations so that the tender threshold be increased from \$100,000 to \$150,000.

Attachment 1: Association Standing Orders

1. **INTERPRETATIONS**
For the purposes of these Standing Orders, if not inconsistent with the context, the following words shall have the following meanings:
 - 1.1 **"Absolute Majority"** means:
a majority of delegates of the Association whether present and voting or not.
 - 1.2 **"Association"** means:
all or any part of the Western Australian Local Government Association.
 - 1.3 **"Delegate or Deputy Delegate"** means:
those persons duly nominated, from time to time, to represent a Member Local Government at a meeting of the Association.
 - 1.4 **"Deputy President"** means:
the Deputy President for the time being of the Association.
 - 1.5 **"Meeting"** means:
an Annual or Special General Meeting of the Association.
 - 1.6 **"Member Local Government"** means:
a Local Government admitted to ordinary membership of the Association in accordance with the provisions of the Constitution.
 - 1.7 **"President"** means:
the President for the time being of the Association.
 - 1.8 **"Simple Majority"** means:
a majority of the delegates from the Association that are present and voting.
2. **CONDUCT OF MEETINGS**
The proceedings and business of meetings of the Association shall be conducted according to these Standing Orders.
3. **NOTICE OF MEETING**
 - 3.1 **Annual General Meeting**
The Chief Executive Officer of the Association shall give at least ninety (90) days notice of an Annual General Meeting to all Member Local Governments, advising of the closing date for submission of motions for inclusion on the agenda.
 - 3.2 **Special General Meeting**
A Special General Meeting of the Association is to be held if a request is received by the Association President, in accordance with the requirements of the Association's Constitution. No business shall be transacted at a Special General Meeting other than that for which the Special General Meeting was called.
 - 3.3 Notice shall be given at the destinations appearing in the records of the Association.

Notice will be deemed to have been delivered immediately if transmitted electronically or on the second working day after posting.
4. **QUORUM**
 - 4.1 The Association shall not conduct business at a meeting unless a quorum is present.
 - 4.2 At any meeting of the Association greater than one half of the delegates who are eligible to vote must be present to form a quorum.
 - 4.3 The Association is not to transact business at a meeting unless a quorum is present.
 - 4.4 If a quorum has not been established within the 30 minutes after a meeting is due to begin then the Association can be adjourned –
 - (a) by the President or if the President is not present at the meeting, by the Deputy President;
 - (b) if neither the President nor Deputy President is present at the meeting, by a majority of delegates present;
 - (c) if only one delegate is present, by that delegate; or
 - (d) if no delegate is present, by the Chief Executive Officer or a person authorised by the Chief Executive Officer.
 - 4.5 If at any time during a meeting a quorum is not present, the President shall thereupon suspend the proceedings of the meeting for a period of five (5) minutes and if a quorum is not present at the expiration of that period, the meeting shall be deemed to have been adjourned and the person presiding is to reschedule it for some future time.
 - 4.6 Notice of a meeting adjourned because of absence of a quorum is to be given to all Member Local Governments.
5. **MEETINGS OPEN TO THE PUBLIC**
The business of the Association shall be open to the public except upon such occasions as the Association may by resolution otherwise decide.
6. **ORDER OF BUSINESS**
Unless the Association should decide otherwise, the order of business at meetings of the Association, with the exception of special meetings or an adjourned meeting, shall be as follows:
 - (a) Record of attendance and apologies;
 - (b) Announcements;

- (c) Confirmation of minutes of previous meetings;
- (d) President's report;
- (e) Financial report for the financial year; and
- (f) Consideration of Executive and Member Motions.

7. VOTING ENTITLEMENTS

- 7.1 Each Member Local Government shall be entitled to be represented at any meeting of the Association.
- 7.2 Only eligible and registered delegates may vote.
- 7.3 A delegate shall be entitled to exercise one vote on each matter to be decided. Votes are to be exercised in person.
- 7.4 A delegate unable to attend any meeting of the Association shall be entitled to cast a vote by proxy.
- 7.5 A proxy shall be in writing and shall nominate the person in whose favour the proxy is given, which person need not be a delegate. Proxy authorisations shall be delivered to the Chief Executive Officer of the Association before the commencement of the meeting at which the proxy is to be exercised and shall be signed by the delegate or by the Chief Executive Officer of the Member Local Government that nominated the delegate.

8. SPECIAL URGENT BUSINESS

At any time during a meeting a delegate may, with the approval of an absolute majority, introduce a motion relating to special urgent business that calls for an expression of opinion from the meeting.

In presenting an item of special urgent business, a delegate shall have sufficient copies of the motion in writing for distribution to all delegates present at the meeting and, where practicable, give prior notice to the President of such intention.

9. PRESIDENT

In the construction of these Standing Orders unless the context requires otherwise, the word "President" shall in the absence of the President include the Deputy President or the delegate chosen by resolution to preside at any meeting of the Association.

10. DELEGATE AND DEPUTY DELEGATE

- 10.1 In the construction of these Standing Orders unless the context requires otherwise, the word "delegate" shall in the absence of the delegate include the deputy delegate.
- 10.2 A deputy delegate acting in the capacity of a delegate unable to attend a meeting of the Association shall exercise all rights of that delegate.

11. PRESIDENT TO PRESIDE

- 11.1 The President shall preside at all meetings of the Association, but in absence of the President, the Deputy President shall preside.
- 11.2 In the absence of the President and the Deputy President, the delegates shall choose by resolution, a delegate present to preside at the meeting.

12. SPEAKING PROTOCOL

- 12.1 Only registered delegates and members of the Association's State Council shall be entitled to speak at meetings of the Association.
- 12.2 The first person that is entitled to speak at a meeting who attracts the attention of the person presiding shall have precedence in speaking.
- 12.3 Speakers are to use the microphones supplied.
- 12.4 When addressing a meeting, speakers are to:
 - (a) rise and remain standing unless unable to do so by reason of sickness or disability;
 - (b) address the meeting through the person presiding;
 - (c) state their name and Local Government before otherwise speaking;
 - (d) refrain from reading comment printed in the agenda paper in support of a motion, but may identify key points or make additional comment; and
 - (e) refrain from using provoking or discourteous expressions that are calculated to disturb the peaceful current of debate.

- 12.5 Mobile phones shall not be switched on while the meeting is in session.

13. DEBATE PROCEDURES

- 13.1 A delegate moving a substantive motion may speak for –
 - (a) 5 minutes in his or her opening address; and
 - (b) 3 minutes in exercising the right of reply.
- 13.2 Other speeches for or against motions are to be limited to 3 minutes unless consent of the meeting is obtained which shall be signified without debate.
- 13.3 No delegate, except the mover of a motion in reply, is to speak more than once on the same motion except by way of personal explanation.
- 13.4 As soon as the right of reply has been exercised, the motion is to be forthwith put to the vote without further comment.
- 13.5 No discussion shall take place on any motion unless it is moved and seconded. Only one amendment on any one motion shall be received at a time, and such amendment shall be disposed of before any further amendment can

- be received. Any number of amendments may be proposed.
- 13.6** The provisions of these Standing Orders applicable to motions apply mutatis mutandis to amendments, except that the mover of an amendment shall have no right of reply.
- 13.7** When a motion has been moved and seconded, the person presiding shall at once proceed to take a vote thereon unless a delegate opposes it or an amendment is proposed.
- 13.8** No more than two delegates shall speak in succession on one side, either for or against the question before the meeting, and if at the conclusion of the second speaker's remarks, no delegate speaks on the other side, the motion or amendment may be put to the vote.
- 13.9** Notwithstanding clause 13.7, where a composite motion is moved which embodies the core aspects of subsequent motions listed on the agenda, a delegate whose motion has been superseded shall have the opportunity to speak on the question of the composite motion before it is put.
- Once a composite motion has been carried, no further debate shall be permitted in respect of the superseded motions.
- 13.10** At any time during a debate, but after the conclusion of a delegate's comments, a delegate who has not spoken during the debate may move, without discussion, "that the question be now put". If that motion is seconded and carried by a majority, the question shall be submitted at once to the meeting, after the mover has replied.
- 14. QUESTIONS**
Any delegate seeking to ask a question at any meeting of the Association shall direct the question to the President.
- 15. POINT OF ORDER**
A delegate who is addressing the President shall not be interrupted except on a point of order, in which event the delegate shall wait until the delegate raising the point of order has been heard and the question of order has been disposed of, whereupon the delegate so interrupted may, if permitted, continue.
- 16. MOTION - SUBSTANCE TO BE STATED**
A delegate seeking to propose an original motion or amendment shall state its substance before addressing the meeting thereon and, if so required by the President, shall put the motion or amendment in writing.
- 17. PRIORITY OF SPEAKERS**
If two or more delegates wish to speak at the same time, the President shall decide who is entitled to priority.
- 18. PRESIDENT TO BE HEARD**
Whenever the President signifies a desire to speak during a debate, any delegate speaking or offering to speak is to be silent, so that the President may be heard without interruption.
- 19. WITHDRAWAL OF MOTION**
A motion or amendment may be withdrawn by the mover with the consent of the meeting, which shall be signified without debate, and it shall not be competent for any delegate to speak upon it after the mover has asked permission for its withdrawal, unless such permission has been refused.
- 20. PRESIDENT MAY CALL TO ORDER**
The President shall preserve order, and may call any delegate to order when holding an opinion that there shall be cause for so doing.
- 21. RULING BY PRESIDENT**
The President shall decide all questions of order or practice. The decision shall be final and be accepted by the meeting without argument or comment unless in any particular case the meeting resolves that a different ruling shall be substituted for the ruling given by the President. Discussions shall be permitted on any such motion.
- 22. RESOLUTIONS**
- 22.1** Except as otherwise provided in the Association Constitution and these Standing Orders, all motions concerning the affairs of the Association shall be passed by a simple majority.
- 22.2** Any matter considered by the Association at a Special Meeting shall not be passed unless having received an absolute majority.
- 23. NO DISCUSSION**
Where there is no discussion on a motion, the President may deem the motion to be passed unless the meeting resolves otherwise.
- 24. PERMISSIBLE MOTIONS DURING DEBATE**
- 24.1** When a motion is under debate, no further motion shall be moved except the following:
- that the motion be amended;
 - that the meeting be adjourned;
 - that the debate be adjourned;
 - that the question be now put;
 - that the meeting proceed with the next item of business; or
 - that the meeting sits behind closed doors.
- 24.2** Any delegate who has not already spoken on the subject of a motion at the close of the speech of any other delegate, may move without notice any one of the motions listed in clause 24.1 (b)-(f) and, if the motion is seconded, it shall be put forthwith.

- 24.3** When a debate is adjourned, the delegate who moves the adjournment shall be the first to speak on the motion when the debate is resumed unless the delegate advises of no desire to speak on the motion. Where this occurs, the President shall then call for further speakers, with the exception of those delegates who have previously spoken (unless the meeting otherwise agrees).
- 25. RESCISSION OF RESOLUTION**
- 25.1 At the same meeting**
Unless a greater majority is required for a particular kind of decision under the Standing Orders (in which event that shall be the majority required), the Association may, by simple majority at the same meeting at which it is passed, rescind or alter a resolution if all delegates who were present at the time when the original resolution was passed are present.
- 25.2 At a Future Meeting**
Unless a greater majority is required for a particular kind of decision under the Standing Orders (in which event that shall be the majority required), the Association may rescind or alter a resolution made at an earlier meeting:
- (a) by simple majority, where the delegate intending to move the motion has, through the Chief Executive Officer, given written notice of the intended motion to each delegate at least seven (7) days prior to the meeting; or
 - (b) by absolute majority, in any other case.
- 26. METHOD OF TAKING VOTES**
The President shall, in taking a vote on any motion or amendment, put the question first in the affirmative, and then in the negative and may do so as often as is necessary to enable formation and declaration of an opinion as to whether the affirmative or the negative has the majority on the voices or by a show of hands or by an electronic key pad voting system.
- 27. DIVISION**
The result of voting openly is determined on the count of official voting cards and, immediately upon a vote being taken, a delegate may call for a division.
- 28. ALL DELEGATES TO VOTE**
- 28.1** At meetings of the Association, a delegate present at the meeting when a question is put shall vote on the question.
- 28.2** Each delegate shall be entitled to exercise one deliberative vote on any matter considered.
- 29. PRESIDENT'S RIGHT TO VOTE**
The President shall have a casting vote only.
- 30. SUSPENSION OF STANDING ORDERS**
- 30.1** In cases of urgent necessity or whilst the Association is sitting behind closed doors, any of these Standing Orders may be suspended on a motion duly made and seconded, but that motion shall not be declared carried unless a simple majority of the delegates voting on the question have voted in favour of the motion.
- 30.2** Any delegates moving the suspension of a Standing Order shall state the object of the motion, but discussion shall not otherwise take place.
- 31. NO ADVERSE REFLECTION ON ASSOCIATION**
A delegate shall not reflect adversely upon a resolution of the Association, except on a motion that the resolution be rescinded.
- 32. NO ADVERSE REFLECTION ON DELEGATE**
A delegate of the Association shall not reflect adversely upon the character or actions of another delegate nor impute any motive to a delegate unless the Association resolves, without debate, that the question then before the Association cannot otherwise be adequately considered.
- 33. MINUTES**
- 33.1** The Chief Executive Officer of the Association is to cause minutes of the meeting to be kept and preserved.
- 33.2** The minutes of a meeting are to be submitted to the next Annual or Special General Meeting for confirmation.
- 33.3** Copies of the minutes will be supplied to all delegates prior to the meeting.



MINUTES

Annual General Meeting

Perth Convention Exhibition Centre
Perth

6 AUGUST 2014



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Annual General Meeting

Western Australian Local Government Association Annual General Meeting held at the Perth Convention and Exhibition Centre, Business Session commencing at 3.45pm.

1.3 Record of Attendance and Apologies

Apologies

- Cr Geoff Amphlett
- Cr David Michael
- Mayor Ron Yuryevich

1.4 Announcements

- 2 Matters of Special Urgent Business have been received and will be considered separately following the listed Executive and Member Motions.

2.0 Confirmation of Minutes

Minutes of the 2013 WALGA Annual General Meeting are contained within this AGM Agenda.

Moved: Cr G Pule (Bassendean)
Seconded: President Cr W Barrett (Murray)

That the Minutes of the 2013 Annual General Meeting be confirmed as a true and correct record of proceedings.

CARRIED

3.0 Adoption of President's Annual Report

The President's Annual Report for 2013/2014 is contained within this AGM Agenda.

Moved: President Cr E O'Connell (Nungarin)
Seconded: Mayor H Zelones (Armadale)

That the President's Annual Report for 2013/2014 be received.

CARRIED

4.0 WALGA 2013/2014 Financial Statements

The audited 2013/2014 WALGA Financial Statements will be distributed to all members prior to the meeting.

Moved: President Cr W Barrett (Murray)
Seconded: President Cr K Chappel (Morawa)

That the WALGA Financial Statements for 2013/2014 be received.

CARRIED

5.0 Consideration of Executive and Member Motions

As per motions listed.

6.0 Closure

There being no further business, the President declared the meeting closed at 5.11pm.

4. Consideration of Executive and Member Motions

4.1 ESL Administration Fees Paid to Local Governments (05-024-02-0059 AH)

Shire of Dardanup:

Moved: Cr P Robinson (Dardanup)
Seconded: President Cr M Bennett (Dardanup)

That WALGA negotiate with the Department of Fire & Emergency Services to;

- 1. Annually increase the ESL Administration Fee paid to Local Governments by price and property growth indexation.**
- 2. Make a once off increase to the total funds allocated for the ESL Administration Fee funds paid to Local Governments in 2015/16. This increase is recommended to be a compounded on annual property growth and price (CPI) since the introduction of the ESL.**

IN BRIEF

- The Emergency Services Levy (ESL) in 2003 to fund career and volunteer fire brigades, volunteer State Emergency Service (SES) units and volunteer emergency service units.
- The ESL has not been reviewed since introduced.
- State Council policy position supports the need for a full review of the ESL to ensure funds are allocated for mitigation and response activities and to allow Local Government to have more control over the allocation and distribution of funds. RESOLUTION 219.3/2013.

AMENDMENT

Moved: Cr P Robinson (Dardanup)
Seconded: President Cr M Bennett (Dardanup)

That WALGA

- 1. Prepare a business case to DFES to demonstrate that the fee payments to Local Governments no longer cover all of the ESL related costs incurred by local government in collecting the ESL.**
- 2. Negotiate an annual increase to the ESL Administration Fee paid to local governments by price and property growth indexation.**
- 3. Negotiate with DFES to make a once off increase to the total funds allocated for the ESL Administration Fee funds paid to local governments in 2015/16. This increase is recommended to be compounded on annual property growth and price (CPI) since the introduction of the ESL.**

The Amendment was put and CARRIED

The Amendment became the Motion and was put and CARRIED

MEMBER COMMENT

The Emergency Services Levy (ESL) was introduced by the WA State Government in 2003 to fund career and volunteer fire brigades, volunteer State Emergency Service (SES) units and volunteer emergency service units throughout the State.

The ESL also funds Department of Fire & Emergency Services' (DFES) corporate support costs.

The ESL is a State Government charge which is levied on rates notices issued by Local Governments. All ESL money collected by each Local Government is paid directly to DFES.

Local Governments are paid an annual administration fee to cover the cost of managing the billing and collection of the levy.

DFES allocates a fixed amount per year towards the ESL administration fee paid to Local Government. This total pool of funds has remained unchanged at \$2,250,000 since 2004/05 (Appendix 1).

Over the same 10 year time period, the total amount of ESL levied state wide has increased approximately 115% from \$116.16m \$249.70m (Appendix 2).

Budget Implications -

The Shire of Dardanup has experienced an ongoing decline in the actual ESL administration fee it receives.

Cost increases in terms of price and wage indexation together with the cost of administering greater numbers of properties has left the Shire with an increased burden of the cost of administering the ESL.

Officer Comment

Table A details the ESL administration fee paid to the Shire of Dardanup since 2004/05.

The annual administration fee paid to Council has seen an actual decline.

In 2004/05 Shire of Dardanup was receiving approximately \$1.99 per rateable assessment for the ESL administration fee.

This has seen an ongoing decline each year and as at 2013/14 the ESL administration fee paid to the Shire of Dardanup equated to approximately \$1.22 per rateable assessment.

Since 2004/05 the number of properties has increased in the Shire by 42.51% with a corresponding 138.64% increase in the amount of ESL levied on Shire of Dardanup properties and paid to the State.

Table A

	ESL Admin Fee	% Inc / Dec	ESL Levied	% Inc / Dec	Rateable Assessments	\$ / rateable Assessment	% Inc / Dec
2004/05	\$7,710		\$153,757		3,872	1.99	
2005/06	\$8,030	4.15%	\$173,817	13.05%	4,145	1.94	-2.71%
2006/07	\$8,160	1.62%	\$185,834	6.91%	4,483	1.82	-6.04%
2007/08	\$8,450	3.55%	\$264,971	42.58%	4,773	1.77	-2.74%
2008/09	\$8,310	-1.66%	\$238,804	-9.88%	4,968	1.67	-5.52%
2009/10	\$8,110	-2.41%	\$256,257	7.31%	5,098	1.59	-4.90%
2010/11	\$7,460	-8.01%	\$300,620	17.31%	5,130	1.45	-8.59%
2011/12	\$7,310	-2.01%	\$325,184	8.17%	5,292	1.38	-5.01%
2012/13	\$7,060	-3.42%	\$343,660	5.68%	5,395	1.31	-5.26%
2013/14	\$6,730	-4.67%	\$366,921	6.77%	5,518	1.22	-6.80%
10 Yr average		-12.71%		138.64%		42.51%	-38.75%

It is evident that the ESL administration fee paid to Local Government has no population growth and price indexation mechanism.

Costs for administering the ESL on behalf of the State include:

- Staff costs for managing the rating system.
- Stationery (envelopes, rate notice printing).
- Postage.
- Software support costs.
- Associated support overheads.
- Debt recovery action.
- Ratepayers may elect to pay their rates in 4 instalments. For many ratepayers Council is therefore required to send 4 rate notices per financial year with associated incurred costs.

The declining amounts paid to the Shire for administering the ESL on behalf of DFES are grossly inadequate.

SECRETARIAT COMMENT

The aggregate annual ESL Administration Fee amount that DFES pays to Local Governments is approved by the Minister for Emergency Services (in accordance with the State Budget) and published annually in the *Government Gazette*.

It is correct that the fee has remained constant at \$2.25 million since the introduction of the ESL in 2003/04. A "once off" additional "Commencement Fee" of \$0.25 million was also paid in 2003/04 to assist Councils during the ESL implementation period.

The annual fee is distributed to Local Governments in accordance with a formula (originally approved by the ESL Executive Steering Committee) which is outlined in section 6 of the 'ESL Manual of Operating Procedures'. The distribution formula takes into account the amount of ESL funds each Local Government raises and the number of ESL assessments each issue's. The fee distribution formula has been the subject of two reviews to-date. Review participants (including WALGA and Local Government representatives) supported the retention of the original formulae.

Importantly however, the \$2.25m pool that is allocated to Local Governments under the formula was not reviewed.

The established State Government policy reflects the view of the then Minister and FESA that the \$2.25 million fee amount was reasonable and more than adequate to cover all of Local Government's 'out of pocket' ESL related expenses.

The \$2.25m pool was determined on the basis of an investigation, on FESA's behalf, by Ron Back in August 1998 into the additional cost/workload that a sample group of Local Governments would incur as administrators of the originally proposed property-based Fire Services Levy. Mr Back concluded that: *"On the basis of the evidence obtained from this review, and having regard to my own understanding of operating practices at other Councils, I was unable to identify any significant additional recurrent costs of the proposed new levy system arrangements to the participating Councils."* Mr Back presented his findings to a meeting of Local Government finance managers (principally metropolitan) held during that period.

WALGA has been advised by DFES that any request to increase the ESL Administration Fee pool would need to be justified by the sector and would require a business case that demonstrates that fee payments no longer cover all of the ESL related costs incurred by Local Governments.

Item 4.1 – Attachment 1
ADMIN FEES PAID TO LOCAL GOVERNMENTS FOR PERIOD 2003-04 TO 2013-14

(Includes 'Start Up' Fee)

ESL ADMINISTRATION FEE PAID TO LOCAL GOVERNMENTS												
(* 2003/04 ESL Commencement Fee* and *2003/04 ESL Administration Fee* included in 2003/04 Figures)												
LG	2003-04 *	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	Total
ALBANY	38,600	33,220	31,920	31,440	32,760	31,250	30,850	29,820	28,640	27,700	26,620	342,820
ARMADALE	51,850	46,390	45,530	45,260	45,190	47,170	47,550	48,440	49,520	49,930	50,980	527,810
ASHBURTON	7,500	5,690	5,460	5,330	5,090	5,050	4,500	4,410	4,100	4,580	4,420	56,130
AUGUSTA-MARGARET RIVER	18,200	13,540	13,150	13,630	13,830	13,860	13,570	12,780	12,260	11,770	11,090	145,680
BASSENDEAN	18,210	14,530	14,100	13,770	13,500	13,360	13,460	13,290	13,890	13,820	13,790	153,720
BAYSWATER	67,090	63,250	62,040	60,880	58,980	59,190	58,550	57,930	58,280	58,280	57,860	662,270
BELMONT	40,860	38,490	38,150	38,600	38,650	38,750	38,610	39,490	41,450	41,370	42,170	436,590
BEVERLEY	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
BODDINGTON	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
BOYUP BROOK	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
BRIDGETOWN-GREENBUSHES	6,500	4,990	4,840	4,810	5,230	5,150	5,030	4,560	4,400	4,170	4,000	53,680
BROOKTON	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
BROOME	11,940	10,300	10,090	10,210	10,280	10,050	10,440	10,310	9,670	9,640	9,400	112,330
BROOMEHILL-TAMBELLUP	9,160	5,840	6,850	6,850	7,630	4,000	4,000	4,000	4,000	4,000	4,000	60,320
BRUCE ROCK	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
BUNBURY	36,330	32,530	31,830	31,220	30,900	32,300	31,810	31,140	29,740	29,040	28,230	345,070
BUSSELTON	36,500	31,250	32,240	31,970	32,280	30,610	32,470	30,370	28,840	27,950	26,420	340,800
CAMBRIDGE	29,330	26,640	26,510	25,850	25,390	23,820	25,090	25,090	24,540	24,390	24,250	280,940
CANNING	85,430	84,650	85,850	85,360	84,720	84,470	83,610	85,290	84,450	84,090	85,320	933,450
CAPEL	10,340	8,770	8,920	9,500	9,710	10,050	9,880	9,300	9,060	8,750	8,230	102,510
CARNAMAH	5,500	3,930	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,430
CARNARVON	5,030	4,500	4,290	4,140	4,050	4,000	4,000	4,000	4,000	4,000	4,000	46,920
CHAPMAN VALLEY	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
CHITTERING	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
CLAREMONT	12,480	11,630	11,770	11,560	11,820	11,470	11,180	11,630	12,050	11,910	12,490	130,000
COCKBURN	71,210	70,400	72,470	74,090	75,480	77,490	79,240	80,910	81,350	82,310	84,430	849,380
COLLIE	10,290	8,240	7,910	7,500	7,350	7,270	6,950	6,480	6,170	5,870	5,600	79,730
COOLGARDIE	6,700	5,250	4,950	4,760	4,660	4,910	4,120	4,000	4,000	4,000	4,000	51,350
COOROW	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
CORRIGIN	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
COTTESLOE	10,510	9,390	9,280	9,030	8,880	8,970	8,820	8,810	8,650	8,530	8,480	99,350
CRANBROOK	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
CUBALLING	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
CUE	4,990	3,410	3,810	3,910	3,760	3,700	3,640	4,000	4,000	4,000	4,000	43,220
CUNDERDIN	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
DALWALLINU	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
DANDARAGAN	6,630	4,880	5,120	5,280	5,600	5,900	5,630	5,190	4,980	4,700	4,410	58,280
DARDANUP	9,590	7,710	8,030	8,160	8,450	8,310	8,110	7,460	7,310	7,080	6,730	86,920
DENMARK	8,310	6,620	6,490	6,300	5,960	6,080	5,800	5,440	5,280	5,010	4,710	66,000
DERBY-WEST KIMBERLEY	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
DONNYBROOK-BALINGUP	6,240	5,170	5,110	5,050	4,870	4,870	4,730	4,500	4,300	4,130	4,000	52,970
DOWERIN	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
DUMBLEYUNG	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
DUNDAS	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
EAST FREMANTLE	8,600	7,780	7,560	7,410	7,260	7,160	7,040	6,960	7,000	6,890	6,820	80,460
EAST PILBARA	6,700	5,210	4,820	4,920	4,460	5,000	4,580	4,450	4,040	4,730	4,700	53,610
ESPERANCE	18,640	13,470	12,970	12,520	12,420	12,070	11,980	11,050	10,410	9,880	9,280	132,680

* Includes total of 2003/04 fee plus 2003/04 Start Up fee

ESL ADMINISTRATION FEE PAID TO LOCAL GOVERNMENTS												
(* 2003/04 ESL Commencement Fee and 2003/04 ESL Administration Fee included in 2003/04 Figures)												
LG	2003-04*	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	Total
EXMOUTH	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
FREMANTLE	37,730	36,040	36,220	36,340	35,800	35,500	35,650	36,620	36,760	37,100	37,540	401,300
GINGIN	11,550	8,160	8,930	8,580	8,270	8,460	8,040	7,430	30,820	6,750	6,300	114,090
GNOWANGERUP	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	7,100	4,000	4,000	48,600
GODMALLING	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
GOSNELLS	84,280	82,650	82,230	81,440	82,070	81,640	81,310	81,800	4,000	82,540	80,850	824,210
GREATER GERALDTON	43,860	37,240	35,820	35,930	36,510	38,080	37,350	35,320	82,690	31,550	30,130	445,460
HALLS CREEK	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
HARVEY	21,460	17,270	17,340	17,870	18,180	17,800	17,370	16,050	15,870	15,150	14,310	188,670
IRWIN	5,500	4,000	4,000	4,000	4,050	4,110	4,080	4,000	4,000	4,000	4,000	45,740
JERRAMUNGUP	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
JOONDALUP	143,230	140,820	137,310	134,430	132,140	132,600	129,940	128,640	125,400	123,830	123,150	1,451,490
KALAMUNDA	47,990	43,460	42,710	42,020	41,430	40,850	40,160	39,590	41,160	40,800	40,630	460,800
KALGOORLIE-BOULDER	34,070	29,830	29,450	28,890	28,570	26,310	28,340	27,950	25,150	25,030	24,690	308,330
KATANNING	5,500	4,050	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,550
KELLERBERRIN	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
KENT	5,500	3,850	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,360
KOJONUP	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
KONDININ	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
KOORDA	4,900	3,010	3,500	3,500	3,700	3,820	4,000	4,000	4,000	4,000	4,000	42,430
KULIN	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
KWINANA	23,720	19,930	20,350	23,040	23,130	23,470	23,440	23,510	25,030	25,360	26,160	257,140
LAKE GRACE	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
LAVERTON	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
LEONORA	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
MANDURAH	71,100	66,710	67,310	71,270	71,280	68,420	69,330	72,260	65,230	64,650	65,020	752,590
MANJIMUP	13,730	10,890	10,190	9,970	9,420	9,110	8,670	8,000	7,840	7,270	6,800	101,890
MEEKATHARRA	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
MELVILLE	102,330	99,600	97,280	95,770	94,470	91,570	90,560	89,780	87,730	86,500	85,540	1,021,210
MENZIES	5,500	4,000	3,790	3,540	3,910	4,000	4,000	4,000	4,000	4,000	4,000	44,740
MERREDIN	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
MINGENEW	4,330	2,900	3,310	3,280	3,620	3,750	4,000	4,000	4,000	4,000	4,000	41,170
MODRA	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
MORAWA	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
MOSMAN PARK	10,210	9,210	9,070	8,810	8,630	8,320	8,350	8,250	8,250	8,070	8,000	95,170
MOUNT MAGNET	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
MOUNT MARSHALL	5,500	3,920	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,420
MUKINBUDIN	4,870	3,270	3,870	3,820	4,000	4,000	4,000	4,000	4,000	4,000	4,000	43,830
MUNDARING	35,720	30,300	29,750	28,850	28,040	27,540	26,850	25,670	25,120	24,430	23,700	305,980
MURCHISON	1,220	190	320	340	320	340	390	450	510	570	500	5,190
MURRAY	15,450	12,310	12,220	11,790	12,010	12,660	12,570	11,780	10,970	10,880	10,210	132,850
NANNUP	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
NAREMBEEN	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
NARROGIN (SHIRE)	5,280	3,590	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	44,870
NARROGIN (TOWN)	5,500	4,110	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,610

* Includes total of 2003/04 fee plus 2003/04 Start Up fee

ESL ADMINISTRATION FEE PAID TO LOCAL GOVERNMENTS													
(* 2003/04 ESL Commencement Fee ¹ and 2003/04 ESL Administration Fee ² included in 2003/04 Figures)													
LG	2003-04 *	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	Total
NEDLANDS	23,910	21,230	21,630	20,200	20,880	19,850	19,650	19,950	20,300	20,090	20,100	20,100	227,790
NGAANYATJARRAKU	1,050	30	40	70	80	40	40	50	60	60	60	60	1,580
NORTHAM	13,660	10,640	10,140	9,880	9,390	9,360	9,260	8,520	8,240	7,750	7,270	7,270	104,110
NORTHAMPTON	6,260	4,830	4,680	4,460	4,750	4,640	4,810	4,400	4,240	4,040	4,000	4,000	51,110
NUNGARIN	2,820	1,500	1,720	1,780	1,850	2,030	2,150	2,460	2,700	2,980	3,140	3,140	25,130
PEPPERMINT GROVE	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
PERENJORI	5,300	3,370	3,990	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	44,660
PERTH	46,610	57,300	60,380	61,690	63,200	63,760	66,920	77,790	92,920	97,410	102,850	102,850	790,630
PINGELLY	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
PLANTAGENET	8,140	6,020	5,720	5,660	5,430	5,310	5,150	4,740	4,550	4,350	4,090	4,090	59,160
PORT HEDLAND	12,620	10,560	10,050	9,810	9,490	9,170	10,250	10,030	9,830	10,450	10,600	10,600	112,900
QUAIRADING	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
RAVENSTHORPE	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
ROCKINGHAM	82,140	81,030	81,480	82,880	82,370	82,600	81,750	80,170	79,090	78,460	77,760	77,760	689,620
ROEBOURNE	15,640	13,090	13,310	13,080	13,180	12,610	13,950	13,720	13,330	15,190	15,760	15,760	152,860
SANDSTONE	2,660	1,320	1,620	1,390	1,470	1,660	1,780	2,050	2,280	2,320	2,460	2,460	21,010
SERPENTINE-JARRAHDALE	12,000	9,980	9,900	10,390	11,000	11,230	11,140	10,770	10,880	11,030	11,020	11,020	119,350
SHARK BAY	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
SOUTH PERTH	50,910	46,660	48,300	45,450	44,550	43,830	43,050	42,510	41,360	40,900	40,610	40,610	486,160
STIRLING	200,640	202,280	199,210	196,400	193,100	192,970	190,920	190,520	192,780	192,980	193,710	193,710	2,145,490
SUBIACO	25,010	24,100	24,390	24,380	24,230	24,230	24,480	25,190	25,540	26,570	26,610	26,610	273,000
SWAN	89,290	86,350	85,670	88,720	86,480	89,600	90,340	88,830	96,180	97,930	99,220	99,220	998,620
TAMMIN	3,850	2,280	2,580	2,540	2,840	3,320	3,570	4,000	4,000	4,000	4,000	4,000	36,980
THREE SPRINGS	5,100	3,230	3,750	3,690	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	43,970
TOODYAY	6,880	5,420	5,240	5,100	4,920	4,750	4,570	4,180	4,040	4,000	4,000	4,000	53,100
TRAYNING	4,300	3,020	2,490	3,020	3,320	3,430	3,760	4,000	4,000	4,000	4,000	4,000	39,340
UPPER GASCOYNE	1,600	510	500	500	510	580	610	730	880	910	1,070	1,070	8,300
VICTORIA PARK	39,080	36,280	36,520	36,440	36,070	36,470	36,260	35,200	34,880	34,910	34,940	34,940	397,030
VICTORIA PLAINS	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
VINCENT	38,470	35,740	35,350	35,260	36,260	36,510	36,010	36,370	34,790	34,500	34,410	34,410	393,670
WAGIN	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
WANDERING	3,610	2,100	2,440	2,540	3,270	3,840	4,000	4,000	4,000	4,000	4,000	4,000	37,900
WANNEROO	93,440	94,940	101,180	106,530	111,100	117,260	118,800	120,650	122,840	124,350	126,110	126,110	1,237,220
WAROONA	5,810	4,440	4,260	4,090	4,000	4,000	4,140	4,000	4,000	4,000	4,000	4,000	46,740
WEST ARTHUR	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
WESTONIA	3,300	1,810	2,120	2,140	2,430	2,550	2,800	3,350	3,640	3,850	3,800	3,800	31,690
WICKEPIN	5,280	3,580	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	44,880
WILLIAMS	5,500	4,000	4,000	2,830	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	44,330
WILUNA	4,200	2,720	3,180	3,080	3,280	3,730	4,000	4,000	4,000	4,000	4,000	4,000	40,170
WONGAN-BALLIDU	5,600	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
WOODANILLING	3,780	2,300	2,540	2,650	3,330	3,560	3,860	4,000	4,000	4,000	4,000	4,000	36,130
WYALKATCHEM	5,400	3,650	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,050
WYNDHAM-EAST KIMBERLEY	5,500	4,060	4,000	4,150	4,060	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,770
YALGOO	3,280	1,690	2,200	2,090	2,350	2,180	2,090	2,610	2,670	2,960	3,180	3,180	27,730
YILGARN	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
YORK	5,830	4,350	4,230	4,050	4,130	4,010	4,000	4,000	4,000	4,000	4,000	4,000	46,610
TOTAL	2,500,000	2,250,000	25,000,000										

* Includes total of 2003/04 fee plus 2003/04 Start Up fee

Item 4.1 – Attachment 2

ESL BILLING BY LOCAL GOVERNMENTS (Final Declared Adjusted Amounts Include ESL Interest and ESL Determinant Interest Reported to DFES)											
LOCAL GOVERNMENT	Administer ESL under the Option B - 1 arrangement, requiring that they pay DFES the full amount of ESL, invoiced in 4 quarterly instalments - 30% by 21 September, 30% by 21 December, 30% by 21 March and 10% by 21 June										
	[ESL billing adjustments are required to be declared on an Annexure A by 31 July and are adjusted in next instalment]										
Administer ESL under the Option B - 2 arrangement, requiring that they pay DFES the full amount of ESL, invoiced in one single instalment - 100% by 21 September											
[ESL billing adjustments are required to be declared on an Annexure A by 31 July and are adjusted in next instalment]											
	2003/04	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14
	Final Declared Adjusted ESL Billing	Final Declared Adjusted ESL Billing	Final Declared Adjusted ESL Billing	Final Declared Adjusted ESL Billing	Final Declared Adjusted ESL Billing	Final Declared Adjusted ESL Billing	Final Declared Adjusted ESL Billing	Final Declared Adjusted ESL Billing	Final Declared Adjusted ESL Billing	Final Declared Adjusted ESL Billing	Final Declared Adjusted ESL Billing
ALBANY	883,374	1,310,284	1,301,976	1,361,955	1,689,133	1,629,478	1,782,006	2,095,162	2,110,914	2,191,329	2,282,834
ARMADALE	1,335,146	2,150,189	2,321,526	2,443,749	2,655,918	2,775,121	3,275,121	4,524,407	4,524,407	4,951,085	5,539,653
ASHBURTON	111,978	130,654	130,934	130,934	130,934	176,555	189,350	224,155	186,981	967,222	883,889
AUGUSTA-MARGARET RIVER	244,100	272,144	329,386	349,225	391,849	381,431	461,487	557,818	546,995	573,177	623,987
BASSESHIREAN	501,384	837,054	870,287	903,442	951,222	996,628	1,083,300	1,301,694	1,599,060	1,664,300	1,666,950
BAYSWATER	2,188,594	3,870,358	3,892,400	4,086,502	4,378,810	4,601,664	4,888,632	5,838,344	6,440,647	6,902,647	7,447,555
BELMONT	1,723,505	2,846,602	3,210,731	3,363,436	3,651,009	3,633,237	3,939,030	4,722,683	5,511,000	5,844,960	6,353,179
BEVERLEY	36,865	36,893	43,736	43,387	48,663	53,143	58,055	67,870	76,259	73,291	84,074
BODDINGTON	26,943	27,654	32,747	32,747	36,238	39,969	44,691	66,380	62,978	69,849	70,200
BOYUP BROOK	33,804	34,340	40,472	40,889	47,608	50,629	53,128	63,551	70,628	75,586	77,487
BRIDGETOWN-GREENBUISHES	83,533	86,849	96,844	102,647	133,632	145,897	168,656	186,687	186,687	193,075	203,605
BROCKTON	21,100	24,566	24,566	24,566	27,554	28,197	31,037	36,743	39,631	41,335	43,806
BROOME	347,851	422,338	471,451	498,268	545,823	459,235	649,164	775,555	694,730	761,187	824,655
BROMEHLH-TAMBELLUP	22,246	22,156	27,685	27,683	30,437	32,620	34,959	40,700	44,560	46,740	49,260
BRUCE ROCK	21,180	20,880	24,045	24,045	27,160	27,160	29,756	34,700	38,665	40,128	43,070
BUNBURY	1,122,116	1,381,932	1,921,508	2,027,025	2,193,438	2,333,659	2,489,599	2,878,001	2,894,962	2,981,694	3,174,225
BUSSETTON	593,025	712,321	851,163	903,527	986,084	934,682	1,103,455	1,405,191	1,392,717	1,468,317	1,553,285
CHAMBERIDGE	1,329,449	1,941,633	2,072,686	2,191,656	2,487,123	2,526,802	2,897,157	3,287,146	3,017,492	3,199,821	3,422,155
CANNING	3,808,174	6,397,098	7,260,774	7,637,652	8,111,168	8,983,586	9,691,652	10,661,527	11,017,891	11,654,387	12,441,648
CAPEL	126,718	135,175	167,475	166,585	218,600	245,120	272,233	329,700	366,135	387,372	411,900
CARRAMAH	15,720	15,810	18,305	18,200	19,648	20,670	22,274	27,224	28,930	29,241	30,760
CARRARON	86,598	113,537	115,931	129,680	137,286	137,286	130,677	204,987	172,683	183,916	196,788
CHAPMAN VALLEY	18,354	18,247	21,633	25,162	28,614	29,608	32,293	38,650	44,500	48,051	50,810
CHITERRAS	96,790	98,840	69,824	73,500	84,711	83,480	104,831	124,700	142,789	151,038	160,440
CLAREMONT	696,011	954,446	1,091,857	1,119,045	1,199,098	1,245,630	1,345,630	1,590,093	1,726,168	1,837,846	1,970,719
COCKBURN	2,550,688	4,351,318	4,958,377	5,448,061	5,890,257	6,340,233	7,134,306	8,768,755	9,351,112	10,163,878	11,255,802
COLLIE	423,552	139,453	163,131	170,974	187,265	193,077	207,895	271,140	270,222	282,611	317,616
COOLGARDIE	867,300	102,817	112,138	121,608	134,657	130,693	116,116	158,476	181,949	174,972	189,505
COOROO	31,203	38,757	39,544	39,544	43,168	46,903	49,927	58,327	63,745	66,410	70,020
CORRIEN	26,625	26,021	29,303	29,931	32,609	33,902	35,990	44,690	46,626	48,793	50,822
COTTESLOE	465,577	574,955	732,508	747,855	785,891	854,149	908,515	1,057,143	1,094,230	1,138,493	1,181,760
CRANBROOK	24,007	24,425	28,008	29,120	31,412	33,400	36,077	42,500	47,025	46,621	51,240
CUBALING	17,761	17,772	20,913	20,913	24,066	25,990	28,870	33,526	37,059	38,384	40,740
CUNDERIN	13,386	13,629	14,702	14,843	14,762	16,207	18,102	20,755	22,562	24,500	25,500
DALWALLINU	26,500	26,205	30,033	29,798	35,200	37,692	44,421	44,450	45,707	50,712	49,595
DANDARAGAN	78,860	65,476	109,367	35,566	37,887	41,084	44,121	51,556	54,652	55,440	61,458
DARDANUP	133,620	153,757	165,834	165,834	182,613	182,613	171,021	207,725	207,745	215,533	231,695
DEMARK	110,009	120,460	133,123	135,769	170,633	162,377	174,724	208,675	223,173	232,517	246,823
DEERINVEST-KAMBERLEY	84,035	84,035	82,761	105,791	111,654	92,885	92,689	118,445	143,539	151,911	163,591
DONNYBROOK-BALINGUP	83,079	66,645	100,758	106,940	118,537	123,020	134,289	175,222	181,068	190,115	206,256
DOWRIN	15,724	16,050	18,480	18,480	20,482	21,860	23,779	27,900	31,029	32,282	33,600
DUMBLEYUNG	16,752	16,280	20,164	20,164	23,053	23,116	26,663	29,642	28,642	28,571	32,453
DUNDAS	20,430	34,501	35,292	39,413	39,413	35,408	39,644	42,651	51,757	54,917	56,292
EAST FREMANTLE	332,549	516,594	530,541	553,320	606,112	633,261	758,692	829,939	875,535	887,535	930,001
EAST PILBARA	106,107	116,563	123,796	126,579	136,668	144,403	156,796	193,598	210,007	232,672	247,670
ESPERANCE	288,547	303,438	318,116	324,912	354,057	341,637	402,956	462,463	484,995	498,995	527,924

ESL BILLING BY LOCAL GOVERNMENTS (Final Declared Adjusted Amounts include ESL Interest and ESL Declared Interest Reported to DFES)													
LOCAL GOVERNMENT	Administer ESL under the Option B - 1 arrangement, requiring that they pay DFES the full amount of ESL invoiced in 4 quarterly instalments - (30% by 21 September, 30% by 21 December, 30% by 21 March and 10% by 21 June)												
	[ESL billing adjustments are required to be declared on an Appendix A by 31 July and are adjusted in next treatment]												
LOCAL GOVERNMENT	Administer ESL under the Option B - 2 arrangement, requiring that they pay DFES the full amount of ESL invoiced in one single instalment - (100% by 21 September)												
	[ESL billing adjustments are required to be declared on an Appendix A by 31 July and are adjusted in next treatment]												
	2003/04	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14		
	Final Declared Adjusted ESL Billing	Final Declared Adjusted ESL Billing	Final Declared Adjusted ESL Billing	Final Declared Adjusted ESL Billing	Final Declared Adjusted ESL Billing	Final Declared Adjusted ESL Billing	Final Declared Adjusted ESL Billing	Final Declared Adjusted ESL Billing	Final Declared Adjusted ESL Billing	Final Declared Adjusted ESL Billing	Final Declared Adjusted ESL Billing	Final Declared Adjusted ESL Billing	ESL Billing Initial Declaration (# Yrs to be Invoiced)
YELLOW	Denotes local governments that...												
GREEN	Denotes local governments that...												
LOCAL GOVERNMENT													
NEDLANDS	1,148,327	1,896,402	1,763,848	1,728,817	1,839,858	1,982,498	2,062,276	2,438,517	2,682,112	2,814,286	3,015,959	2013/14	
NSANTAUJARRAKU	120	120	140	140	182	160	172	200	220	228	240	2013/14	
NORTHAM	218,359	246,178	215,002	217,472	255,232	259,577	262,638	320,227	387,778	391,029	403,092	2013/14	
NORTHAMPTON	80,387	92,037	102,157	106,286	121,569	123,476	160,782	184,093	185,090	192,247	202,292	2013/14	
NUNGRIN	6,106	6,070	6,988	7,170	7,432	8,407	9,153	10,890	11,634	11,973	12,300	2013/14	
PEPPERMINT GROVE	116,695	143,514	159,497	160,596	169,874	177,386	186,602	216,722	246,442	256,074	273,565	2013/14	
PERENJORI	13,049	13,292	13,197	15,610	16,682	17,680	19,350	21,709	25,090	27,180	27,180	2013/14	
PERTH	6,054,739	9,591,151	10,428,024	10,726,893	11,286,468	11,423,541	12,560,885	15,680,385	18,138,284	20,336,200	21,803,794	2013/14	
PINGELLY	24,974	24,974	27,200	27,413	30,300	32,720	35,146	42,671	42,671	47,692	50,575	2013/14	
PLANTAGENET	97,001	98,305	107,648	118,696	127,574	133,390	147,923	173,428	188,726	197,875	208,923	2013/14	
PORT HEDLAND	307,549	365,009	392,069	391,074	421,569	345,946	448,796	784,472	776,522	1,007,090	1,155,332	2013/14	
QUARDING	23,664	23,974	27,774	28,282	32,289	33,468	38,151	41,890	45,821	47,813	50,285	2013/14	
RAVENSTHORPE	37,332	47,086	47,086	50,888	65,563	69,417	74,698	88,113	93,760	103,167	109,128	2013/14	
ROCKINGHAM	2,309,993	3,822,021	4,495,005	4,495,005	4,902,182	5,652,001	6,409,311	6,499,025	6,767,765	7,188,516	7,793,143	2013/14	
ROEBURNE	338,466	399,340	546,756	572,796	618,468	524,529	844,332	1,070,598	1,092,739	1,648,105	1,795,141	2013/14	
SAVANSTONE	5,530	5,194	6,536	5,285	5,959	6,640	7,085	8,229	8,970	9,291	9,840	2013/14	
SERPENTINE/ARRAIDALE	218,396	252,967	289,855	317,215	363,356	401,933	436,104	532,643	631,716	694,673	769,533	2013/14	
SHARK BAY	20,946	23,502	24,987	26,118	28,913	32,408	36,198	41,181	41,314	45,845	48,845	2013/14	
SOUTH PERTH	1,695,625	2,391,335	3,359,669	3,482,643	3,667,813	3,763,776	4,695,905	5,029,938	4,765,201	5,029,938	5,430,894	2013/14	
STIRLING	7,918,912	13,011,128	13,922,114	14,491,082	15,385,426	16,303,827	17,240,582	20,544,768	22,695,422	24,270,038	26,216,017	2013/14	
SUBACO	1,988,165	2,348,390	2,348,390	2,348,390	2,769,539	2,995,529	3,381,518	3,601,761	3,816,044	4,101,822	4,101,822	2013/14	
SWAN	2,650,950	4,997,229	5,067,130	5,447,483	6,845,460	6,761,631	7,252,953	8,758,180	11,127,721	12,054,467	13,045,125	2013/14	
TABELLUP (Closed since 2007/08)	11,769	11,578	13,887	13,912	15,146	16,188	16,543	16,988	18,521	19,320	20,250	2013/14	
TAMMIN	8,960	8,504	10,299	8,613	11,086	13,270	14,543	16,988	18,521	19,320	20,250	2013/14	
THREE SPRINGS	13,694	12,792	15,015	15,400	16,682	17,520	19,096	22,200	24,365	25,251	26,760	2013/14	
TOODYAY	84,193	87,477	101,684	103,658	112,000	105,515	129,795	150,967	161,722	170,618	181,227	2013/14	
TRANNING	11,253	7,834	13,160	12,075	13,445	13,660	15,394	17,659	18,531	20,235	21,360	2013/14	
UPPER GASCOYNE	1,422,256	2,390,536	2,618,026	2,726,007	3,022,368	3,176,665	3,392,237	4,116,866	3,898,982	4,226,423	4,662,750	2013/14	
VICENT	39,156	40,974	46,411	46,576	51,088	52,837	57,652	68,970	74,590	77,908	82,673	2013/14	
WANDERING	8,320	8,386	9,794	10,535	15,400	15,400	17,200	19,550	21,945	24,082	25,340	2013/14	
WANDEROO	2,651,392	4,995,997	5,945,918	6,897,854	7,598,945	9,193,378	10,081,179	12,283,231	13,331,160	14,448,705	15,775,921	2013/14	
WARDONIA	70,196	74,889	83,833	84,876	95,800	96,344	147,821	155,469	162,876	162,876	172,838	2013/14	
WEST ARTHUR	17,990	17,205	20,510	20,598	23,220	24,270	26,445	30,700	33,660	35,112	36,990	2013/14	
WESTONIA	7,110	7,230	8,770	8,784	9,470	10,260	11,610	13,400	14,975	16,390	18,180	2013/14	
WICKHAM	14,265	14,376	16,440	16,567	18,393	20,062	22,390	26,500	28,545	29,697	31,390	2013/14	
WILLMORIS	11,161	20,008	23,082	22,897	24,751	25,548	27,630	34,639	36,776	39,368	40,744	2013/14	
WONGANBALLEE	10,628	28,025	34,138	34,360	43,699	41,111	49,809	57,601	62,683	68,636	74,640	2013/14	
WOODANILING	9,180	9,960	11,811	11,767	13,528	14,192	15,911	17,909	19,879	20,836	21,840	2013/14	
WYALKATHAM	14,728	14,968	17,950	16,481	19,235	19,660	22,517	23,766	26,162	27,524	29,053	2013/14	
WYNDHAM/EAST KIMBERLEY	117,061	116,347	133,449	169,400	184,477	182,194	166,956	272,517	264,665	282,759	301,460	2013/14	
YALGOO	7,000	7,406	7,716	7,864	7,829	7,829	8,651	10,157	11,550	12,139	12,960	2013/14	
YILGARN	43,243	43,536	49,893	47,825	51,313	55,227	60,138	71,809	76,027	78,099	82,937	2013/14	
YORK	70,793	72,220	83,006	84,585	104,102	102,634	116,871	132,309	150,600	157,021	167,167	2013/14	
TOTALS	73,659,881	116,184,945	128,769,816	134,526,672	145,422,709	151,989,783	164,916,038	200,360,108	215,416,177	230,576,606	249,693,019		

4.2 Implications of Structural Reform (05-034-01-0103 TB)

Shire of Dardanup:

Moved: Cr P Robinson (Dardanup)
Seconded: President Cr M Bennett (Dardanup)

That WALGA facilitate a meeting between country Local Government Elected Members with Professor Brian Dollery making a presentation on the implications of structural reform, by December 2014.

AMENDMENT

Moved: Cr P Robinson (Dardanup)
Seconded: President Cr M Bennett (Dardanup)

That WALGA;

- 1. Facilitate a meeting between country Local Government Elected Members with Professor Brian Dollery making a presentation on the implications of structural reform, by December 2014.**
- 2. Supports the position that, if WALGA is to facilitate further presentations on Local Government Reform, then more than 1 presenter should be invited to ensure that a range of views and opinions are given, and that balanced and objective deliberation and debate can be undertaken.**

The Amendment was put and CARRIED

The Amendment became the Motion and was put and CARRIED

MEMBER COMMENT

The current Minister for Local Government the Hon Tony Simpson embarked upon the reform of Local Government boundaries in the Perth metropolitan area in 2013 by submitting proposals to the Local Government Advisory Board. Local Government also submitted their proposals, each have been assessed by the LGAB.

It is expected that once the process has been completed in the metropolitan area the Minister will turn his attention to regional Western Australia, starting with regional centres and moving outward to all rural Local Governments.

During the metropolitan reform there has been a lot of debate about the benefits of reform and the implications to Local Governments and their communities in terms of the cost associated with the

reform, the delivery of services and impacts on rates.

For over twenty years there have been boundary changes across Local Government in all states of Australia with the exception of WA. Even with the widespread reform experience there appears to be little evidence of reduced cost to the ratepayer, only increase costs, and in some cases in Queensland, the push to reverse amalgamations.

Since reform in Western Australia was officially announced in February 2009 there has been little or no effort by government to present a case for convincing the community that less Local Governments equates to better and more cost effective Local Government.

Research shows that there is a lot of literature on the negatives relating to amalgamating Local Governments, but very little highlighting the benefits.

It is acknowledged by WA Local Government Association that reform is likely to be pushed out to the rural Local Governments, this is evidenced in that has initiated the Country Reform Policy Forum, set up to allow Local Governments in the country areas to discuss and develop an understanding of the impacts of reform on Local Government and to explore options and opportunities that may influence government on what reform might look like.

The Shire of Dardanup and many Local Governments are aware of the work done by Professor Brian Dollery, Graduate School of Business, University of New England.

Professor Dollery has many research papers and published on Local Government and seems to be the obvious person to invite to the west to do a presentation and participate in a debate about Local Government reform and the options that may be alternatives to boundary changes.

The Shire of Dardanup recommends that WALGA facilitate a meeting between country Local Government councillors with Professor Dollery making a presentation on the implications of structural reform, by December 2014.

Some of Professor Dollery's work include:-

To date, Brian has published 357 refereed journal articles, 35 book chapters and 15 books. Recent books include Councils in Cooperation: Shares Services and Australian Local Government (2012), Local Government Reform: A Comparative Analysis of Advanced Anglo-American Countries (2008), The Theory and Practice of Local Government Reform (2008), Reform and Leadership in the Public Sector (2007) and Australian Local Government Economics (2006). Over the past two decades, Brian has worked with Local Government across all Australian states, largely in the area of structural change, financial sustainability and urban water problems. Brian is presently working on a book on Local Government finance and he is involved in the debate on structural reform in Tasmanian Local Government.

SECRETARIAT COMMENT

The Association is preparing for the possibility of Non Metropolitan structural reform through the formation of the Country Reform Policy Forum. The Policy Forum has been established to undertake research into appropriate governance models for country Local Governments. There is no pre-determined outcome and all models are being reviewed.

Since the formation of the Systemic Sustainability Study (SSS) process, the Association has convened a number of forums and meetings where eminent structural reform experts have been showcased including Professor Dollery.

4.3 Bushfire Management – Support Vehicles (05-024-03-0010 AH)

Shire of Bridgetown-Greenbushes:

RESOLUTION

Moved: President Cr A Pratico (Bridgetown-Greenbushes)

Seconded: Cr J Boyle (Bridgetown-Greenbushes)

That WALGA lobby the Minister for Emergency Services seeking the inclusion of fire support vehicles as eligible items for capital and operational funding under the Emergency Services Levy.

CARRIED

MEMBER COMMENT

A number of Local Governments (including the Shire of Bridgetown-Greenbushes) provide "Fire Support" vehicles for use by their Bush Fire Brigades. Such vehicles are very versatile, and perform a range of functions from incident control, sector and divisional command, to logistics and crew support at incidents. The benefit of having support vehicles is that it frees up dedicated fire appliances to carry out the task they are designed for - which is fire suppression. Current practice for Local Governments that do not provide Fire Support Vehicles is that either a Fire Fighting Appliance or a private vehicle is used for these roles.

The current position of the Department of Fire and Emergency Services (DFES) is that both capital and operational funding of these vehicles is ineligible under the Emergency Services Levy (ESL) Local Government Grants Scheme. As the Minister for Emergency Services is responsible for approving the LGGS manual and criterion, it is recommended that WALGA lobby the Minister for inclusion in the ESL grants system.

There are numerous fire support vehicles in the Western Australian Local Government brigade structures, either via a dedicated support brigade or as a component of a combatant brigade.

Fire support vehicles are used to assist combatant brigades involved in fire suppression activities with incident management, logistical and welfare support. This is in line with the expectations of DFES that Local Governments improve their local Incident Management capacity.

The rise of dedicated support brigades or provision of support services in a combatant brigade has a twofold effect within volunteer ranks. Firstly, it allows fire fighters to remain at the end of the hose and fighting the fire, rather than being taken off the fire ground to undertake non-combatant roles. Secondly it allows for people who want to assist during an emergency, but can't be a front line fire fighter, to utilise skills that they have, such as communications operators, scribes, plotters and aircraft controllers, to assist in the Incident Management Team.

IN BRIEF

- The activities of a fire support brigade or fire support personnel within a combatant brigade are "normal brigade activities" as prescribed under the Bush Fires Act.
- Despite fire support activities being in compliance with the Bush Fires Act, DFES has made a determination (interpretation) that capital and operational funding of fire support vehicles is not eligible under the ESL.
- The Minister for Emergency Services has legislative responsibility for issuing of guidelines for the collection and distribution of ESL funds.

The activities of a support brigade or support services within a combatant brigade are “normal brigade activities” as prescribed under section 35A of that Act:

41. Bush fire brigades

- (1) *For the purpose of carrying out normal brigade activities a Local Government may, in accordance with its local laws made for the purpose, establish and maintain one or more bush fire brigades and may, in accordance with those local laws, equip each bush fire brigade so established with appliances, equipment and apparatus.*

35A. Terms used

Normal brigade activities means the following activities when carried out by a volunteer fire fighter —

- (a) *the prevention, control or extinguishment of bush fires;*
(b) *any act or operation at or about the scene of a bush fire, or in connection with a bush fire, which is necessary for, directed towards, or incidental to, the control or suppression of the fire or the prevention of spread of the fire, **or in any other way necessarily associated with the fire including travelling and support services such as meals and communication systems;***

Whilst personnel in fire support vehicles don't carry out a combatant role during incidents, the operation of these vehicles is in compliance with the *Bush Fires Act 1954* and should therefore their capital and operating costs should be covered under ESL funding.

DFES should properly recognise and appropriately resource and fund support services where they have been established under a needs analysis to ensure support to front line firefighting crews is given and ultimately the protection of the community is increased through a more organised fire fighting response.

The purpose of the ESL is to fund the State's fire and emergency capability. Support services are an integral component of emergency capability.

Under Section 36Y of the *Fire and Emergency Services Act* the Minister for Emergency Services can issue guidelines for the collection and distribution of ESL funds, hence the essence of the Motion is to lobby the Minister to seek a change to the current interpretation by DFES that funding of fire support vehicle capital and operational costs is not eligible expenditure under the ESL.

SECRETARIAT COMMENT

The Department of Fire and Emergency Services (DFES) is intending to repeal the Fire Brigades Act 1942, the Bush Fires Act 1954, and the Fire and Emergency Services Act 1998 and develop a single Emergency Services Act to better deliver emergency services to Western Australians. The new legislation proposes to introduce a focus on shared responsibility for risk prevention, while also coordinating emergency preparedness and response delivery across government agencies, Local Government, volunteers and private landowners. The new legislation will include increased local government responsibility for risk management on its own land, as well as a stronger compliance role for risk mitigation on private land.

Consideration of funding support for such vehicles and equipment is likely to become more pressing in the next couple of years as the need for additional support vehicles will be increased when the

State introduces the Emergency Services Act and policy requiring Local Governments to prepare tenure blind bushfire risk management plans (BRMP) for all lands within their district.

The Office of Bushfire Risk Management is currently piloting BRMP's with four Shires (Augusta Margaret River, Collie, Nannup and Boyup Brook) The project is expected to be completed by the end of 2014. The intention is for Local Government's with identified bushfire prone areas to have a BRMP in place. It is reasonable to expect Local Governments identified within bushfire prone areas will need the equipment and resources to undertake additional risk assessments, compliance inspections and mitigation works

The Association is currently advocating for a broad scale review and expansion of the Emergency Services Levy to provide the additional funding needed for the additional planning and mitigation works.

In the short term however, as the Minister can currently issue guidelines for the collection and distribution of ESL funds, it would be prudent to pursue appropriate changes to ensure that support vehicles, particularly in high risk areas, are eligible under the Emergency Services Levy (ESL) Local Government Grants Scheme.

4.4 Contaminated Sites – Auditing Requirements (05-020-01-0001 MB)

City of Bunbury:

Moved: Cr B Kelly (Bunbury)
Seconded: Cr N McNeill (Bunbury)

That WALGA:

- a) Requests the State Government to transfer the responsibility for auditing of contaminated sites reports to the Department of Environment Regulation as either a statutory requirement or on a fee for service basis; and
- b) Investigates and implements measures to reduce the cost of resolving contaminated site issues on Local Government (e.g. discounted consultant fees under WALGA preferred supplier panel contracts)."

IN BRIEF

- The WA Contaminated Sites Act 2003 (the Act), was introduced by the State Government in 2007, in order to minimise the risk posed by contaminated sites to public and environmental health

AMENDMENT

Moved: Cr D Lee (Mandurah)
Seconded: Mayor M Vergone (Mandurah)

- c) Calls on State Government to contribute funding for management and remediation of contaminated sites where appropriate.

The Amendment was put and **LOST**

The original Motion was put and **CARRIED**

MEMBER COMMENT

The WA *Contaminated Sites Act 2003* (the Act), was introduced by the State Government in 2007, in order to minimise the risk posed by contaminated sites to public and environmental health.

The Act requires responsible parties to report known and suspected contaminated sites to the Department of Environment Regulation, which in turn assigns each site a particular classification depending upon the risks involved and level of investigation and management required.

Both the investigation and management works are typically highly technical in nature, expensive and time consuming, and require the engagement of consultants. For example, the investigations associated with a moderately complex contaminated site may cost in excess of \$100,000, and require between six (6) and twelve months to complete. Management works, where required, can be considerably more expensive and time consuming.

In certain circumstances, particularly where contamination issues are complex, proponents may be required to appoint a private consultant contaminated sites auditor to review investigations and management works, prior to the information being supplied to the Department of Environment Regulation. Contaminated sites auditors are not employees of the department, but rather external consultants. In this manner, proponents at times need to appoint one consultant to undertake the investigations and management works, and a second consultant to review the work of the first consultant.

The appointment of contaminated sites auditors can be expensive with auditors, as private consultants, having an hourly rate in the order of \$300 per hour. It is understood that the resolution of a simple land fill site may attract an auditor fee in excess of \$50,000.

The current approach involving the use of contaminated sites auditors may also introduce inefficiencies to the State Government process as the work of an auditor, being the review of the first consultants work, must in turn be reviewed by the Department of Environment Regulation in determining whether the relevant contamination issue has been sufficiently resolved.

Arguably, it would be less financially burdensome on proponents and more efficient, if the auditing review of contaminated site investigations and management works were to be completed by the Department of Environment Regulation, rather than consultants.

The contaminated sites auditor fees associated with the resolution of the contamination issues may result in a combined cost to Council in the order of hundreds of thousands of dollars.

If endorsed, the recommendation may achieve a change in the State Government's contaminated site process and cost savings for Council.

It is anticipated that various stakeholders may have concerns with the proposal as it represents a fundamental shift in the State Governments approach.

SECRETARIAT COMMENT

The State Government commenced a review of the Contaminated Sites Act in October 2012. The review has been through two rounds of public comment, and the Association developed submissions for each round. Table 1 outlines the policy review process to date.

Table 1: Review schedule of Contaminated Sites Act 2007

Stage 1	Stage 2	Stage 3	Stage 4	Stage 5	Stage 6	Stage 7
Release 1 st consultation document	1 st round of public consultation (12 weeks)	Review, analyse public comments	Release 2 nd discussion document	Further public consultation (12 weeks)	Review, analyse public comments	Forward review report (recommending changes) to Minister
Jun 12	Jun - Sep 12	Oct 12 - Oct13	Nov 2013	Nov - Feb 14	Mar - Jun 14	July 14
Complete	Complete	Complete	Complete	Complete	Current	

The Association's advocacy messages delivered through the review process have been:

- All contaminated sites data should be publically available, free of charge;
- The State Government should recognise the legacy issues of many Local Government contaminated sites, and provide financial assistance for the investigation and remediation of these;
- Local Government officers should not be required to report suspected or known contamination;
- An additional site classification, "contaminated – investigation required" should be added;
- A three month time frame for information provision to the Contaminated Sites Committee should be imposed, but extensions made possible;
- The State Administrative Tribunal (SAT) should be responsible for reviewing both DER and Contaminated Sites Committee decisions, to increase administrative transparency.

Local Government were invited to provide input into both of the Association's submissions. During the first consultation round, seven Local Governments provided comment. During the second consultation round no comments were received from the sector. Legislation review is the most effective time to influence changes to government policy and legislation. The Association will consider all resolutions passed at the AGM, but notes that the State Government may be unwilling to consider the members' proposed amendments. This is due to the current stage of State Government's review, and the current financial constraints on the State Government budget.

The Association therefore proposes to advocate to the Office of the Auditor General to undertake an economic analysis of the core theme of the motion, to examine the effectiveness and efficiencies that could be achieved through the Department of Environment Regulation undertaking the contaminated site audit requirements, as defined in the Act.

4.5 Review of Section 6.28 of the Local Government Act 1995 - Valuation of Land (05-034-01-0007 JMc)

City of Bunbury:

RESOLUTION

Moved: Cr B Kelly (Bunbury)

Seconded: Cr N McNeill (Bunbury)

That WALGA requests the Minister for Local Government to review Section 6.28 of the Local Government Act that limits the methods of valuation of land to Gross Rental Value or Unimproved Value, and explores other alternatives.

IN BRIEF

- Section 6.28 of the Local Government Act 1995 limits the basis of rating to Gross Rental Valuation and Unimproved Value.
- This motion proposes an expansion of land valuation options for the basis of rating.

CARRIED

MEMBER COMMENT

The method of valuation of land to be used as the basis of rating in Western Australia is either: Gross Rental Value for predominantly non-rural purpose; or unimproved value of land for rural purposes. These are the only two methods available under the Section 6.28 of the Local Government Act in Western Australia.

Eastern State Local Governments can elect to rate on one of the following options:

- Site Value - levy on the unimproved value of land only and disregards the value of buildings, personal property and other improvements.
- Capital Value - value of the land including improvements
- Annual Value - rental value of a property (same as GRV).

It is suggested that a review of the options for the valuation of land for the basis of rating be conducted.

SECRETARIAT COMMENT

Alternative land valuation methods came under the scope of the WALGA Systemic Sustainability Study, particularly Capital Improved Valuations which is in operation in Victoria and South Australia.

Whilst the SSS did not land on a particular recommendation for action, it may be opportune to commence a discussion on the inherent advantages and disadvantages of the present and alternative land valuation methods, given the nexus to the Valuation of Land Act 1978 and its review anticipated in 2015/2016.

**4.6A MATTER OF SPECIAL URGENT BUSINESS: Opposition to
Commission of Audit Recommendations**

Shire of Morawa:

Absolute Majority required

RESOLUTION

Moved: President Cr K Chappel (Morawa)

Seconded: President Cr J Collingwood (Chapman Valley)

That the Members agree that the following item of Special Urgent Business, relating to *Opposition to Commission of Audit Recommendations* be considered.

CARRIED BY ABSOLUTE MAJORITY

4.6B MATTER OF SPECIAL URGENT BUSINESS: Opposition to Commission of Audit Recommendations

Shire of Morawa:

RESOLUTION

Moved: President Cr K Chappel (Morawa)
Seconded: President Cr J Collingwood (Chapman Valley)

That the WA Local Government Association engage with the Federal Minister for Infrastructure and Regional Development; all Federal Members of Parliament from Western Australia; and the Australian Local Government Association to lobby against any proposed removal or amendment of Commonwealth funding to Local Government by way of Financial Assistance Grants (FAG's) and the Roads to Recovery Program (R2R).

IN BRIEF

- Opposition to Federal Government Commission of Audit Recommendations relating to any proposed removal or amendment of Assistance Grants and the Roads to Recovery Program.

CARRIED

BACKGROUND

It is with great concern that the member Councils of the Northern Country Zone of WALGA have noted that The Report of the National Commission of Audit has recommended the removal of Commonwealth funding to Local Government by withdrawing Financial Assistance Grants (FAG's) and the Roads to Recovery Program (R2R).

A pre Federal Government Budget report prepared by the Australian Local Government Association (ALGA) stated:

“Commonwealth funding for local councils would end under the recommendations of the Commission of Audit Report released on Thursday 1 May.

The Federal Budget, to be handed down in 12 days' time is expected to pick up some of the 86 recommendations, with others to be adopted in coming months.

The recommendations seek to return the Budget to surplus through substantial savings and would also see the Commonwealth Government give up \$25 billion of income tax revenue and end its involvement in an enormous range of areas and pass responsibility to the states.

Of major concern to ALGA are the recommendations in Volume 2 (recommendations 5 and 22) that the Commonwealth end its funding for local government including the Financial Assistance Grants (FAGs) program and the Roads to Recovery (R2R) program.

The Report also recommends an end to Regional Development Australia Committees and that the Commonwealth leaves regional development issues to the state and local government.

The Federal Government provides a total of \$2.2 billion per annum to councils across the country through the FAGs program. It is the Government's cornerstone program for local communities. The

end of the program, which was put in place almost 40 years ago, would have a catastrophic impact on the level of local infrastructure and services in every local community.

The Audit Commission has proposed that the FAGs would no longer be necessary as sufficient revenue would be available to state governments which could then determine whether any funds are passed on to councils. Given the priorities which state governments face in areas such as health, education and public transport, individual councils may well find it challenging in securing sufficient funds to meet local infrastructure and service needs.

The end of the R2R program, which both major parties had promised to extend to 30 June 2019, would strip \$350 million a year in road funding from local communities with potentially devastating consequences for productivity, road safety and general access, particularly in regional communities. The promised Bridges Renewal Program is also at risk under the Report's recommendations."

MEMBER COMMENT:

Financial Assistance Grants remain the funding lifeblood for rural and remote Australia and are applied towards the provision of a wide range of essential services. This funding is significant in assisting Councils to provide an appropriate level of services and in alleviating the disadvantages experienced by communities located a long way away from major cities and regional centres. Many Councils do not have a sufficient rating base to fund these services. The methodology of distributing FAG's has always been transparent and removed from any kind of political bias or manipulation. *It is essential that FAG's continue to be directly allocated through the Commonwealth Government into the future.*

R2R funding is a stringently managed program that ensures Australia's local government road network is upgraded to standards able to cope with the nation's road transport requirements. This was a major initiative of the Howard Government and has been structured to ensure that a high level of accountability and value for money in the application of funds prevails. Given the increasing demand for an improved road network, particularly in the vast agricultural and mining regions of Australia, it is vital that this source of funding continues to be delivered directly to local governments by the Commonwealth Government.

If FAG's and R2R funding are replaced with compensatory funding provided to the State Government for discretionary distribution to local governments, the financial independence and autonomy of local government would be severely threatened. It is almost certain that States would significantly redirect and/or or severely diminish the amount of funding previously provided directly to local government by the Commonwealth. This would result in massive cost shifting to ratepayers to support the current level of services provided by their respective Councils and the almost certain demise of many local governments in the rural and remote areas throughout Australia.

SECRETARIAT COMMENT

The motion is consistent with the Association's strategic objectives

4.7A MATTER OF SPECIAL URGENT BUSINESS: Local Government Reform - Dadour Poll Provisions

City of Canning:

Absolute Majority required

RESOLUTION

Moved: Mayor R Norris (Mosman Park)

Seconded: Cr F Reid (South Perth)

That the Members agree that the following item of Special Urgent Business, relating to *Local Government Reform - Dadour Poll Provisions* be considered.

CARRIED BY ABSOLUTE MAJORITY

4.7B MATTER OF SPECIAL URGENT BUSINESS: Local Government Reform - Dadour Poll Provisions

City of Canning:

MOTION

Moved: Commissioner L Reynolds (Canning)
Seconded: President Cr S Bilich (Kalamunda)

That this Annual General Meeting, recognising the current approach by the State Government to the manipulation of the principles of the 'Dadour' poll provisions;

(a) endorse WALGA's position of providing community access to the poll provisions where 1 or more districts are to be abolished rather than the 2 or more districts as currently provided for in the *Local Government Act 1995*;

(b) endorse WALGA's proposed extension of the poll provisions to significant boundary adjustments subject to any associated criteria and any percentages being agreed to by a majority of all local governments in Western Australia, and

(c) reaffirm as policy, that WALGA is opposed to the removal or dilution of the 'Dadour' poll provisions including the temporary dilution or removal of those provisions.

IN BRIEF

- WALGA's policy position to strengthen the poll provisions is supported.
- If the poll provisions are to be triggered for significant boundary adjustments, then the criteria and associated percentages need more discussion.
- WALGA to adopt a policy position opposing the temporary suspension or dilution of the poll provisions.

PROCEDURAL MOTION

Moved: Cr B Kelly (Bunbury)
Seconded: Cr E Re (Stirling)

That the meeting suspend Standing Order 13.2 to allow delegates to speak for more than 3 minutes.

CARRIED

M: Cr B Kelly (Bunbury)
S: Cr E Re (Stirling)

That the meeting resume Standing Order 13.2

CARRIED

The Motion was put and CARRIED

MEMBER COMMENT

At the meeting of State Council held on 2 July 2014 it was resolved that WALGA;

1. *Reaffirm its policy position opposing forced amalgamations and supporting voluntary reform; and*
2. *Adopt, and advocate for, a policy position that the poll provisions contained in the Local Government Act 1995 should be amended so that electors of a Local Government where 1 or more Local Governments will be abolished or significantly affected by a boundary change proposal are able to demand a poll on the proposal, with 'significantly affected' being specifically defined as causing a fifty percent variation in:*
 - i. *Population; or,*
 - ii. *Rateable properties; or,*
 - iii. *Revenue.*

The general thrust of WALGA's adopted policy positions is supported by the motion currently before the AGM.

Artificial Boundary Adjustments

Schedule 2.1 of the *Local Government Act 1995* currently reads as follows:-

8. Electors may demand poll on a recommended amalgamation

(1) Where the Advisory Board recommends to the Minister the making of an order to abolish 2 or more districts (the *districts*) and amalgamate them into one or more districts, the Board is to give notice to affected local governments, affected electors and the other electors of districts directly affected by the recommendation about the recommendation.

As we all know, the Minister is avoiding any potential triggering of the poll provisions by proposing 'boundary adjustments' for paired local governments that have the effect of abolishing only 1 district, rather than the 2 districts (or more) that the Act currently provides for.

In defence of this back-door course of action, the Minister has argued that it would keep elected members in place during the transition period and allow for a smoother transition. "At least one of the councils would continue and there would be no need for new bank accounts, ABN numbers or GST registration".

Apparently the principles of community democracy can be traded off against the principles of administrative efficiency.

WALGA's resolution contemplates the removal the numeral 2 and its replacement with the numeral 1 in clause 8 of Schedule 2.1 of the *Local Government Act 1995*. That is a good thing because it would open up the poll provisions for proposals that would abolish only 1 local government rather than confine it to 2 or more.

Genuine Boundary Adjustments

More importantly, State Council's resolution goes a step further and says that if significant boundary adjustments are to occur that don't involve the abolition of local governments, then there should be some criteria attached to these as well so that the poll provisions can also be accessed by the community where significant change is involved.

State Council's proposed access to the poll provisions for genuine boundary adjustments therefore represents a strengthening of the poll provisions. That also is a good thing.

However the criteria that has been set for what constitutes a significant boundary adjustment (i.e. population, or rateable properties, or revenue) and the 50% figure attached to them has raised some concerns in terms of the ongoing sustainability of surviving local governments.

No explanation has been provided to the local government sector on how the criteria were selected and how the 50% figure was arrived at. Part b) of the motion before the AGM is intended to get the discussion going and provide a way forward.

Suspension of the Poll Provisions

At the meeting of State Council held on 4 September 2013 it was resolved that WALGA adopt a policy position to;

Oppose the State Government's proposal to remove in perpetuity the poll provisions for the metropolitan area contained in Schedule 2.1 of the Local Government Act 1995.

The use of the words "in perpetuity" suggests that WALGA may be amenable to the temporary suspension or dilution of the poll provisions. The policy position of WALGA as it is currently expressed, could therefore be used as leverage by the State Government to change the poll provisions for the worse.

Part c) of the motion is intended to make WALGA's policy position on the matter very clear.

SECRETARIAT COMMENT

The motion is generally consistent with the Association's policy positions

Attachment 3: Action Taken on Resolutions of the 2014 Annual General Meeting

Action Taken on Resolutions of the 2014 Annual General Meeting

<p>4.1 <u>ESL Administration Fees Paid to Local Governments (05-024-02-0059 AH)</u></p> <ol style="list-style-type: none"> 1. That WALGA Prepare a business case to DFES to demonstrate that the fee payments to Local Governments no longer cover all of the ESL related costs incurred by local government in collecting the ESL. 2. Negotiate an annual increase to the ESL Administration Fee paid to local governments by price and property growth indexation. 3. Negotiate with DFES to make a once off increase to the total funds allocated for the ESL Administration Fee funds paid to local governments in 2015/16. This increase is recommended to be compounded on annual property growth and price (CPI) since the introduction of the ESL. 	<p>WALGA is developing a business case and has continued to advocate for a review of the ESL levy. The development of the business case is in parallel with the development of the Emergency Services Act (consolidation of the Fire Brigades Act 1942, the Bush Fires Act 1954, and the Fire and Emergency Services Act 1998) which has which identified concern with that the new legislation include increased risk mitigation responsibility for land managers including Local Governments and private landowners.</p> <p>The Review of the Emergency Services Acts is currently in the fourth stage of the review process and is currently with the Department of Treasury Regulatory Gatekeeping Unit (RGU) for assessment in January 2015. 2 & 3. WALGA has continued to advocate strongly to the Minister for Emergency Services to increase the ESL administration fee and the appropriate indexation. This is reflected in the WALGA State Budget submission 2015/2016. This was not supported by the State Government. The State budget has authorised an increase in the Emergency Services Levy (ESL) in the order of 10.8%.</p> <p>The current administration fee remained unchanged for the 2015/2016 financial year. WALGA has written to the Minister seeking clarification for the significant increases when compared to rises in previous years.</p>
<p>4.2 <u>Implications of Structural Reform (05-034-01-0103 TB)</u></p> <p>That WALGA;</p> <p>Facilitate a meeting between country Local Government Elected Members</p>	<p>As the State Government ended the Local Government Reform process with the revocation of Governors Orders in March 2015, the Metropolitan and Country Reform Policy Forums ceased and this item has not been progressed.</p>

Action Taken on Resolutions of the
2014 Annual General Meeting

with Professor Brian Dollery making a presentation on the implications of structural reform, by December 2014.

Supports the position that, if WALGA is to facilitate further presentations on Local Government Reform, then more than 1 presenter should be invited to ensure that a range of views and opinions are given, and that balanced and objective deliberation and debate can be undertaken.

4.3 Bushfire Management – Support Vehicles (05-024-03-0010 AH)

That WALGA lobby the Minister for Emergency Services seeking the inclusion of fire support vehicles as eligible items for capital and operational funding under the Emergency Services Levy.

The Association continues to advocate for a review of the ESL manual of operating procedures for the inclusion of fire support vehicles as eligible items for capital and operational funding. This is consistent with existing State Council positions (119.5/2011, 129.6/2012, 219.3/2013).

The most recent correspondence was sent to the Minister for Emergency Services on 12 June 2015 seeking an urgent review in light of the 10.8% increase in the Emergency Services Levy (ESL).

WALGA understands that this substantial increase in the ESL is to offset a significant reduction in funding of the Department of Fire and Emergency Services (DFES) from consolidated revenue. This increase will see an additional \$31.3 million injected into the DFES budget via ESL funds, whilst the budget papers reflect a \$15.6 million reduction from consolidated revenue.

Action Taken on Resolutions of the 2014 Annual General Meeting

<p>4.4 <u>Contaminated Sites – Auditing Requirements (05-020-01-0001 MB)</u> That WALGA:</p> <p>a) Requests the State Government to transfer the responsibility for auditing of contaminated sites reports to the Department of Environment Regulation as either a statutory requirement or on a fee for service basis; and</p> <p>b) Investigates and implements measures to reduce the cost of resolving contaminated site issues on Local Government (e.g. discounted consultant fees under WALGA preferred supplier panel contracts).”</p>	<p>a) Notwithstanding the current budget constraints of the state departments, the Director General of the Department of Environment Regulation has indicated that there is no appetite or resources to accept the responsibility for auditing of contaminated sites reports. Further, it would have to seek full cost recovery from proponents, so there would be little, if any financial saving to proponents.</p> <p>b) The WALGA preferred supplier panel for Environmental Consulting and Sustainability Services will be going back to the market later this financial year, with a dedicated focus on contaminated site assessment and remediation services. The current economic conditions should prove favourable to greater competition in this area of service offering.</p>
<p>4.5 <u>Review of Section 6.28 of the Local Government Act 1995 - Valuation of Land (05-034-01-0007 JMc)</u> That WALGA requests the Minister for Local Government to review Section 6.28 of the Local Government Act that limits the methods of valuation of land to Gross Rental Value or Unimproved Value, and explores other alternatives.</p>	<p>WALGA will continue to advocate its policy position on proposals for amendment to the Local Government Act in the next round of Act amendment proposals.</p>
<p>4.6B <u>MATTER OF SPECIAL URGENT BUSINESS: Opposition to Commission of Audit Recommendations</u></p> <p>That the WA Local Government Association engage with the Federal Minister for Infrastructure and Regional Development; all Federal Members of Parliament from Western Australia; and the Australian Local Government Association to lobby against any proposed removal or amendment of Commonwealth funding to Local Government by way of Financial Assistance Grants (FAG’s)</p>	<p>WALGA has also worked with ALGA to develop the national Financial Assistance Grants (FAGs) strategy through the ALGA board and the finance policy officers’ group. ALGA are currently implementing a national campaign to demonstrate the importance of FAGs to Local Governments. Part of this campaign asks Councils to pass resolutions acknowledging the importance of the FAGs in the delivery of vital local services and infrastructure and ensuring that the positive impacts of these payments are publicly acknowledged. ALGA are also compiling case studies on the impact of the FAGs freeze on Local Governments (WA case studies are being collected by WALGA on behalf of</p>

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<p>and the Roads to Recovery Program (R2R).</p>	<p>ALGA).</p> <p>WALGA has issued media releases and wrote to all WA Senators to highlight the impact of the FAG's indexation freeze.</p> <p>The WALGA President and staff also met with Senator Linda Reynolds to discuss the Federation review, Local Government funding and the FAG's freeze.</p> <p>In respect to Roads to Recovery The Federal Government confirmed in 2014 that the Roads to Recovery program will run until at least 2018-19. Also, the 2015-16 financial year will include a 'double payment' of Roads to Recovery funding to Local Governments. For example, WA usually receives \$51.2 million, but will receive \$102.4 million in 2015-16.</p>
<p>4.7B <u>MATTER OF SPECIAL URGENT BUSINESS: Local Government Reform - Dadour Poll Provisions</u></p> <p>That this Annual General Meeting, recognising the current approach by the State Government to the manipulation of the principles of the 'Dadour' poll provisions;</p> <p>(a) endorse WALGA's position of providing community access to the poll provisions where 1 or more districts are to be abolished rather than the 2 or more districts as currently provided for in the Local Government Act 1995;</p> <p>(b) endorse WALGA's proposed extension of the poll provisions to significant boundary adjustments subject to any associated criteria and any percentages being agreed to by a majority of all local governments in Western Australia, and</p> <p>(c) reaffirm as policy, that WALGA is opposed to the removal or dilution of the 'Dadour' poll provisions including the temporary dilution or removal of those provisions.</p>	<p>The Association carried out a detailed consultation process on the sectors position on the poll provisions of the Local Government Act.</p> <p>The following is the position adopted by State Council at its 3 December 2014 meeting;</p> <p><i>That WALGA adopt, and advocate for, a policy position in relation to the poll provisions that Schedule 2.1 of the Local Government Act 1995 should be amended so that the electors of a Local Government affected by any boundary change or amalgamation proposal are entitled to petition the Minister for a binding poll.</i></p>