

**South West Zone WALGA: 22 June 2018
State Council WALGA: 4 July 2018**

South West Country Zone President Cr Tony Dean

Agenda Summary and Recommendations

The City of Busselton is a member of the WALGA South West Zone which meets approximately five times each year. The SW Zone comprises of 12 local governments being the Shire of Augusta - Margaret River, Shire of Boyup Brook, Shire of Bridgetown-Greenbushes, City of Bunbury, City of Busselton, Shire of Capel, Shire of Collie, Shire of Dardanup; Shire of Donnybrook-Balingup, Shire of Harvey, Shire of Manjimup and the Shire of Nannup.

The Zone meeting was held at the Shire Bridgetown - Greenbushes at Nelsons of Bridgetown on 22 June 2018. The City was represented on the Zone Committee by Councillor Grant Henley (Mayor) with administrative support provided by Cliff Frewing, Acting Director Community & Commercial Services and Kate Dudley, Governance Administration Officer.

The Zone employs a secretariat to prepare the Zone agenda, take minutes and action Zone adopted resolutions.

Each Agenda is in two parts:

1. Items raised be Zone Members for consideration; and
2. The WALGA State Council Agenda

The reports raised by the Zone Members and those contained in the WALGA State Council Agenda "for decision" are reviewed by City officers and are reported in the following manner for Councillor information:

- A summary of the report is provided;
- The WALGA recommendation is repeated;
- The relevant City officer comments on the report;
- The City Officer comments on the recommendation;
- The Zone decision is recorded; and
- The WALGA State Council decision is recorded.

In this way, Council can track the progress of the report and recommendation as it flows through the system.

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4.1 Host Council Presentation

Host Local Governments are invited to provide a 15-20 minute presentation on current events affecting their local government area or to arrange an inspection of new or significant facilities of interest to members.

4.2 Presentations

The Hon Alanah MacTiernan MLC, Minister for Regional Development; Agriculture and Food; Minister Assisting the Minister for State Development, Jobs and Trade Member for the North Metropolitan Region.

The following questions have been submitted by Councils.

Shire of Capel

- Seek an update on progressing the development of new regional sale yards in the SW.

City of Busselton

- A significant amount of planning and consideration was undertaken to write the South West Regional Blueprint. Is this still a relevant document and is it considered in State funding priorities moving forward?
- Considering the previous question regarding the SW Blueprint, when and how will the projects for developing infrastructure to aid economic growth be funded again through R4R?
- Similarly, the Regional Centres Development Program (RCDP) was prepared by the Regional Development Council to support the implementation of the State Planning Strategy 2050 and the Regional Blueprints through the Regional Centres, SuperTowns and Pilbara Cities initiatives. What is the status of this program and funding in the future?
- What is your vision as the Minister for Regional Development for the South West?

Shire of Manjimup

- Seek advice on the likelihood of any Royalties for Regions funds being directed toward tourism and commodity roads in regional areas”.

Shire of Augusta Margaret River

- The cancellation of this year's Margaret River Surf Pro due to shark attacks had an immediate effect on local business but more importantly potentially longer-term damage to our reputation as a tourist destination. Can the Minister please advise if these concerns are shared by the State Government and if so what reasonable steps will be taken to increase real and perceived levels of safety at popular surfing and swimming beaches and to combat the negative publicity received internationally in the wake of the Surf Pro cancellation?

Shire of Bridgetown – Greenbushes

LandCorp's Regional Development Assistance Program (RDAP)

- RDAP was established to address the prohibitive costs sometimes associated with developments in regional WA, which can make them unviable for private developers. Over the 7 year life of RDAP approximately 250 residential and industrial lots have been released in regional towns.
- Through this program the development of a light industrial area in Bridgetown (adjacent to sportsground) was proposed however earlier this year Landcorp advised the Shire that due to various factors, including reductions in funding for the RDAP program, progression of the Bridgetown LIA proposal has been deferred indefinitely
- With the very significant expansion works at the Greenbushes Talison Lithium mine site there exists tremendous opportunities for growth of small light industrial businesses to service the expansion project, both during the construction period and beyond. Unfortunately the capital costs of establishing the LIA are beyond the capacity of the Shire of Bridgetown-Greenbushes.
- Therefore the question to be asked of the Minister for Regional Development is whether she supports the philosophy of RDAP as a driver for regional development in small regional towns and if it is seen as a driver when it is likely that additional funding can be provided to Landcorp to clear the backlog of projects identified under the Program?

Shire of Capel – Funding for Infill Sewer Infrastructure

- The current scenario where a developer is required to fund all sewer infrastructure including pump stations is making it virtually impossible for small local government to grow their communities. As most of the proposed residential subdivisions/developments are generally only small (5-30 lots) the cost of funding the installation of a pump station and associated works (\$0.5m - \$1.0m), which will have the capacity to service more than just the proposed development, in addition to all the other internal subdivision infrastructure costs, is making the proposal unviable and so no new development occurs and the town/community stagnates.

Question:

- Can the state government give consideration to providing additional funding to Water Corporation to allow that agency to fund this type of key infrastructure, like sewer pump station (Royalties for Regions would appear to be an ideal funding program for this) to allow small rural communities to grow and achieve some increased economic development to benefit their long term future.

Shire of Capel – Western Power Underground Power Cost

- Council understands that it is the current Western Power policy that where a development/subdivision is undertaken and underground power will be a requirement (which is a positive move) of the approval, the developer is required to meet the full cost of removing the existing overhead power lines and poles, in addition to meeting the full cost of installing underground power to the development.
- Whilst Council has no problems with the developer being required to meet the full cost of the installation of the underground power network to the development it considers that also being required to meet the full cost of removing the existing power line sand poles a potentially ‘double dipping’ and like the sewer pump station issue is virtually making it impossible for small scale developments/subdivisions in rural communities to occur.

Question:

- Is there any opportunity for the state government to give consideration to having this required by Western Power removed for small scale developments/subdivisions in rural communities or could consideration be given to funding this cost from Royalties for Regions where a detailed business case indicates that the development/subdivision would not be financially viable to proceed without this assistance.

4.3 Department of Local Government, Sport and Cultural Industries

Ms Jodie Holbrook has offered to provide a briefing to a future meeting on the structure and functions of the new department, which now includes the following.

- Department of Local Government
- Department of Sport and Recreation
- Department of Culture and the Arts
- Department of Racing, Gaming and Liquor
- Office of Multicultural Interests
- Aboriginal History Research Unit (formerly with Department of Aboriginal Affairs).

Currently no speakers have been programmed for the following meetings:

Bunbury - 24th August

Busselton - 23rd November

4.5 South West Development Commission (SWDC)

The CEO of the SWDC, Ms. Rebecca Ball will make a presentation to a future meeting

7.1 Report by State Council Delegate or WALGA Representative

7.3 Annual Program of Topics for Discussion by Councils

Members are invited to suggest topics on which they would like to hear presentations. This will enable the Executive Officer to arrange suitable speakers well in advance. The Chairman of the State Emergency Management Committee has been invited to address the next meeting.

7.4 Freight Policy Forum – termination advice from WALGA

The Freight Policy Forum was established in 2015 with the aim of developing the necessary policies; regulations and funding needed to enable Local Governments to provide a sustainable heavy vehicle road network that meets industry needs.

Under the guidance and direction of the Freight Policy Forum, the 'Heavy Vehicle Cost Recovery Policy Guideline for Sealed Roads' and the 'Policy for Assessing Applications to Operate

Restricted Access Vehicles on Local Government Roads' have been developed and endorsed by State Council. These tools are now available on the WALGA website to be adopted and adapted by Local Governments. Technical work on a model for heavy vehicle cost recovery on unsealed roads is in development and it is anticipated this will be incorporated within a revised Heavy Vehicle Cost Recovery Policy Guideline late this year.

Following discussion we have reached the view that the Freight Policy Forum has now achieved its initial objectives and will be concluded. There remain future threats and opportunities including additional axle loading (AMMS) arrangements, incremental cost recovery models and new investment in freight routes. The need to re-establish the Freight Policy Forum to address these or other issues will be considered in the future.

9.1 City of Busselton – Police Housing

Recommendation:

That SW Zone WALGA:

1. Write to the Minister for Housing and the Minister for Police to highlight the concerns including:
 - Condition of housing available
 - Costs of rent and rent increases
 - Lack of surety in tenure to assist with rental options for Police Officers
2. Request that WALGA also raise these concerns outlined above with the relevant Ministers and Departments as this issue is common across Regional Western Australia in relation to Government Regional Officer Housing (GROH) as a whole.

Background/Comments:

The City of Busselton has recently been approached by the WA Police Union in relation to issues that their members are experiencing with GROH allocated housing within the South West Region. In addition these issues such as increasing rents, affordability and quality of housing are not isolated concerns with Police Officers. Other government employees such as teachers, nurses, parks and wildlife officers have also outlined similar concerns.

WALGA State Council and Zone Agenda Agenda Summary and Recommendations

The attraction and retention of key government personnel within the Regions is extremely important to deliver the services expected by the community. At times, the housing situation has caused some government employees to leave their positions prematurely, which has an impact on service delivery and potentially puts Regional communities at risk.

The WA Police Union states that the State Government will be increasing GROH rents by a further \$30 per week which is on top of the \$30 increase applied the previous year. These rent increases essentially make it less attractive for Police Officers to serve in regional towns. The WA Police Union states that GROH rental costs will be increased over a 2 year period by \$3,120 per annum, however, the incremental pay increase of an average Police Officer is only \$2,000 over the same period.

This financial penalty for Police Officers is clearly a deterrent for officers wishing to consider relocation to our Region. As it is also understood that the quality of housing and availability of housing are also concerns with other sectors of government.

At present, the State School Teachers Union of WA is also running an active petition to lobby against the increases in GROH housing. More specifically, they are requesting the State Government to:

- Commit to a full review of the mechanism for GROH Rent Fixing;
- Direct DoE to suspend all GROH rent increases pending the outcome of this review; and
- Guarantee GROH will not be privatised, reduced or removed.

Basic requirements such as housing is a key attractant when recruiting staff to the Regional area. It is felt that housing should be made as an attractant and not a deterrent when government employees such as Police Officers, teachers, nurses etc. consider moving to our regional towns.

WALGA State Council: 4 July 2018

5.1 Updated Climate Change Policy Statement

Summary of report:

WALGA's existing Policy Statement was endorsed by State Council in June 2009. The revised Policy Statement reflects contemporary scientific understanding of climate change, international and national political developments, and the increasing urgency for effective climate change adaptation and mitigation action. The revised Policy Statement has been developed after extensive consultation with the sector over the last six months, including a Climate Change discussion paper and draft policy statement provided for feedback. The overwhelming response from Councils, Elected Members and officers was supportive of producing a stronger climate change policy statement. The revised Policy Statement represents the consolidated view of the sector and forms the basis of WALGA's climate change advocacy. It does not bind individual Local Governments.

WALGA Recommendation:

That the revised WALGA Climate Change Policy Statement be endorsed.

City Officer Comment:

Policy looks sound, not sure it will mean much in terms of practical outcomes.

City Officer Recommendation:

That the WALGA recommendation be supported.

Zone Recommendation to State Council:

That the WALGA recommendation that the revised Climate Change Policy Statement be endorsed, be amended by the inclusion of the additional comment "and that support be provided for communities impacted by any changes to the policy".

State Council Decision:

The recommendation was carried.

5.2 Interim Submission – Model Subdivision Conditions

Summary of report:

On 14 March 2018, the Bush Fire Policy team at the Department of Planning, Lands and Heritage released revised Model Subdivision Conditions for comment. The revised subdivision conditions were prepared in response to the recent implementation improvements as part of the ongoing review of the Guidelines for Planning in Bushfire Prone Areas. The model conditions have also been re-numbered to group similar issues together, that being the bushfire and unexploded ordnance (UXO) conditions. The public comment period closed on 11 May 2018, therefore an interim submission was prepared.

WALGA Recommendation:

That the interim submission to the WA Planning Commission on the Model Subdivision Conditions be endorsed.

City Officer Comment:

Note this relates not to subdivision conditions generally, but only to conditions associated with bushfire risk. For what it's worth, I concur with the interim submission, but it does not go nearly far enough.

The State, especially DFES, has done a very poor job of implementing important reforms, and have failed to adequately balance bushfire safety and other objectives. The current State approach is, in a significant proportion of cases, unworkable and unreasonable, and has created uncertainties and created costs for landowners and local governments that are not proportionate to the bushfire safety outcomes achieved, and may in some contexts have negative bushfire safety consequences.

The issues are far deeper than which agency clears subdivision conditions, and there needs to be a recognition that 'they (the State) got it wrong', and people with a coherent understanding of environmental, fire dynamics, bush fire risk mitigation (including local government bush fire notices), building and planning laws/processes be given the job of constructing a workable system. There may be people within the agencies capable of doing that, but they are certainly not being allowed to do so.

Note that the City has recently written a letter to the Hon. Minister of Planning setting out some of our concerns, but have not yet received any response (letter sent 11 May 2018 – although some confusion as to whether it actually made it, they have got it now, but not getting letter may explain why there has been no response).

City Officer Recommendation:

That the WALGA recommendation be supported.

Zone Recommendation to State Council:

That the recommendation in the State Council Agenda be endorsed.

State Council Decision:

The recommendation was carried.

5.3 Interim Submission – Position Statement – Housing on lots less than 100m²

Summary of report:

On 13 March 2018, the Western Australian Planning Commission (WAPC) released draft Position Statement – Housing on Lots less than 100m² (draft Position Statement) for public comment. The draft Position Statement aims to provide interim guidance for the location and development of houses on lots less than 100m² and an implementation mechanism to ensure a consistent application state-wide. The public comment period closed on the 14 May 2018, therefore an interim submission was prepared.

WALGA Recommendation:

That the interim submission to the WA Planning Commission on Position Statement – Housing on Lots less than 100m² be endorsed.

City Officer Comment:

The submission looks broadly sound. We haven't got any direct experience of these issues yet.

City Officer Recommendation:

That the WALGA recommendation be supported.

Zone Recommendation to State Council:

That the recommendation in the State Council Agenda be endorsed.

State Council Decision:

That the interim submission to the WA Planning Commission on Position Statement – Housing on Lots less than 100m² be endorsed, subject to an additional recommendation ensuring careful consideration to avoid undesirable streetscape outcomes of such lots in areas where there is a distinct lack of amenity.

5.4 Policy for Restricted Access Vehicles on Roads Not on an Approved Network During Harvest

Summary of report:

Heavy Vehicles that exceed prescribed dimensions and mass are defined as Restricted Access Vehicles (RAV) and are provided limited access to parts of the road network under Notice or Permit. The Harvest Mass Management Scheme, which provides additional tolerance in allowable gross vehicle mass for grain movements from paddock to receipt point was amended in 2016 to allow Restricted Access Vehicles to use roads not assessed for oversized vehicles in order to move between paddocks and the nearest RAV route. Main Roads proposes to amend the conditions under which Restricted Access Vehicles can operate on unassessed roads for the 2018/19 harvest. The proposed changes impose the added requirement on industry to provide an Agricultural Pilot when a RAV is using a road that has not been added to the RAV network. Main Roads have stated that the arrangements provided in the past two years cannot continue, based on advice received from the State Solicitor. It has been suggested by some Local Governments and industry representatives that the proposed changes are impractical for grains industry participants and in the medium term may negatively impact on the capacity of Local Governments to meet industry demands for ongoing paddock access. Supporting the proposed changes will improve the safe operation of restricted access vehicles on low volume roads and enable survival of the scheme.

WALGA Recommendation:

1. That WALGA support changes to the Harvest Mass Management Scheme to enable heavy vehicles that meet the requirements of RAV 2, RAV 3 or RAV 4 to travel on roads not assessed for the RAV network between paddocks and the nearest RAV route during the harvest period.
2. Advocate that any roads assessed on the initiative of Main Roads that do not meet the requirements for addition to the RAV network at the level used under the Harvest Mass Management Scheme remain unassessed for the purpose of network definition.

City Officer Comment:

No direct issues.

City Officer Recommendation:

That the WALGA recommendation be supported.

Zone Recommendation to State Council:

That the recommendation in the State Council Agenda be endorsed.

State Council Decision:

That WALGA:

1. Subject to part 3 of this resolution, support continuation of the provisions within the Harvest Mass Management Scheme to enable heavy vehicles that meet the requirements of RAV2, RAV3 or RAV4 to travel on roads not assessed for the RAV network between paddocks and the nearest RAV route during the harvest period.
2. Advocate that any roads assessed on the initiative of Main Roads that do not meet the requirements for addition to the RAV network at the level used under the Harvest Mass Management Scheme remain unassessed for the purpose of network definition.

3. Request that the Main Roads Heavy Vehicle Services work with stakeholders to provide an alternative solution, prior to the 2018 harvest, to the proposed requirement for an Agricultural Pilot on unassessed roads that meets legal requirements and is acceptable to Industry.

5.5 WA State Library Strategy Implementation Plan and Consultation Report

Summary of report:

The provision of library services in Western Australia is governed through a formal agreement between State and Local Government, governed by the Library Board Act 1951, and formalised through a Partnership Agreement in 2009. In December 2017 the Minister for Art and Culture released the WA Public Libraries Strategy (the Strategy) to establish strategic priorities for public library development in Western Australia over the next four years. The sector has been consulted throughout the development of the Strategy. The Public Libraries Working Group requests the endorsement of the finalised Strategy by the WALGA State Council and Western Australian Public Libraries Board before advocating through to State Government for funding to be allocated.

WALGA Recommendation:

That:

1. The WA Public Libraries Strategy be endorsed; and,
2. WALGA continue to advocate with Western Australia Public Libraries and key stakeholders to Department of Local Government, Sport and Cultural Industries to prioritise funding for implementation of the strategy.

City Officer Comment:

The proposed WA Public Libraries Strategy has been developed by the sector over a long period of time with significant LG input. The strategy has been set at a very high level and the 'devil will be in the detail' when the Strategies are converted to actions over the coming years.

City Officer Recommendation:

That the WALGA recommendation be supported.

Zone Recommendation to State Council:

That the recommendation in the State Council Agenda be endorsed.

State Council Decision:

The recommendation was carried.

5.6 Aboriginal Heritage Act 1972 Review Submission to Stage 1

Summary of report:

The Department of Planning, Lands and Heritage, (the Department), is conducting a review of the *Aboriginal Heritage Act 1972* (AHA). The AHA is the States' principal legislation enabling the preservation of Aboriginal cultural heritage places and objects. The Association formed a sector reference group to guide the review process and the development of a representative sector submission.

WALGA Recommendation:

That the submission to Stage 1 Review of the *Aboriginal Heritage Act 1972* be endorsed.

City Officer Comment:

The Aboriginal Heritage Act has been reviewed four times since it came into effect in 1972. A further review has now been commenced since the McGowan Government came into office. A LG Reference Group was formed to guide WALGA in its review process and the Group has initially made 14 recommendations for the Department to consider in its review process.

City Officer Recommendation:

That the WALGA recommendation be supported.

Zone Recommendation to State Council:

That the recommendation in the State Council Agenda be endorsed.

State Council Decision:

The recommendation was carried.

5.7 Interim Submission – Review of the State Industrial Relations System

Summary of report:

On 22 September 2017, the State Government announced the conduct of a Ministerial review into the State Industrial Relations system (Review). WALGA put forward an initial submission to the review in December 2017 as per the State Council resolution in March 2018. The Interim Report was published by the Review on 20 March 2018 and WALGA undertook further consultation with the Local Government sector including hosting a further Sector Reference Group consultation meeting and inviting written feedback to build on the representative sector position. The sector position opposed the Interim Report recommendation of the Review that Local Government be regulated by the State industrial relations system (recommendation 69). WALGA put forward an interim supplementary submission in response to the Interim Report in May 2018, further addressing the position of Local Government industrial relations regulation and transitional considerations for the State Government. WALGA now seeks State Council endorsement of the interim supplementary submission.

WALGA Recommendation:

That the interim supplementary submission in response to the Interim Report of the Review of the State Industrial Relations System be endorsed.

City Officer Comment:

The City's three key concerns should the State Government decide that all Local Governments should be covered by the State Industrial System are:

1. The significant costs incurred in moving back under this system both from resourcing point of view;
2. Implication of conditions that have previously been negotiated out of our Enterprise Agreement coming back into play and conversely the difficulty in trying to negotiate out terms and conditions in our current Enterprise Agreement (due to their existence in federal award) that are higher than the current State Awards.
3. The current State Awards are out of date and do not reflect the diverse operating environments of today's Local Government environment.

City Officer Recommendation:

That the WALGA recommendation be supported.

Zone Recommendation to State Council:

That the recommendation in the State Council Agenda be endorsed.

State Council Decision:

The recommendation was carried.