

**South West Zone WALGA: 23 June 2017  
State Council WALGA: 5 July 2017**

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**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 twelve 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 of Nannup on 23 June 2017. The City is represented on the Zone Committee by Councillor Grant Henley with administrative support provided by Cliff Frewing, Director Finance & Corporate 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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## **South West Zone: 23 June 2017**

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### **2018-19 State Budget**

Each year, WALGA prepares a submission to the State Government outlining the sectors' priorities for the upcoming budget. WALGA is seeking feedback from the Zones on its proposed approach for the 2018-19 State Budget Submission.

Given the State's significant financial challenges, and the McGowan Governments focus on reducing spending, there is a significant risk that funding to the sector will be cut in coming years. It is therefore proposed that the submission primarily focusses on preserving important funding to the sector, rather than seeking any major new spending commitments.

The submission will still reinforce the need for additional funding to support the sector to deliver important community services and infrastructure once the state's finances have improved.

WALGA is specifically seeking the Zones' input to identify the key funding sources and grant programs that are critical for the sector, which must not be cut in an effort to improve the state's financial position.

The submission will be prepared over coming months, and will be provided to State Council for endorsement at the September meeting.

#### **Response:**

It is suggested that all State Government funding sources are considered relevant and should not be reduced, in particular there are a number of grants that it is felt should not be reduced as a result of the State Government deliberations.

These include:

- Road Grants
- Sport and Recreation Grants

More likely, however is that the State will focus on increasing revenue at the expense of Local Government as it has done in most budgets in recent years.

These actions include:

- Removal of Stamp Duty Concession
- Imposition of loan Guarantee Fee

Both of which have significant implications for Local Government.

#### **Position:**

Emphasis should therefore be made that "enough is enough" and no further impositions should be levied on Local Government.

#### **Zone Recommendation:**

The key priorities as identified by WALGA as the the proposed priorities for WALGA's 2018-19 State Budget Submission be endorsed

### **Regional Waste Facility – CLGF Funding Update**

The South West Zone notes the update and approach by the Bunbury Wellington Group of Councils to the Department of Regional Development regarding the use of the Country Local Government Funds for progressing with a South West Regional Waste Site.

**Response:**

Noted. No further action required.

**Zone Recommendation:**

The South West Zone notes the update and approach by the Bunbury Wellington Group of Councils to the Department of Regional Development regarding the use of the Country Local Government Funds for progressing with a South West Regional Waste Site.

## **WALGA State Council: 5 July 2017**

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### **5.1 Local Government Act and Regulations Review**

**Summary of report:**

The Minister for Local Government has announced a review of the Local Government Act and Regulations. The process will be in two (2) stages. The Minister has advised that the first stage will focus on modernising Local Government, with the policy work and consultation to be completed in 2017 with a Bill in 2018. Key topics in this phase will be simplifying the disclosure of gifts, amendments to Regional Subsidiary legislation and regulation, increasing elector participation, electronic disclosure (making information more readily available), and some reducing red tape provisions. The focus for the second phase is delivering for the community, with the policy work and consultation to be completed in 2018 with a Bill in 2019. Key themes for this phase will be improving behaviour and relationships, increasing community participation, enabling Local Government enterprises, improving financial management and reducing red tape.

**WALGA Recommendation:**

That WALGA

1. Note the Local Government Act Review process announced by the Minister for Local Government.
2. Endorse the consultation process outlined in this report.

**City Officer Comment:**

The “new” Local Government Act is now over 20 years old and is based on reviews that commenced approximately 30 years ago. On this basis a thorough review of the Act is now overdue and it makes sense to review the Act in stages as proposed.

**City Officer Recommendation:**

The Zone recommendation is supported.

**Zone Recommendation to State Council:**

That the recommendations be endorsed.

**State Council Decision:**

The recommendation was carried.

## **5.2 Heavy Vehicle Cost Recovery Policy Guideline for Sealed Roads**

### **Summary of report:**

Western Australian Local Governments face significant costs from road wear as a consequence of unforeseen heavy vehicle traffic triggered by projects, typically in the resources industry. In 2015, WALGA produced a User Guide for estimating the incremental cost impact on sealed local roads from additional freight tasks. Local Governments have requested that WALGA produce a model policy framework for recovering costs associated with unforeseen heavy vehicle transport tasks. The policy covers statutory powers, charging triggers, calculating the charge, negotiation, management of collected charges and guidance for compiling an agreement with the proponent. The policy has been endorsed by the Freight Policy Forum.

### **WALGA Recommendation:**

That the Heavy Vehicle Cost Recovery Policy Guideline for Sealed Roads be endorsed as a model policy for Local Government adoption.

### **City Officer Comment:**

The recovery of costs associated with damage to council controlled roads by heavy vehicles has become increasingly important and relevant as the State Country Rail Network usage has decreased. Effectively this means that heavy haulage vehicles, largely associated with grain haulage, are used on country roads causing unplanned maintenance works.

A model has been developed by the sector which attempts to recover the costs of damage to country roads by heavy haulage vehicles.

### **City Officer Recommendation:**

The Zone recommendation is supported.

### **Zone Recommendation to State Council:**

That the recommendations be endorsed.

### **State Council Decision:**

The recommendation was carried.

### **5.3 Single Use Plastic Bag Ban**

#### **Summary of report:**

The Municipal Waste Advisory Council (MWAC) developed a Discussion Paper on Plastic Pollution, highlighting the key issues motivating Local Government to take action on plastic bags. These issues included:

1. Reducing litter in the terrestrial and marine environment
2. Reducing plastic bag contamination of alternative waste treatment and composting facilities
3. Reducing overall plastic bag consumption, to encourage waste avoidance.

Using the Discussion Paper, WALGA then consulted Local Governments regarding their support for local or state wide action on plastic bags and the other activities the sector was taking to reduce litter. Responses from 50 Local Governments was received, with 33 (66%) supporting a state wide ban and 9 (18%) opposing a ban. The remaining Local Governments did not have a clear position on a state wide ban. Seven Local Governments are actively considering or progressing a Local Law to ban single use plastic bags.

The Minister for Environment has expressed his support for a ban, and has requested the DER develop a discussion paper on the issue, however the timeline for the development of this Paper is not clear.

At its meeting of 26 April 2017, MWAC recommended that State Council:

- Note the feedback from Local Government
- Support those Local Governments considering implementing a Plastic Bag Ban Local Law
- Advocate for a state wide ban on single use plastic bags.

#### **WALGA Recommendation:**

That WALGA:

1. Advocate for a state wide ban for single use plastic bags.
2. Support members seeking to implement a Local Law to ban single use plastic bags.

#### **City Officer Comment:**

The topic of banning plastic bags is becoming an increasingly popular subject and attempts have been made by some Local Governments to implement legislation to ban or minimise their use.

As a result WALGA prepared a discussion paper on plastic bags which was discussed at a recent City of Busselton briefing session. The general feeling of the Councillors present was that the Council would be supportive of such action to ban plastic bags but only if there was State Legislation that allowed this action to occur. At the present time there is no authority for Local Governments to ban plastic bags.

The Cities position has already been conveyed to WALGA and no further action is required from the City but there is no harm in supporting the recommendation.

**City Officer Recommendation:**

The Zone recommendation is supported.

**Zone Recommendation to State Council:**

The South West Zone reiterates position that the South West Zone of WALGA advise the WA Local Government Association that it supports the principle of a ban on one use plastic bags, thin (supermarket) shopping bags, on the basis that a considered State-wide or National implementation and consultation plan is developed which covers issues such as community education, environmental alternatives and an equitable transition period.

**State Council Decision:**

An amended motion was put and carried.

That WALGA:

1. Advocate for the State Government to introduce a state wide ban of single use plastic bags.
2. Ensure any state wide ban is supported by community education, environmental alternatives and an equitable transition period.
3. Refer the matter of biodegradable products to the Municipal Waste Advisory Council for investigation and determination.
4. Note that while a state-wide approach is preferred some Local Governments are progressing Local Laws and WALGA has a role supporting these Local Governments to ensure consistency of approach.

## **5.4 Interim Submission on the Australian Government's Review of Climate Change Policies**

### **Summary of report:**

The Australian Government Department of Environment and Energy released a Review of Climate Change Policies Discussion Paper on 24 March 2017, seeking comments by 5 May 2017.

WALGA's interim submission comprises recommendations consistent with WALGA's State Council endorsed Policy Statement on Climate Change 2009. In addition, the submission notes the absence of a coherent policy framework in relation to adaptation and building resilience to climate change impacts, the importance of making Federal climate change policies accessible to Local Governments and the need to tighten the Emissions Reduction Fund safeguard mechanism baselines, to ensure emissions reductions achieved throughout Australia (including by Local Governments) are not undermined by increased emissions by the nation's largest emitters. WALGA is now seeking State Council endorsement of the interim submission.

### **WALGA Recommendation:**

That the interim submission in response to the Australian Government's Review of Climate Change Policies Discussion Paper be endorsed.

### **City Officer Comment:**

The subject of climate change policies and climate change adaptation are becoming increasingly relevant and topical. The Australian Government Department of Environment and Energy has released a discussion paper reviewing existing policies and WALGA has prepared a submission which is consistent with WALGA's policy statement on Climate Change 2009.

### **City Officer Recommendation:**

The Zone recommendation is supported.

### **Zone Recommendation to State Council:**

That the recommendations be endorsed.

### **State Council Decision:**

The recommendation was carried.

## **5.5 Coordinated Corella Project**

### **Summary of report:**

Noise, damage to assets and native wildlife and public health impacts of introduced little and long-billed corellas have become a significant, ongoing issue for many Local Governments. In 2016/17 WALGA was successful in obtaining a one-off grant of \$50,000 from the Department of Parks and Wildlife (DPaW) to pilot a coordinated corella control program among Local Governments in the Perth metropolitan area and surrounds.

The pilot program had two components: on-ground control activity and the development of a Pest Bird Portal. Results of the pilot have been good, with over 2000 birds removed and an increase in coordination and information sharing amongst Local Governments.

Achieving a significant and sustained reduction in introduced corella numbers and their impacts will require an ongoing financial commitment from the State Government and Local Governments across the metropolitan and south west areas. DPaW has agreed to provide a further \$50 000 for the program in 2017/18. In order to expand the program, WALGA will be writing to Local Governments in the Perth, Peel and south west regions to update them on the program and request a financial contribution.

### **WALGA Recommendation:**

That State Council:

1. Note the outcomes of the Coordinated Corella Control pilot program.
2. Endorse WALGA's proposed approach to the continuation and expansion of the Program in 2017/18.

### **City Officer Comment:**

This report identifies the nuisance caused by corellas and recognised that this species of bird causes significant ongoing issues for many Local Governments including the City of Busselton. WALGA received a grant from the Department of Parks and Wildlife in the current financial year which has proved successful in controlling corellas. A further grant will be provided in the coming financial year (17/18).

WALGA will also be writing to Local Government in the Perth/ Peel regions requesting a financial contribution to progress further work in this area.

### **City Officer Recommendation:**

The Zone recommendation is supported.

### **Zone Recommendation to State Council:**

The item be amended by the addition of a further point

- That DPAWS provide adequate funding to support the project, as that is a wildlife control issue

**State Council Decision:**

An amended motion was put and carried.

That State Council

1. Note the outcomes of the Coordinated Corella Control pilot program.
2. Endorse WALGA's proposed approach to the continuation and expansion of the Program in 2017/18.
3. Seek to have the program expanded to the whole of the State, including the provision of adequate resources.

## **5.6 Productivity Commission Inquiry into Horizontal Fiscal Equalisation**

### **Summary of report:**

The Productivity Commission is undertaking an Inquiry into Horizontal Fiscal Equalisation (HFE). This is the rationale for the distribution of the GST between the States and Territories. Anything that impacts the economic and financial viability of the State potentially impacts on Local Government as a result of flow on funding decisions. The Inquiry is an opportunity to express the need for better funding consideration for Local Government from the other spheres of government.

### **WALGA Recommendation:**

That State Council endorse WALGA's submission to the Productivity Commission Inquiry into Horizontal Fiscal Equalisation in Australia.

### **City Officer Comment:**

In recent times there has been much publicity about the inequitable distribution of GST by the Commonwealth Grants Commission to the States. In particular the distribution of GST to Western Australia (WA) is at historically low levels and is currently at approximately 34 cents in the dollar. It seems that the Commonwealth acknowledges the inequitable distribution to WA and has now asked the Productivity Commission to conduct an enquiry into the method of the distribution of the grant Australia wide.

In the Cities view the WALGA recommendation doesn't go far enough as it talks in a large part about widening the base on which GST is collected and increasing the rate from the current level of 10%, whilst this may result in more GST revenue being collected in does not address the analogies associated with the calculation and distribution of the GST. This issue will be taken up with WALGA separately.

It is believed that the focus should be on reviewing existing formulas rather than increasing the amount of tax collected from other sources such as fruit and vegetables, education and health.

### **City Officer Recommendation:**

It is suggested that the following alternate motion be put:

*"That WALGA be requested to review its draft submission with a view to focusing on the existing methods of calculation of the GST as a matter of urgency rather than focusing on increasing the level of tax collected."*

### **Zone Recommendation to State Council:**

*"That WALGA be requested to review its draft submission with a view to focusing on the existing methods of calculation of the GST as a matter of urgency rather than focusing on increasing the level of tax collected."*

### **State Council Decision:**

An amended motion was put and carried.

That State Council endorse WALGA's submission to the Productivity Commission Inquiry into Horizontal Fiscal Equalisation in Australia with an amendment to remove the reference to the loss of the vehicle licensing concessions.

## **5.7 WALGA Draft Housing Strategy Guide and Housing and Community Profile Database**

### **Summary of report:**

At the request of WALGA members, the Association published a series of research papers examining the provision of both 'affordable' and 'aged' housing. The findings of these reports highlighted the importance of fully understanding the issues and challenges affecting local housing needs in order to develop effective solutions concerning the supply of special needs housing.

In accordance with State Council resolutions and to assist Local Government, the Association has prepared a draft Housing Strategy Guide and accompanying Housing and Community Profile Database.

The Association has invited feedback from the relevant State Government Departments on the draft Housing Strategy Guide and is seeking to gain a commitment that the Guide is a suitable best practice guide for local governments in preparing their Housing Strategies.

### **WALGA Recommendation:**

That WALGA;

1. Note the Draft Housing Strategy Guide and Housing and Community Profile Database currently out for members comment;
2. Liaise with all relevant State Government agencies to seek feedback on the draft Housing Strategy Guide; and
3. Seek a commitment from these agencies that the Draft Housing Strategy Guide is a suitable best practice guide for Local Governments in preparing their Housing Strategies.

### **City Officer Comment:**

Research papers have been prepared by WALGA on the topic of affordable and aged housing. Comment on these is currently being sought from the sector and other relevant Local Government agencies. It is ultimately intended that the final result will assist Local Governments in addressing needs within their individual communities in relation to housing.

### **City Officer Recommendation:**

The Zone recommendation is supported.

### **Zone Recommendation to State Council:**

That the recommendations be endorsed.

### **State Council Decision:**

The recommendation was carried.

# President's Report

## July 2017



### Corruption Claims Not Supported in Evidence

WALGA has defended the integrity of Councils and the Local Government sector against claims by the Corruption and Crime Commission (CCC).

The CCC has extrapolated misconduct at one Local Government to "*structural weakness in the sector.*" Any presumption that all regional Councils are mismanaged is unfair and inaccurate.

We extended an invitation to Mr McKechnie to attend a Special Meeting of the WALGA State Council and talk to his report and explain his public statements. Mr McKechnie was essentially unapologetic and it is probably fair to say that State Councillors remained equally unimpressed.

Notwithstanding, it is a timely reminder for all Local Governments to be reviewing their governance obligations and ensuring their compliance. Elected member training is available through WALGA's training service and I encourage you to utilise it.

### RSL / WALGA ANZAC Award

A new RSL / WALGA ANZAC Award has been created to recognise Local Government contribution to the promotion and facilitation of community involvement in ANZAC Day commemorative events and initiatives.

The Award Panel, which will consist of senior WALGA and RSLWA representatives, will consider:

- collaboration between the RSL and the Local Government in ensuring a successful commemoration
- innovation by the Local Government in ensuring continued relevance of ANZAC Day commemorations in community life, and
- involvement of the broader community, including young people, in ANZAC Day commemorations.

The Award will be presented during the WALGA Annual General Meeting in August.

### Productivity Commission Inquiries

The Commission has been busy of late, in areas that are of significance to local Government and the communities we serve and represent. They are currently conducting inquiries into;

- Australia's productivity;
- Horizontal Fiscal Equalisation – *or in layman's terms, the principles that underpin the GST distribution to the States and Territories* - and something that is close to my own community in the Pilbara;
- Transitioning of regional economies in the face of the resources sector down turn.

## CONTACTS

Improvements in national productivity grow our economy, expand employment, enable people and businesses to pay tax and ultimately enables governments to fund infrastructure and deliver services that benefit the wider community. It's in everyone's interests for us to examine ways to increase productivity to ensure that our standards of living can continue to improve in years to come.

The GST distribution to WA has long been a sore point for our State. We know there are reasons for our low allocation and that the formula will adjust that distribution over time in a way that will improve our lot. But that process is slow and needs review.

We are told that WA's royalty collections mean we have a greater capacity to raise revenue, and we get penalised for that by the Grants Commission process. Yet this same process doesn't take into account the significant investment in infrastructure that is needed to develop these same resources.

At the same time the other states also get to keep their strong gambling revenues, which aren't taken into account in the GST distribution calculations. Both the application of mining royalties and the raising of gambling revenues are policy decisions by respective State governments, yet WA is penalised and the other states are not. Not fair.

The end of the resource investment boom is effecting communities across Australia and whilst some are adapting quickly to their new regional economic circumstances, others are proving less resilient. Whilst each region will have its peculiar set of circumstances, I'm sure that there is much that could be shared between us that might help lift up those who are struggling.

It is great to see the Productivity Commission exploring these issues and we will make sure the Local Government perspective is heard on each of them.

## **NAIDOC2017**

It is NAIDOC Week between 2-9 July. WALGA encourages Local Governments to support national Aboriginal and Islander activities by bringing awareness and holding events to celebrate the history, culture and achievements of Aboriginal and Torres Strait Islander peoples.

Further information is available at: <http://www.naidoc.org.au/>

## **National Regional Development Innovation Awards**

Nominations are now open for this year's Australian Regional Development Innovation Awards. The 2017 Award categories include the following:

- Economic Development Award
- Planning and Building Award
- Environment and Sustainability Award
- Community Development Award
- Leadership

Regional WA is a powerhouse of initiative and creativity and I encourage you to nominate deserving individuals and organisations for this important national recognition.

## **Vehicle License Fee Concession**

The previous State Government removed Local Governments exemption from vehicle licensing fees. Whilst some candidates promised exemptions for Local Government's heavy vehicles during the election campaign, neither the then Premier nor Minister confirmed this as government or party policy.

The Opposition indicated it would "review" the position if elected. As the new State Government they have done so and declined to reverse the situation, due to budget considerations,

## **CONTACTS**

The new regulations delete clause 69 (b) – *the Local Government exemption* – and add Local Government to 69(c), which effectively restricts any exemption to vehicles used for firefighting. Minister Saffioti has indicated in correspondence that “limited road use vehicles” and vehicles with an “approved wheelchair hoist/ramp” will achieve a concession, but our understanding is that this doesn’t cover the core heavy vehicle fleet. The Association is continuing to advocate to members of Parliament that the existing concession continue after July 1.

A disallowance motion in relation to the regulation change has been tabled in the Legislative Council by Hon Rick Mazza MLC, but is yet to be debated. Following a discussion between the WALGA President and Mr Mazza, the Association has written to all Upper House MPs detailing why this disallowance motion should be supported. It is expected that this will be considered in Parliament during August.

All elected members are encouraged to continue to illustrate the impact of this decision to Members of the Legislative Council with the hope of a successful vote on the disallowance motion. We know that there is a huge financial problem confronting the new State Government, however every effort is being made to bring greater awareness of the significant impact this will have on Council budgets and inevitably on the community.

### **State Local Government Partnership Agreement**

The State Government has committed to a new Partnership Agreement with the Local Government sector. WALGA has been liaising with the Department of Local Government and Communities and the Office of the Minister for Local Government to progress the completion of the new document.

### **2017 WA Local Government Convention**

The 2017 WA Local Government Convention and Trade Exhibition will return to the Perth Convention and Exhibition Centre from Wednesday, 2 August to Friday, 4 August. Themed “Members First”, the program reflects WALGA’s fresh perspective on how to better understand and respond to the needs of Local Government by focusing on improving Member engagement and service.

Copies of the information and registration brochure are available in electronic format and can be downloaded from the WALGA website and registrations can be completed online by visiting the WALGA Registration Portal.

### **PRESIDENT’S CONTACTS**

During the May - July period, contacts that have occurred or are scheduled to take place prior to the December State Council meeting are as follows:

#### **State Government Relations:**

- Hon. David Templeman MLA Minister for Local Government; Heritage; Culture and the Arts Leader of the House
- Hon. Paul Papalia Minister for Tourism; Racing and Gaming; Small Business; Defence Issues; Citizenship and Multicultural Interests
- Hon. Simone McGurk Minister for Child Protection; Women's Interests; Prevention of Family and Domestic Violence; Community Services
- Hon. Mick Murray Minister for Seniors and Ageing; Volunteering; Sport and Recreation
- Hon. Alannah MacTiernan Minister for Regional Development; Agriculture and Food; Minister assisting the Minister for State Development, Jobs and Trade

## **Local Government Relations**

- LGIS Board Meeting
- ALGA Board Meeting & National General Assembly
- Visit City of Greater Geraldton, Mayor Shane Van Styne, CEO Ken Diehm
- Visit Shire of Chapman Valley, President John Collingwood, CEO Maurice Battilana
- Visit Shire of Northampton, President Craig Simkin , CEO Garry Keeffe
- Visit Town of Victoria Park, Mayor Trevor Vaughan, CEO Anthony Vuleta
- Kimberley/Pilbara/Northern Territory Local Government Forum
- Mr Eric Lumsden, Chair, WAPC

## **Conferences / Workshops / Public Relations**

- City of Swan Mayoral Dinner
- “Meet the Minister” Breakfast Hon. David Alan Templeman MLA Minister
- Members of Parliament Breakfast

## **Zone meetings**

- North Country Zone