

# State Council Agenda 4 September 2024

Ordinary meeting no. 4 of 2024 of the Western Australian Local Government Association State Council to be held at ONE70, LV1, 170 Railway Parade, West Leederville at 4:15pm.

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## 1 OPENING, ATTENDANCE AND APOLOGIES

### 1.1 OPENING

### 1.2 ATTENDANCE

<b>Members</b>	WALGA President - <b>Chair</b> WALGA Deputy President Central Metropolitan Zone Avon-Midland Country Zone Central Country Zone Central Metropolitan Zone East Metropolitan Zone East Metropolitan Zone Gascoyne Country Zone Goldfields Esperance Country Zone Great Eastern Country Zone Great Southern Country Zone Kimberley Country Zone Murchison Country Zone North Metropolitan Zone North Metropolitan Zone North Metropolitan Zone Northern Country Zone Peel Country Zone Pilbara Country Zone South East Metropolitan Zone South East Metropolitan Zone South Metropolitan Zone South Metropolitan Zone South Metropolitan Zone South West Country Zone	President Cr Karen Chappel AM JP  Cr Paul Kelly President Chris Antonio President Cr Phillip Blight Cr Helen Sadler Cr Aaron Bowman JP President Paige McNeil President Eddie Smith President Cr Laurene Bonza Cr Stephen Strange Cr Scott Crosby President Chris Mitchell JP President Cr Les Price Cr Michael Dudek Cr Lewis Hutton Cr Bronwyn Smith President Cr Kirrilee Warr Mayor Rhys Williams President Audra Smith (Deputy) Mayor Patrick Hall Mayor Terresa Lynes Mayor Logan Howlett JP Cr Karen Wheatland Cr Barry Winmar President Cr Tony Dean
<b>Ex Officio</b>	The Rt. Hon. Lord Mayor – City of Perth Local Government Professionals WA President	Lord Mayor Basil Zempilas Mr Anthony Vuleta
<b>Secretariat</b>	Chief Executive Officer Executive Director Member Services A/Executive Manager Infrastructure Executive Manager Policy Executive Manger Advocacy Chief Financial Officer Manager Governance and Procurement Manager Association and Corporate Governance Executive Officer Governance	Mr Nick Sloan Mr Tony Brown Mr Mark Bondietti Ms Nicole Matthews Ms Rachel Horton Mr Rick Murray Mr James McGovern Ms Kathy Robertson  Ms Meghan Dwyer
<b>1.3 APOLOGIES</b>	Pilbara Country Zone	Cr Wendy McWhirter-Brooks

## **2 ACKNOWLEDGEMENT OF COUNTRY**

WALGA acknowledges the continuing connection of Aboriginal people to Country, culture and community. We embrace the vast Aboriginal cultural diversity throughout Western Australia, including Boorloo (Perth), on the land of the Whadjuk Noongar People, where WALGA is located and we acknowledge and pay respect to Elders past and present.

WALGA is committed to supporting the efforts of WA Local Governments to foster respectful partnerships and strengthen relationships with local Aboriginal communities.

## **3 ANNOUNCEMENTS**

## **4 MINUTES**

### **4.1 MINUTES OF THE STATE COUNCIL MEETING HELD 10 JULY 2024**

#### **WALGA RECOMMENDATION**

That the Minutes of the WALGA State Council meeting held on [10 July 2024](#) be confirmed as a true and correct record of proceedings.

### **4.1.1 BUSINESS ARISING FROM THE MINUTES OF THE STATE COUNCIL MEETING HELD 10 JULY 2024**

## **5 DECLARATIONS OF INTEREST**

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

## **6 EX OFFICIO REPORTS**

### **6.1 CITY OF PERTH REPORT**

The Rt. Hon. Lord Mayor Basil Zempilas will provide the City of Perth report to the meeting.

### **6.2 LG PROFESSIONALS REPORT**

Mr Anthony Vuleta, President, LG Professionals WA, will provide a report to the meeting.

## **7 EMERGING ISSUES**

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

## 8 MATTERS FOR DECISION

### 8.1 LOCAL GOVERNMENT ELECTIONS ANALYSIS 2015-2023

*By Emma Heys, Governance Specialist*

#### **WALGA RECOMMENDATION**

**That WALGA advocate to the State Government:**

- 1. For an independent Local Government election audit, focusing on the Western Australia Electoral Commission's (WAEC) cost allocation methods and costing applications used, to confirm that marginal cost recovery principles are applied and that the costing program is being effectively managed.**
- 2. For the requirement for the WAEC to develop and implement Service Level Agreements with Local Governments, similar to those agreements currently used in New South Wales and Victorian Local Government elections and that includes:**
  - a. transparency of costing methodology,**
  - b. direct engagement with Local Governments pre and post elections, and**
  - c. the roles and responsibilities of the WAEC and Local Governments in the conduct of elections.**
- 3. For the introduction of a provision for private service providers to enter the market for the conduct of Local Government elections.**
- 4. For a mandated WAEC Report to Parliament specific to Local Government elections post each election cycle, outlining costs, results, voter turnout and matters for improvement both in the conduct of elections and the legislation, if relevant.**

#### **EXECUTIVE SUMMARY**

- This report presents the findings of a comprehensive review and analysis of five election cycles up to and including the 2023 Local Government election against the backdrop of legislative reforms to the Local Government electoral process in Western Australia.
- With a focus on postal elections conducted exclusively by the Western Australian Electoral Commission (WAEC), the analysis has found evidence of the rising cost of conducting Local Government elections in Western Australia.
- Elected Member feedback, costs vs service comparisons and engagement by the sector with WALGA's governance services over the 2023 Local Government election period, are the basis for the recommendations as outlined above.
- The Governance Policy Team considered this item at its meeting of 7 August and endorsed the position for consideration by State Council

#### **BACKGROUND**

A number of Zones made recommendations to WALGA in respect to the 2023 Local Government elections. The WALGA Governance Policy Team requested a review of Local Government elections 2015-2023 and a summary of findings in a future report, together with proposals for an alternative engagement strategy that provides for an independent assessment of WALGA's election advocacy. This includes examining the cost of conducting elections.

## **Zone Matters**

### *Central Country Zone*

#### **Item 11.4 Resolution for changes to Electoral Process**

That the Central Country Zone request WALGA to advocate for a change to the current electoral system for Local Government to:

1. remove the compulsion of those Local Government entities within the Band 3 and 4 categories to opt out of the Optional Preferential Voting System to return to the First Past the Post voting system; and
2. remove the compulsion for internal elections to be carried out by optional preferential voting and return to First Past the Post method of voting.

#### **Item 9.1 Financial Burden to Local Governments of Optional Preferential Voting**

That WALGA forms a policy position and advocates that:

1. any Western Australian Electoral Commission fee increases for the 2023 Local Government elections are capped at 10% when compared with the 2021 rates; and
2. the CountWA software from Western Australian Electoral Commission is provided to Local Governments free of charge for the 2023 and subsequent Local Government elections.

### *Goldfields Zone*

#### **Item 13.1 Request for review of the Proportional Preferential Voting System for Local Government Elections**

That the GVROC support the Goldfields Zone State Councillor to put forward to WALGA and the State Council as part of the current review of the system being undertaken, that we request the 'proportional' part and formula being removed to fully align with the State and Federal Government preferential voting system.

### *Murchison Zone*

#### **Item 7.8 Optional Preferential Voting ("OPV")**

That WALGA advocate to the Minister for Ports; Local Government; Road Safety; Minister Assisting the Minister for Transport, Hon David Michael MLA to review and repeal legislation to remove Optional Preferential Voting (OPV) for Band 3 and Band 4 Local Government Elections and for the election of Presidents, Deputy Presidents and Chairs of Committees of Band 3 and Band 4 Local Governments and to revert to the First Past the Post method of counting votes.

## **2023 LOCAL GOVERNMENT REFORMS**

The *Local Government Amendment Act 2023* introduced electoral reforms that came into effect prior to the 2023 Local Government ordinary elections. These reforms and the resulting consequences for Local Governments are a focus of this report and include:

- the introduction of Optional Preferential Voting (OPV);
- extending the election period to account for delays in postal services;
- changes to the publication of information about candidates;
- backfilling provisions for extraordinary vacancies after the 2023 election;
- public election of the Mayor or President for larger Local Governments;
- abolishing wards for smaller Local Governments; and
- aligning the size of councils with the size of populations of each Local Government (change to representation).

Other electoral reforms will come into effect prior to the 2025 elections, including a mandatory state-wide caretaker period and reforms relating to the owners and occupiers roll.

The Regulations prescribe Local Governments into classes 1, 2, 3 and 4. These classes currently align with the four bands that Local Governments are placed in by the most recent Salaries and Allowances Tribunal determination.

Introducing classes for Local Governments has resulted in all class 1 and 2 Local Governments having popularly elected mayors and presidents and class 3 and 4 Local Governments unable to be divided into wards.

The *Local Government Amendment Act 2023* replaced the First Past the Post (FPP) voting system with Optional Preferential Voting (OPV) as the voting method for all Local Government elections in Western Australia, including in-house elections (Presidents/Deputy Mayors/Committee Chairs).

## **2015-2021 WAEC ELECTION REPORTS**

Below is a summary from the WAEC reports of the voting system and per elector cost for each of the five ordinary election cycles 2015-2023.

**2015** – The FPP voting system applied to the 2015 elections. The Local Governments deciding to conduct a postal election in 2015 comprised some 1,433,575 electors, which is about 98% of the State's total number of eligible electors. At the close of nominations, 964 candidates had nominated for 419 vacancies resulting in 75 separate postal elections.

According to the WAEC 2015 Local Government Ordinary Election Report<sup>1</sup>, the per elector cost to conduct the election was \$3.10.

**2017** - The FPP voting system applied to the 2017 elections. The Local Governments deciding to conduct a postal election in 2017 comprised some 1,579,891 electors. At the close of nominations, 1,021 candidates had nominated for 433 vacancies.

According to the WAEC 2017 Local Government Ordinary Election Report<sup>2</sup>, the per elector cost to conduct the election was \$3.59.

**2019** - The FPP voting system applied to the 2019 elections. The Local Governments deciding to conduct a postal election in 2019 comprised some 1,619,431 electors. At the close of nominations, 921 candidates had nominated for 445 vacancies.

According to the WAEC 2019 Local Government Ordinary Election Report<sup>3</sup>, the per elector cost to conduct the election was \$3.70, an increase on the previous year of 3.1%.

**2021** - The FPP voting system applied to the 2021 elections. The Local Governments deciding to conduct a postal election in 2021 comprised some 1,727,712 electors. At the close of nominations, 821 candidates had nominated for 471 vacancies.

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<sup>1</sup> (Western Australian Electoral Commission, 2016)

<sup>2</sup> (Western Australian Electoral Commission, 2017)

<sup>3</sup> (Western Australian Electoral Commission, 2020)

According to the WAEC 2021 Local Government Ordinary Election Report<sup>4</sup>, the per elector cost to conduct the election was \$4.06, an increase on the previous year of 9.8%.

**2023** – The OPV voting system applied to the 2023 elections. The Local Governments deciding to conduct a postal election in 2023 comprised some 1,763,392 electors. At the close of nominations, 1,089 candidates had nominated for 564 vacancies.

According to the WAEC 2023 Local Government Ordinary Election Report<sup>5</sup>, the average per elector cost to conduct the election was \$5.17, an increase on the previous year of 27.5%.

## **ELECTIONS REVIEW - METHODOLOGY**

### **Election Costs Survey**

In early October 2023 WALGA wrote to all 139 Local Governments and requested information relating to the cost of each election between 2015 and 2023. This email was followed up with two subsequent emails, on 26 October 2023 requesting further information about the conduct of the Mayoral/President elections; and on 1 December 2023 requesting information relating to the final WAEC invoice costs and any general feedback on the election process. In April 2024, an email was distributed to the CEOs of Local Governments that had not responded in either full or at all, to the previous requests for information.

Prior to May 2024, only 35 Local Governments had responded with all information requested including final 2023 WAEC invoiced costs. This represented a response rate of 25% of WA Local Governments.

Following the May 2024 Governance Policy Team meeting, further emails were sent to all Local Governments that had not provided either partial or full information in response to the requests made.

By July 2024, a total of 76 Local Governments had responded, representing a response rate of 55%.

Whilst some of information required could be ascertained through the Election Reports available on the WAEC website, direct cost information was not available through this avenue and by writing directly to each Local Government, WALGA was able to establish a direct dialogue in which further information and non-qualitative information may be later sought.

The Final WAEC Report on the 2023 Local Government Elections had not been published in time to inform the report presented to the May 2024 Governance Policy Team. This was report was subsequently released by the WAEC in June 2024 and, having been reviewed, the appropriate information has been included in this current report.

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<sup>4</sup> (Western Australian Electoral Commission, 2022)

<sup>5</sup> (Western Australian Electoral Commission, 2024)



### **Elected Members Experience Survey**

On 8 March 2024, WALGA sent out a survey to 615 elected members who were elected in the 2023 Local Government elections. The survey asked a range of questions regarding the Elected Member experience in the 2023 Local Government elections. A follow up email was sent on 18 March 2023. The survey closed on Friday 22 March, with a total of 85 responses received. This represents a 14% response rate.

### **WALGA Awareness of Election Issues**

WALGA's Governance team received 291 enquiries from member Local Governments relating to all aspects of the election process. In the period 1 October 2023 – 30 October 2023, there were approximately 51 enquiries in relation to the 2023 Local Government Elections. Of those, 24 related directly to the conduct of the President/Deputy President elections and Local Governments having to use the OPV method in those elections. Much of the remainder of the enquiries related to declaration of office (8), terms of office (4), declaration of results (2), extraordinary elections (2) and backfilling provisions (1).

Upon review of these enquiries, the theme is one of confusion and unnecessary complexity. Many Local Governments were unaware of the requirement to conduct their non-public internal elections utilising the OPV voting method and many made comment that the supporting information and guidelines by the Department of Local Government, Sport and Cultural Industries (DLGSC) were ineffective. WALGA is aware of at least one instance of a non-public internal election result being appealed to the Court of Disputed Returns.

## **ELECTIONS REVIEW - RESULTS**

### **Elected Member Survey**

<b>85 Respondents</b>			
<b>First time Candidate in LG Elections</b>		YES – 28.57%	NO – 71.43%
<b>Class 1</b>	<b>Class 2</b>	<b>Class 3</b>	<b>Class 4</b>
27.85%	30.38%	15.19%	26.58%

- 41.67%, of respondents were very satisfied with the quality of communications with the returning officer (RO), with 20.24% of respondents being dissatisfied or very dissatisfied.
- 30.95% of respondents were satisfied with quality of communications from WAEC, with 11.90% being dissatisfied.
- 29.76% of respondents were satisfied with quality of communications from DLGSC, with 10.71% being either dissatisfied or very dissatisfied.

Feedback on the quality of communication from the RO, WAEC and/or DLGSC highlighted Optional Preferential Voting (OPV), the lack of clarity in the new voting system and the complexity of using OPV in non-public internal voting (President/Deputy President) as significant issues for Elected Members. WALGA notes that at least one Court of Disputed Returns matter has arisen due to an apparent miscalculation in counting votes at the election of a Deputy President.

Inconsistent levels of service provision from RO's also featured heavily in the open feedback.

- 46.43% of respondents were satisfied with their experience with the nomination, candidacy, and election process.

The strongest feedback demonstrated a consistent theme of dissatisfaction with the election night overall, with the delays in declaring results perceived to be due to WAEC operations and the unanticipated complexity of counting votes and declaring results in the OPV system.

The following are direct quotations from the feedback received, with any identifying elements redacted:

*"The October 2024 Local Government Elections were conducted under a new system of Optional Preferential Voting. Although my Shire was not required to hold an election, the election of the President and Deputy President was confusing, lacked direction and created unnecessary outcomes resulting in conflict due to the process not being explained clearly by WAEC and DLGSC. It was obvious that the returning officer did not understand or know the process in detail. Whilst the Department put out some information it was evident that the details were not clearly understood by some of those who relied upon it. For small councils this system should be replaced by first past the post."*

*"Returning officer was fantastic but largely constrained by the WAEC. WAEC communication delays (and unusual decision to recount) cost an enormous amount of staff time/overtime and made a fairly intense period even worse. I am not sure what role DLGSC has in any of this other than the pre-screening work. I have never found them useful in anything in LG to date but am unsure what we should expect from them as a sector."*

*"I was a candidate at [REDACTED]. The count was a complete shambles. This was not the fault of the returning officer. The returning officer raised the risk early. It took 6 days to complete the count. The reason is the process is too complex. The DLGSC's process description is unclear and was not followed by the WAEC. The results are not declared properly. The auditor general should investigate why this preferential process was given to the WAEC by DLGSC. Complete chaos."*

*"The whole process created extra stress and anxiety amongst candidates. I personally was not clear on how the votes would be counted. I couldn't answer questions from community members on how to make their vote count the most. When looking for information there was no clear explanation from any source. The optional preferential voting creates massive factions within small communities. I experienced councillors that were not up for election secretly petitioning and lobbying for community members to vote in a particular way to help their "preferred" candidate. This is unhealthy in small communities and doesn't show a true reflection of the communities desires. The messaging coming through from the commission was confusing and creating anxiety for small councils. I have been through three election processes and this was by far the most confusing and stressful."*

*"Nominating was more stressful than the 2 previous times, because it took longer and was inefficient. The election night was awful. The counters had finished all the counting on the Saturday night however the RO could not get approval of the count from the WAEC. Everyone sat around for almost 2 hours, including listening to the RO arguing with the WAEC, before the count was adjourned to resume at 9am on Sunday morning. On Sunday morning, we all sat around until 1.30pm just waiting for the WAEC to give approval to announce the results. This has never happened before. The RO informed us that the ballot boxes delivered by the WAEC had contained ballot papers from other LG districts. After our ballots were counted, the WAEC claimed our figures counted didn't match the ballot papers the WAEC had recorded as returned, which was because the WAEC had counted the ballot papers for other LG districts as part of our overall returned ballot papers. As a candidate and onlooker watching the process, our LG and our counters had*

*completed their work within 3 hours on Saturday night. Everything to do with the approval process through the WAEC looked disorganised and unprofessional. Their lack of communication with our RO on the Saturday night was really poor."*

*"1. The OPV system added substantial cost to our community, for absolutely no benefit; 2. Our election was not finalised until the Tuesday afternoon. Normally it is completed on the Election Night (Saturday) within hours of the count being commenced; 3. The WAEC failed to provide sufficient decision making authority to RO's, leading to long delays, frustration by candidates and staff, and additional costs to the LG. It was chaotic and poorly managed; 4. OPV did not achieve its aim. EM's were still elected with very small percentage of votes; 5. OPV resulted in organised 'voting blocks' aimed at harvesting preferences; 6. In the [REDACTED] Elections, in 2 Wards where the incumbent EM looked likely to be unopposed, a resident nominated at the last minute. Their reasoning was that the 'backfill' provisions of the Act would result in their automatic elevation to Council (without even running a campaign) if the incumbent resigned during the first 12 months of tenure. This resulted in elections needing to be held (at considerable cost to ratepayers) - where ordinarily (without the backfill position) the seat would have been unchallenged. It is a significant, inadvertent consequence of the legislation. The backfill provision was aimed to stop costly by-elections, however there is evidence that it also has resulted in elections - where previously an election would not have been held."*

*"Really think the preference voting caused angst and allowed factions to control the election especially in rural small electorate."*

*"Very dissatisfied with the decision to have a public elected Mayor/President in this level of LG and believe the Council is best positioned to elect the President."*

*"The general election voting system was not tested as my Shire did not hold an election. The Election of President and Deputy was an experience not to be repeated."*

*"The count locally was managed very well. However there were significant delays caused by WAEC Head Office in proceeding to the Preference vote for both Mayor and Councillor positions, which was extremely frustrating. A result for the Mayor vote should've been finalised on the Saturday night and the Councillor vote should've been finalised by midday on the Sunday but delays from Head Office caused the Mayoral vote to not be declared until after midday on the Sunday and the Councillor vote was not finalised until the Monday."*

*"The RO was not the issue. The issue was that the WAEC is clearly under-resourced, and it had failed to provide a sufficient level of training and guidance to RO's and staff. On the night of the election, and subsequent days, it was clear that the WAEC simply would not provide clear advice, and were reluctant to make decisions."*

*"Very good. Only the mayor was counted on election night, the ward counts started the next day. It was done quickly and all candidates knew the results by around midday, if not sooner."*

*"The new process caused significant delay in the counting and declaration of successful candidates."*

*"Our LG has less than 500 people and the count was complete on Saturday night however we were made to wait until Tuesday to have a declaration of the votes. There were multiple other LGs that knew their results well before which was extremely frustrating."*

*"The declaration of results was not done in a timely manner and that was not the fault of the local Returning Officer but delays from WAEC Head Office in proceeding through the Mayor Preference allocation and then the Councillor Preference allocation."*

*"Based on the statewide numbers of electors who voted, the introduction of optional preferential voting did nothing to increase voter turnout, and in my opinion, only served to confuse many voters. There was inadequate (almost non-existent) public awareness*

*campaigns about the change in the voting process by the DLGSC, WAEC and WALGA. Most stressful LG election process I have participated in."*

*"I have contested 3 elections, this was the most frustrating. I believe the new preference system was clumsy and probably failed to meet expectations. I doubt the result changed due to its implementation."*

### **Election Costs Survey**

A year-on-year cost analysis for each election cycle between 2015 and 2023 for each of the 76 Local Governments that replied in full to WALGAs request for information shows an average increase over the 5 election cycles of 17% in the final WAEC charges to Local Governments for the conduct of election.

The full year on year cost comparison of Local Governments who provided final cost of all elections 2015-2023 (WAEC Invoice inc GST, not inclusive of internal LG costs) is included on page 7 of this report.

The average increase in election costs between the 2021 and 2023 election cycle was 26%, with the smallest increase between 2021 and 2023 being 1% at the Shire of Narrogin and the largest increase between 2021 and 2023 being 42% at City of Swan (adjusted for metropolitan Local Governments who have engaged the WAEC to conduct their elections across all 5 election cycles).

As well as providing qualitative data, Local Governments were asked to provide non-qualitative feedback on the 2023 election process through the email correspondence. The following are direct quotations from the feedback received, with any identifying elements redacted:

*"By way of general comment/feedback on the performance and value for money from the WAEC, we have experienced rapidly declined service levels from the WAEC.*

*The pre-election meeting we hold with the WAEC prior to each Ordinary LG Election was conducted in July 2023. The WAEC representative did not fill us with confidence. They did not understand that the [REDACTED] was not the [REDACTED], the number of vacancies was consistently incorrect, they were not at all competent to provide advice in response to questions that we raised during the meeting, and were generally disinterested and dismissive, and at times patronising.*

*Any customer service requests made during the election period to the WAEC representative were either not responded to, provided incorrect responses or were just rude and unhelpful.*

*This decline is most disappointing given the excellent service we have received in the past from LG election specialists within the WAEC. In addition, the cost of running the elections has escalated considerably whilst we experience a decline in service and support."*

*"Our Returning Officer was incredibly capable and efficient, always a pleasure to work with. On the election night there was a lot of 'dead' time, when waiting for approval from WAEC to move onto the next stage, making the process take longer than it needed to.*

*WAEC were also quite late in providing public notices for the Shire to publish. Internal elections – it would be helpful if included in the RO role, was overseeing the internal elections."*

*"With the move to popularly elected Shire Presidents/Mayors for Band 1 & 2 Shires, the sector should be moving to a 4 yearly election cycle as per recommendation 22 from the Local Government Act review below and 4 Yearly Council Plans.*

*The argument that a 4 yearly election cycle could potentially cause too much upheaval at the Elected Member level doesn't hold any weight. Local Government in WA is the only Tier of government that retains the 50% rotation approach and this is overly conservative.*

*Keeping the current 2 yearly election cycle and now suggesting that a Council Plan should last for 8 years is not workable at an operational level not to mention a doubling in costs to conduct an election."*

*"We had a high number of replacement postal vote in person requests on election day and had to use 3 City officers to process the votes. This would have been a difficult task for the RO to have completed on the day and it set back the actual counting process until late into the evening. The RO did not have enough replacement ballot envelopes so City officers were required to enter into the system manually.*

*WAEC and the RO officer handled queries, most notably on the optional preferential voting, from rate payers when the questions were outside the information available on the City website or where or customer service/ governance teams could not comfortably answer.*

*We implemented the Department's guidance notes and tools for OPV counting in conducting internal elections (Deputy Mayor, Committee Chairperson) which we have now worked into our internal Council / Committee meeting procedure."*

*"With the reform changes to the LG Act on the Election process we did feel that we weren't given enough advice and support from DLGSC with regards to these changes.*

*Our Returning Officer was good and helpful throughout the lead up to the Election and the actual Election and we had no issues with him. My team of count staff were also great. The big issue I felt we had at the actual election was the lack of communication from WAEC when we were trying to get confirmation of the Mayoral Election results. We struggled to get hold of anyone at WAEC at the end of the evening on the Saturday. Then on the Sunday morning no-one was answering phone calls, replying to messages and the website was down. We therefore had the potential new Mayor still waiting to announce the results – even though the count was completed the evening before. This also had an impact on the Councillor Election as once this was finalised it affected the votes in this Election. This meant candidates were having to wait for a result and staff were having to wait in-case there was a re-count. We did eventually find out that the software had gone down and they were working on getting it back up and running, but some communication to make us aware of this would have been appreciated so we knew what the hold-up was. I do understand there were huge changes to the voting process and therefore the software had had to be re-built for the election so there were likely to be glitches, it was just not knowing what was going on that was my issue."*

*"In terms of the general election we found the verification of results process to be quite lengthy, after WAEC concluded the Count on the Saturday evening we were placed in the queue for the results to be verified. I then returned on the Sunday with the Returning Officer and we waited around an hour and a half for the results to be confirmed. There was then an error made with the number of votes received for some candidates on the notice of results and published on the Committee's website.*

*We also received a few enquiries from electors seeking detailed information about how the votes would be counted under OPV. We directed electors to DLGSC/WAEC where the Town could not satisfy their query however a few of those enquiring were quite displeased with the level of information available to electors."*

*"Overall the election process was ok; our biggest gripes were with the requirement to count twice (regardless of how clear the results may have been), as well as the mandate to stop counting at 10.30. These 2 combined resulted in us having to wait until Sunday to have the result declared, as the WAEC had shut up shop after 10pm.*

*Ironically had we chosen to run our own election, I guarantee that we wouldn't have counted twice and we would have had the result declared on the night. I feel like the approach taken by WAEC was overly cautious, so hopefully it's a similar story from others and WALGA can take up some advocacy in this regard."*

Feedback garnered by a larger metropolitan Local Government provides a solid example of the benefits of prior and early engagement with the WAEC in relation to planning for the election. This supports the early planning methods used by the New South Wales and Victorian jurisdictions (discussed further in the report):

*"...The 2023 Election was the second time the City had popularly elected its Mayor, and experience from the 2019 Mayoral election, with the requirement to count thousands more votes, suggested that extra resources would be required to conduct a successful election.*

*The City, in consultation with the WAEC, decided the best way to approach the election count was to hold the Mayoral and Ward counts on separate days. This agreement was reached early on with the WAEC Returning Officer assigned to the City. This enabled the Returning Officer and the City to plan its election resourcing accordingly and to keep candidates and other interested parties informed of this approach. This resulted in an efficient count over the two days, with both the Mayoral and Ward results able to be finalised over the election weekend. The City is proud of its success in leading the sector by delivering timely results for this election under some challenging circumstances."*

### **WAEC Invoicing**

Below is an example WAEC invoice from a metropolitan Local Government received after the 2023 Local Government Elections.

The list of chargeable items does not include any further detail or documentation to support the costs incurred by the WAEC in conducting the election. Additionally, in elections where a Mayor and Councillor election was held, invoices were not itemised between the two types of elections.

DESCRIPTION
<b>Returning Officer (Fees, Training, Support, Travel &amp; Accommodation)</b>
<b>Voting Support (Election Packages, Printing)</b>
<b>Postage (Mailout &amp; Reply Paid)</b>
<b>Processing Centre</b>
<b>TEW (Temporary Election Workforce)</b>
<b>IT Support (Equipment, Helpdesk)</b>
<b>Head Office Costs</b>
Project Support
Documentation & Resourcing
Logistics
<b>Apportioned Head Office Wages</b>
<b>Apportioned Head Office Staff Overheads</b>

The following table represents:

- the final WAEC cost associated with all election cycles 2015-2023;
- the *average* % movement between the five election cycles of 2015, 2017, 2019, 2021 and 2023;
- the *exact* % change between the 2021 and 2023 election cycles

	2015	2017	2019	2021	2023	Average movement over 5 election cycles	Movement between 2021 and 2023
Local Government	\$	\$	\$	\$	\$	%	%
Shire of Augusta-Margaret River	34832.00	39930.00	50069.56	60124.00	82500.00	19%	27%
City of Albany	87972.95	104578.80	120237.93	125128.83	203671.78	18%	39%
City of Armadale	130801.64	167486.97	190164.25	211284.09	357601.27	21%	41%
Shire of Ashburton	1268716	15493.13	14588.85	21252.76	42383.59	23%	50%
City of Bayswater	127726.00	162078.00	131384.00	191867.00	270903.00	15%	29%
City of Belmont	63852.00	88672.00	90113.00	104811.00	149204.00	18%	30%
Shire of Beverley	1961.96	2577.76	2799.29	2126.30	17186.02	22%	88%
Shire of Bridgetown-Greenbushes	15597.33	17293.14	22180.81	24986.95	32616.89	17%	23%
City of Bunbury	75969.34	93101.80	89210.14	107924.00	116007.00	10%	7%
City of Busselton	76482.71	101564.25	107334.01	133668.47	181739.16	19%	26%
Town of Cambridge	62492.11	75085.56	22821.94	91926.20	135276.56	41%	32%
City of Canning	176032.01	193909.14	220532.96	244776.54	322682.24	14%	24%
Shire of Carnarvon	21704.52	19694.15	24424.58	23491.16	35582.30	10%	34%
Shire of Chittering	23678.32	24222.71	27780.00	29619.70	31240.03	7%	5%
Town of Claremont	29534.00	36467.00	29653.00	40135.00	46787.00	9%	14%
Shire of Collie	25165.00	31790.00	32282.00	38681.00	50626.10	16%	24%
Town of Cottesloe	21788.00	32238.00	27018.00	35932.00	38864.43	11%	8%
Shire of Cranbrook	5000.00	6500.00	7500.00	7500.00	15000.00	22%	50%
Shire of Dardanup	35019.35	44710.68	42279.64	49998.58	56263.27	11%	11%
Shire of Denmark	23669.14	27399.00	27240.76	27011.99	37619.32	10%	28%

	2015	2017	2019	2021	2023	Average movement over 5 election cycles	Movement between 2021 and 2023
Local Government	\$	\$	\$	\$	\$	%	%
Shire of Donnybrook-Balingup	21934.40	25810.85	23396.88	30854.46	40540.72	13%	24%
Town of East Fremantle	12298.97	29548.27	19570.50	29903.05	37626.05	16%	21%
Shire of Esperance	35102.62	42290.94	45571.45	45808.27	63519.79	13%	28%
Shire of Gingin	22154.08	25324.22	23949.17	29092.84	40737.87	13%	29%
Shire of Gnowangerup	6765.20	5321.88	13510.56	15369.64	17027.89	14%	10%
City of Gosnells	195673.00	253643.00	267689.00	321563.00	408723.03	17%	21%
City of Greater Geraldton	86663.14	82923.63	106156.51	117833.35	160746.24	13%	27%
Shire of Harvey	52161.12	67211.33	66586.05	84745.98	100941.11	15%	16%
City of Kalamunda	113320.00	140647.00	142741.00	147296.00	207453.07	13%	29%
City of Kalgoorlie-Boulder	57400.00	63575.00	112134.00	80190.00	109529.00	10%	27%
City of Karratha	38826.00	46275.00	46212.00	54937.00	80596.38	16%	32%
City of Kwinana	62313.00	86940.00	95535.00	115979.00	173392.62	22%	33%
Shire of Lake Grace	7929.20	11274.76	11967.74	5786.33	15020.71	32%	61%
City of Mandurah	151934.44	209331.98	214061.88	269725.21	352392.01	18%	23%
Shire of Manjimup		29686.00	27407.00	35522.00	51757.00	15%	31%
Shire of Merredin	5488.01	15278.72	16067.93	18447.39	22674.20	25%	19%
Town of Mosman Park	16287.45	32366.91	22648.22	36842.01	44361.05	16%	17%
Shire of Mundaring	50053.00	90675.00	76857.00	114682.00	153326.58	21%	25%
Shire of Murray	37968.30	54574.40	51369.64	66425.65	73264.66	14%	9%
Shire of Narrogin	6698.27	19413.57	7868.43	24728.10	25000.00	45%	1%
City of Nedlands	19169.08	65424.19	64435.26	74845.83	94294.75	26%	21%
Shire of Northam	29855.29	34192.52	32933.49	30496.18	47612.20	9%	36%
City of Perth	46576.28	71640.76	0.00	88629.46	127455.85	21%	30%
Town of Port Hedland	28249.29	39996.62	0.00	48682.17	56820.95	15%	14%
City of Rockingham	217380.00	255248.00	284170.00	395280.00	471643.99	17%	16%



	2015	2017	2019	2021	2023	Average movement over 5 election cycles	Movement between 2021 and 2023
Local Government	\$	\$	\$	\$	\$	%	%
Shire of Serpentine-Jarrahdale	50037.00	71466.00	76666.00	98762.00	83260.38	10%	-19%
City of Stirling	333971.00	476078.00	524073.00	611248.00	754389.00	18%	19%
City of Swan	183218.00	259544.00	279565.00	347110.00	594186.87	24%	42%
Town of Victoria Park	69580.00	90602.00	90357.00	118680.00	156344.00	18%	24%
Shire of Victoria Plains	0.00	11659.00	12035.00	13877.00	13728.00	29%	-1%
City of Vincent	77200.05	94995.56	62123.62	107788.20	152879.59	9%	29%
City of Wanneroo	306569.94	413494.75	463525.10	546374.95	747343.67	20%	27%

**Per Elector Cost comparisons for a small range of Local Governments for the 2023 election cycle**

The following costs are based on the final WAEC invoices provided to Local Governments and the election information listed for each individual Local Government on the Elections WA website. The final WAEC invoices did not break down the costs associated with a Mayoral/President election and a Councillor election. Local Governments below that conducted a Mayoral/President election as well as Councillor elections are marked with an asterix.

Local Government	2023 Estimate \$	2023 Final \$	2023 Total Electors	2023 Turnout Rate	Per Elector cost - (final cost/total electors) \$
<b>Bayswater*</b>	252,000	270,903	49,146	31.80%	5.51
<b>Bunbury</b>	134,000	116,007	24,568	26.21%	4.71
<b>Claremont</b>	54,000	46,787	8,147	27.11%	5.74
<b>Dardanup</b>	64,000	56,263	10,601	25.73%	5.30
<b>Esperance*</b>	68,000	63,519	9,813	37.01%	6.47
<b>Gosnells*</b>	425,000	408,723	79,207	29.34%	5.16
<b>Murray*</b>	84,000	73,264	13,997	27.91%	5.23
<b>Nedlands*</b>	95,000	94,294	15,873	33.77%	5.94
<b>Subiaco</b>	74,000	18,122	12,616		1.43
<b>Swan*</b>	524,000	594,186	105,881	29.82%	5.61
<b>Victoria Park*</b>	134,000	156,344	24,291	28.29%	6.43
<b>Victoria Plains</b>	12,900	13,723	572	62.24%	23.99
<b>Vincent*</b>	144,000	152,879	26,125	28.34%	5.85
<b>Wanneroo*</b>	722,000	747,348	141,426	25.60%	5.28

## **ELECTORAL REPORTS - COMPARISONS**

### **New South Wales**

Each NSW Local Government may engage either the NSW Electoral Commissioner or a private election service provider to conduct elections.

Following each 4-year election cycle, the NSW Electoral Commissioner presents a report on the conduct of the relevant election. The report is presented in two parts: part one contains aggregated statistics, voting methods, venues, staffing and evidence on the funding of elections. It also includes any relevant and recent changes to the legislation that governs the conduct of Local Government elections<sup>6</sup>.

Part one also includes recommendations by the Electoral Commissioner for legislative reform around the conduct of Local Government elections.

Part two provides information about each individual local council election, including candidates, results, breakdown of votes by vote type, staffing and venues. The report is supplemented by the outcomes of independent research, which measures and evaluates the level of the satisfaction of election stakeholders (voters, candidates, local council general managers, and election staff) with the NSW Electoral Commissioner's conduct of the relevant Local Government election.

### **Victoria**

The Victorian Electoral Commission (VEC) is established under the *Victorian Electoral Act 2002* and is responsible for conducting State elections, Local Government elections, certain statutory elections and polls and electoral representation processes for councils and the state for electoral boundary issues.

During the preparation of each Local Government election, the VEC develops and implements Service Plans with each of the participating councils. The Plans establish the costing arrangements for the preparation, conduct, and closure of each election and summarise contingency election services that may be required during the council term<sup>7</sup>.

In the 2024 Draft Plans, VEC states:

*The Plan aims to provide quality election services while keeping costs to a minimum for councils. The VEC's Local Government Election Program will meet all statutory requirements and ensure that customer service and accuracy are prioritised. Each aspect of the 2024 Local Government Election Program will be analysed in detail and transparently shared in relation to costs and benefits.*

The VEC then provides each council with a report on the conduct of the election within six months of election day, as required by section 83 of the Local Government (Electoral) Regulations 2020.

### **Queensland**

In Queensland, the Electoral Commission of Queensland (ECQ) delivers the Local Government quadrennial elections for all mayors and councillors of Queensland's 77 Local Government areas.

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<sup>6</sup> (New South Wales Electoral Commission, 2024)

<sup>7</sup> (Victorian Electoral Commission, 2024)

In 2023, the ECQ also established a Local Government Elections Advisory Committee<sup>8</sup> to provide a Local Government perspective on planning and preparations for the elections. Convening quarterly Committee members represent various parts of the Local Government sector and provide input and advice on issues to be considered during election planning.

Mayors in every council and councillors in single-member divided councils are elected using the optional preferential voting system. Councillors in undivided councils and in multi-member divided councils are elected using the first-past-the-post voting system. Depending on the voting system in use for an election, this also changes the counting method used to determine the election results, which requires additional training for temporary election staff.

Different Local Government areas can request the ECQ conduct different types of elections such as an attendance election with polling places and full election services, a full postal election where voters for the Local Government area are automatically sent their postal ballot materials, or a hybrid model where part of the council is an attendance election and part is a full postal election.

### **Western Australia**

Generally the Western Australian Electoral Commission releases a report on the most recently held local government ordinary election within six months (eg, October election, April report released). The reports into the conduct of the 2019 and 2023 elections were released nine and eight months respectively after the elections.

In comparison to NSW, VIC and QLD, the WAEC's Local Government election reports from 2015-2024 reveal significantly less detail in breakdowns of electoral expenditures and cost allocations, which are essential for fiscal transparency and oversight.

Unlike NSW and QLD, which provide extensive data on voter behaviour, turnout, and compliance measures, WAEC's reports are less detailed and lack critical information on cost management and electoral integrity.

This insufficiency in detailed reporting and financial transparency undermines WAEC's accountability to the State Government and local governments throughout the State.

WALGA is aware that in the NSW jurisdiction, two independent Local Government election reviews have been undertaken and are summarised below:

Review of Costs of Conducting Local Government Elections: In 2019, the Independent Pricing and Regulatory Tribunal NSW submitted its Final Report on Local Government election costs to the Minister for Local Government. The Final Report recommended a costing methodology to be applied in determining the amount the NSW Electoral Commissioner (NSWEC) charges councils for Local Government election services.

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<sup>8</sup> (Electoral Commission Queensland, 2024)

Preference Counting in Local Government Elections in NSW: In 2017, the NSW Parliamentary Joint Standing Committee on Electoral Matters conducted a comprehensive examination of process of distributing preferences by random selection in Local Government elections, related to the use of the Proportional Representation by Single Transferable Vote voting system.

Although not directly related to WALGA's advocacy positions, the independent assessment of NSW Local Government election matters provides insight to the possibility that a similarly independent approach could be applied in WA.

## **WALGA COMMENT**

The aim of this review was to understand the consequences of recent legislative reform on the Local Government election process in Western Australia. During the review, the emerging results naturally fell into two distinct categories – the increasing costs of elections to Local Governments and the decreasing level of service from the WAEC.

The cost increases across five election cycles can be attributed to many parts – CPI, population increases and legislative changes. And when viewed alone, costs increases can, to a certain extent, be justified.

However, when coupled with the perception of a decrease in service levels and the additional challenges of introducing a new voting method, cost increases for many Local Governments become more difficult to understand.

Overwhelming the feedback from both Elected Members and Administration focused on the lack of information, preparation and communication from the WAEC throughout the 2023 election, in comparison to previous election years. This is important to note – many Local Governments highlighted the reduction in service levels from previous years.

Most, if not all Local Governments attributed all challenges and increased costs in the 2023 election to the changes in electoral legislation, including the introduction of the OPV method.

The challenges included:

- Unanticipated complexity in the counting, directly due to OPV, caused significant delays in declaring elections results.
- In previous elections years, the control of the election rested with the appointed Returning Officer, who oversaw the count and determined the results in line with set protocols. This system allowed for immediate declaration of results on the night of the election.
- In the 2023 election, whilst Returning Officers oversaw the count, changes to the protocols meant that a Returning Officer was required to check in with the WAEC at particular points during the count and unable to move forward without verification. This caused delays in the count itself and resulted in significant delays in the declaration of results, in some instances for several days post-election night.
- Lack of communication from the WAEC, both in the pre-election phase and during the count, regarding the OPV system caused confusion and many Local Governments commented that this meant they were underprepared.

In line with the results of this review, WALGA recommends advocating to the State Government for an independent Local Government election audit, focusing on WAEC's cost allocation methods and costing applications used, to confirm that marginal cost recovery principles are applied and that the costing program is being effectively managed.

In addition, WALGA will advocate the State Government for:

1. The introduction for the requirement for WAEC to develop and implement Service Level Agreements with Local Governments, similar to those agreements currently used in New South Wales and Victorian Local Government Elections and that includes:
  - a. transparency of costing methodology and
  - b. direct engagement with Local Governments pre and post elections and
  - c. the roles and responsibilities of the WAEC and Local Governments in the conduct of elections.
2. The introduction for a provision for private service providers to enter the market for the conduct of Local Government elections; and
3. Mandate a WAEC Report to Parliament specific to Local Government Elections post each election cycle, outlining costs, results, voter turnout and matters for improvement both in the conduct of elections and the legislation, if relevant; and

WALGA will report to the WAEC, as its earliest convenience, the findings of this review project relevant to the 2023 Local Government Elections, including but not limited to, returning officer training and capabilities, election count and result protocols.

In respect to the Zone items requesting advocacy on the Local Government voting system, this will be covered in a separate State Council Agenda item for the December meeting, following sector consultation on election advocacy positions.

## 8.2 ENERGY TRANSITION ENGAGEMENT AND COMMUNITY BENEFIT FRAMEWORK ADVOCACY POSITION

*By Daniel Thomson, Manager Economics*

### **WALGA RECOMMENDATION**

**That State Council endorse a new Energy Transition Engagement and Community Benefit Framework Advocacy Position as follows:**

*It is essential that the energy transition currently underway delivers economic opportunities, ensures reliable and affordable electricity, and the greatest possible benefits for the community.*

*WALGA calls on the State Government to develop a comprehensive framework to manage the impact of the energy transition that includes local engagement and the realisation of community benefits from energy transition projects as a priority.*

### **EXECUTIVE SUMMARY**

- Western Australia's energy industry is transforming to achieve the goal of net zero emissions by 2050.
- In Western Australia there is no framework that provides a consistent approach to how proponents of major energy projects consult with local communities and how they can share in the benefits.
- WALGA will advocate for the State Government to develop a framework to guide consultation and benefit sharing with local communities during the energy transition.
- A joint meeting of the Environment Policy Team and Infrastructure Policy Team held on 10 July endorsed the position for consideration by State Council.
- This draft advocacy position should be considered in conjunction with the accompanying draft WALGA advocacy positions Renewable Energy Facilities ([Item 8.3](#)) and Priority Agriculture ([Item 8.4](#)).

### **ATTACHMENT**

- Attachment A: [WALGA 2023 Annual General Meeting Agenda \(Item 5.2 – Land Use Policy\)](#)
- Attachment B: [National Energy Transformation Partnership](#)
- Attachment C: [NSW Draft Energy Policy Framework](#)
- Attachment D: [NSW Draft Benefit Sharing Guideline](#)
- Attachment E: [QLD Ministerial Announcement - Code of Conduct](#)
- Attachment F: [Powering WA FAQs](#)

## **POLICY IMPLICATIONS**

Related current Advocacy Position:

### **4.1 Climate Change**

*Local Government acknowledges:*

- 1. The science is clear: climate change is occurring and greenhouse gas emissions from human activities are the dominant cause.*
- 2. Climate change threatens human societies and the Earth's ecosystems.*
- 3. Urgent action is required to reduce emissions and to adapt to the impacts from climate change that are now unavoidable.*
- 4. A failure to adequately address this climate change emergency places an unacceptable burden on future generations.*

*Local Government is committed to addressing climate change. Local Government is calling for:*

- 1. Strong climate change action, leadership and coordination at all levels of government.*
- 2. Effective and adequately funded Commonwealth and State Government climate change policies and programs.*

## **BUDGETARY IMPLICATIONS**

None

## **BACKGROUND**

The 2023 WALGA Annual General Meeting resolved *that WALGA establish and promote policies to protect and prioritise the preservation of agricultural land against its displacement by non-agricultural activities that lead to a net reduction of the State's productive agricultural land* (Attachment A). Following on from this discussion, further conversations across the WALGA Membership have led to the consideration of how local communities can be involved in, and benefit from, energy transition projects.

The Australian and WA Government have net zero emissions by 2050 targets. To reach this target, both levels of government recognise the need to transform energy generation and transmission.

Under the National Energy Transformation Partnership (Attachment B) Australian, state and territory governments have agreed to work together to transform Australia's energy system, with a view to achieve net zero by 2050. The Partnership has the following vision:

*Australian governments will work together to maximise the economic opportunities of the clean energy transformation, ensure reliable and affordable electricity, and deliver the greatest benefits for Australian households, businesses and communities.*

To date, the Partnership has not provided a framework on guidelines on the mechanism to consult with local communities to ensure that they received the "greatest benefit" from this transition. As a result, projects have been proposed and progressed in an ad-hoc manner with Local Governments independently seeking to ensure that the benefits of the energy transformation are shared with their communities. Currently there is no State Framework to guide the consultation of the community for local energy transition projects and no guidance on how to ensure that impacted communities share in the benefits of the energy transition to achieve the Federal and State Governments' shared vision of net zero by 2050.



## COMMENT

In lieu of a national approach, states have sought to develop their own mechanisms for guiding the assessment of projects and ensuring the benefits are shared with the local community impacted by the project.

In November 2023, the NSW Government released a Draft Energy Policy Framework (Attachment C). Within this, the Benefit Sharing Guideline (Attachment D) identifies that regional communities experience the most pressure and change from the energy transition and provides advice on how industry can share the benefits of development with these communities in a way that provides long term economic and social benefits.

In April 2024, the Queensland Government announced that a code of conduct will be developed to ensure that local communities can share the benefits of the energy transition (Attachment E).

In November 2023, the WA Government announced the establishment of PoweringWA (as part of Energy Policy WA) to help manage the scale, speed and complexity of WA's renewable energy and transmission developments (Attachment F) by:

- streamlining development of individual transmission, renewable generation and storage projects by removing overlaps and filling any gaps in approvals and other government processes;
- proactively identifying, mitigating and managing impacts of the program with the WA community;
- providing clear information to the public on the infrastructure program and making sure that the need for the program is understood;
- providing opportunities for the public to provide input;
- ensuring that no particular community is unduly impacted;
- ensuring that the impact of the program on native forests, endangered habitats and areas of cultural significance is minimised;
- helping impacted communities and Aboriginal people realise value from the energy transformation; and
- identifying and helping resolve issues with the development and implementation of the infrastructure program, including supply chain and workforce development.

WALGA supports PoweringWA's intent to consult with impacted communities to assist with managing local impacts and realisation of community benefits from the energy transition. However, it is concerning that PoweringWA is yet to substantially begin this work.

To ensure that local communities and Local Governments are supported in achieving this vision it is important that a framework is delivered to guide the development of this infrastructure to ensure that communities see long-term, tangible, local and sustained benefits from the energy transition. As the projects are currently being rolled out, it is critical that this framework be developed as a priority.

A joint meeting of the Environment Policy Team and Infrastructure Policy Team held on 10 July endorsed the position for consideration by State Council. This draft advocacy position should be considered in conjunction with the accompanying draft WALGA advocacy positions Renewable Energy Facilities ([Item 8.3](#)) and Priority Agriculture ([Item 8.4](#)).

## 8.3 RENEWABLE ENERGY FACILITIES ADVOCACY POSITION

By Kieran McGovern, Policy Officer Planning

### WALGA RECOMMENDATION

That State Council endorse a new Renewable Energy Facilities Advocacy Position as follows:

*The growth in the number, size, and complexity of renewable energy facilities across Western Australia is expected to continue as energy generation and other traditional industries de-carbonise their facilities and operations. The renewable energy state planning framework requires changes to ensure it is fit for purpose to guide the ongoing development of this sector.*

**WALGA calls on the State Government to:**

1. **Adopt a new State Planning Policy for renewable energy facilities, to replace the existing Position Statement: Renewable energy facilities, that:**
  - a. *Facilitates the orderly development of renewable energy facilities across Western Australia;*
  - b. *Outlines the key planning and environmental considerations, for the location, siting, design and operation of renewable energy facilities and their associated infrastructure;*
  - c. *Provides a framework that clearly stipulates the minimum required documentation and technical reports that need to be submitted with proposals for renewable energy facilities;*
  - d. *Supports the development of Local Planning Policies by Local Governments to further guide locally appropriate planning consideration of renewable energy facilities;*
  - e. *Provides a clear relationship with:*
    - i. *State Planning Policy 2.5 - Rural planning and Development Control Policy 3.4 - Subdivision of rural land, to ensure planning decisions adequately balance the need to protect and preserve rural land for rural purposes;*
    - ii. *State Planning Policy 2.4 - Planning for Basic Raw Materials to ensure proposals for renewable energy facilities consider their impact on basic raw material supply at the earliest stage of the planning process; and*
    - iii. *State Planning Policy 2.9 - Planning for Water to ensure water resources impacted by renewable energy facilities are identified and adequately managed.*
  - f. *Includes policy measures to address:*
    - i. *concerns relating to the location of these facilities and their associated infrastructure on agricultural land, their proximity to lot boundaries, town sites and sensitive land uses, and potential impact on airport operations and rural activities;*
    - ii. *planning for renewable energy facilities in industrial areas in relation to the coordination of these facilities, their appropriateness in the 'General Industry' zone and impacts and suitable location on heavy industry sites;*

**iii. the need for local engagement and the realisation of community benefits from the development of renewable energy facilities.**

- 2. Review the definition of 'renewable energy facility' considering the increasing size and scope of facilities and consider creating definitions based on the scale of the facility (Utility-scale and other), and the form of facility (solar energy and wind energy).**
- 3. Provide guidance to Local Governments on the consideration of green hydrogen production facilities on rural land where it is an incidental use to a renewable energy facility.**

## **EXECUTIVE SUMMARY**

- A 2023 WALGA Annual General Meeting resolution and subsequent resolution by the Great Eastern Country Zone requested *WALGA establish and promote policies to protect and prioritise the preservation of agricultural land against its displacement by non-agricultural activities that lead to a net reduction of the State's productive agricultural land.*
- The Central Country Zone resolved to request WALGA to advocate to the State Government *to develop a more comprehensive and effective approach to guide the management and placement of renewable energy facilities; including but not limited to wind, solar, battery renewable diesel and associated infrastructure.*
- The existing State Government *Position Statement: Renewable energy facilities* does not adequately address these concerns, leading to inconsistent application and approvals of renewable energy facilities across the State.
- WALGA will advocate for the existing *Position Statement: Renewable energy facilities* to be amended and elevated to a State Planning Policy, including more nuanced provisions which provide greater guidance to Local Governments and applicants, and allow for renewable energy land uses to be classified as either small or large facilities.
- A joint meeting of the Environment Policy Team and Infrastructure Policy Team on 10 July endorsed the position for consideration by State Council.
- This draft advocacy position should be considered in conjunction with accompanying draft WALGA advocacy positions Energy Transition Engagement and Community Benefit Framework ([Item 8.2](#)) and Priority Agriculture ([Item 8.4](#)).

## **ATTACHMENT**

- Attachment A: [WALGA 2023 Annual General Meeting \(Item 5.2 – Land Use Policy\)](#)
- Attachment B: [Great Eastern Country Zone Minutes – 11 April 2024 \(Item 9.2 – Agricultural Land Use\)](#)
- Attachment C: [Central Country Zone Minutes – 12 April 2024 \(Item 9.3 – Wind Energy Facilities\)](#)
- Attachment D: [Position Statement: Renewable energy facilities](#)
- Attachment E: [State Planning Policy 2.5 - Rural planning](#)
- Attachment F: [Development Control Policy 3.4 - Subdivision of rural land](#)
- Attachment G: [State Planning Policy 2.4 - Planning for Basic Raw Materials](#)
- Attachment H: [State Planning Policy 2.9 - Planning for Water](#)

## **POLICY IMPLICATIONS**

Related current Advocacy Positions:

### **4.1 Climate Change**

*Local Government acknowledges:*

- 1. The science is clear: climate change is occurring and greenhouse gas emissions from human activities are the dominant cause.*
- 2. Climate change threatens human societies and the Earth's ecosystems.*
- 3. Urgent action is required to reduce emissions, and to adapt to the impacts from climate change that are now unavoidable.*
- 4. A failure to adequately address this climate change emergency places an unacceptable burden on future generations.*

*Local Government is committed to addressing climate change. Local Government is calling for:*

- 1. Strong climate change action, leadership and coordination at all levels of government.*
- 2. Effective and adequately funded Commonwealth and State Government climate change policies and programs.*

### **6.1 Planning Principles**

*All legislation and policy which deals with planning and development must:*

- ensure role clarity and consistency across all legislation controlling development, to avoid confusion of powers and responsibilities;*
- be easily interpreted by, understood by and accessible to all sections of the community;*
- be amended only with WALGA involvement and/or consultation/involvement with Local Government.*

### **6.2 Planning Reform**

*The Local Government sector supports the underlying principles of planning reform and the continuing focus of streamlining the planning system while ensuring Local Government retains the ability to respond to local context and characteristics through Local Planning Frameworks.*

## **BACKGROUND**

The placement and management of renewable energy facilities have become contentious issues in local communities across Western Australia. Concerns have been raised regarding the location of these facilities on agricultural land, their proximity to rural boundaries and residences, and their potential impact on right-to-farm practices such as aerial spraying activities.

The 2023 WALGA Annual General Meeting resolved that WALGA *establish and promote policies to protect and prioritise the preservation of agricultural land against its displacement by non-agricultural activities that lead to a net reduction of the State's productive agricultural land* (Attachment A).

The Great Eastern Country Zone passed a similar resolution at their April Zone meeting (Attachment B).

The Central Country Zone made a similar resolution, requesting WALGA advocate to the State Government *to develop a more comprehensive and effective approach to guide the management and placement of renewable energy facilities; including but not limited to wind, solar, battery, renewable diesel and associated infrastructure* (Attachment C).

Furthermore, Local Governments have also raised concerns with the coordination of renewable energy facilities in industrial areas, particularly in relation to their appropriateness in the 'General Industry' zone and impacts and suitable location on heavy industry sites.

The existing State Government *Position Statement: Renewable energy facilities* (Attachment D) is inadequate to address these concerns, leading to inconsistent application and approvals of renewable energy facilities across the State.

The advocacy position was considered at the Environment and Infrastructure Joint Policy Team meeting on 10 July. Following discussions at the Joint Policy Team meeting, an amendment was made to the advocacy position to include reference to "associated infrastructure".

### **COMMENT**

The State Government through the Western Australian Planning Commission's (WAPC) *Position Statement: Renewable energy facilities*, published in March 2020, provides general and specific guidance to planning decision makers when:

1. Considering statutory proposals for renewable energy facilities, and
1. Seeking to address renewable energy facilities through the strategic planning framework.

The Position Statement should be read in conjunction with other relevant planning documents when making planning decisions. Local Governments have raised concerns with policies being affected by renewable energy facilities (attached), including:

- *State Planning Policy 2.5 - Rural planning;*
- *Development Control Policy 3.4 - Subdivision of rural land;*
- *State Planning Policy 2.4 - Planning for Basic Raw Materials; and*
- *State Planning Policy 2.9 - Planning for Water*

Position Statements are afforded a lower level of regard in planning decision making than other documents, such as State Planning Policies.

Considering the expected growth in renewable energy facilities, both in size and number, and the potential for these to impact amenity, and existing land uses, there is merit in exploring if the current State Government policy settings and associated framework are contemporary and fit-for-purpose.

The advocacy position calls on the *Position Statement: Renewable energy facilities* to be amended and elevated to a State Planning Policy, including more nuanced provisions which provide greater guidance to Local Governments and applicants, the need for local engagement and the realisation of community benefits from the development of renewable energy facilities, and allow for renewable energy land uses to be classified as either small or large facilities. WALGA will also advocate for the State Planning Policy to make direct reference to the policies listed above to ensure a balanced approach with the existing planning framework.

This draft advocacy position was informed by sector feedback provided during June 2024 and input from the Environment and Infrastructure Joint Policy Team meeting on 10 July. It should be considered in conjunction with new draft WALGA advocacy positions Energy Transition Engagement and Community Benefit Framework ([Item 8.2](#)) and Priority Agriculture ([Item 8.4](#)).

## 8.4 PRIORITY AGRICULTURE ADVOCACY POSITION

*By Kieran McGovern, Policy Officer Planning*

### **WALGA RECOMMENDATION**

**That State Council endorse a new Priority Agriculture Advocacy Position as follows:**

***The state planning framework should provide sufficient statutory protections for areas identified as high quality agricultural land.***

***WALGA calls on the State Government to:***

- 1. Amend the Planning and Development (Local Planning Schemes) Regulations 2015 to:***
  - a. Create a new model zone under Schedule 1, Part 3, Clause 16 for land identified as high quality agricultural land known as the 'Priority Agriculture' zone, with the following objectives:***
    - i. to retain priority agricultural land for agricultural purposes; and***
    - ii. limit the introduction of sensitive land uses which may compromise existing, future and potential agricultural production.***
  - b. Define 'Priority Agriculture' zone under Schedule 2, Part 1, Clause 1 to align with the definition provided in State Planning Policy 2.5 - Rural planning.***
- 2. Review the areas which have been identified by the Department of Primary Industries and Regional Development as high quality agricultural land and expand the extent of mapping to address the whole of Western Australia.***
- 3. Undertake a 'health check' of State Planning Policy 2.5 - Rural planning and Development Control Policy 3.4 - Subdivision of rural land, in consultation with relevant stakeholders.***

### **EXECUTIVE SUMMARY**

- A 2023 WALGA Annual General Meeting resolution and subsequent resolution by the Great Eastern Country Zone have requested *that WALGA establish and promote policies to protect and prioritise the preservation of agricultural land against its displacement by non-agricultural activities that lead to a net reduction of the State's productive agricultural land.*
- WALGA prepared a *Research Paper: Protection of Productive Agricultural Land* that provides policy context, previous WALGA advocacy and analysis of State and Local Government approaches to agricultural land use protections.
- This work identified that a lack of consistency between the sub-regional planning strategies across the different regions of WA has impeded the implementation of best practice planning controls into local planning frameworks, and thus inconsistent application across the State.

- This advocacy position recommends statutory protections of areas that have been identified as high quality agricultural land, through amending the *Planning and Development (Local Planning Schemes) Regulations 2015* to include a model zone for 'Priority Agriculture'. This will provide the ability for Local Governments to adopt the model zone into their local planning schemes.
- A joint meeting of the Environment Policy Team and Infrastructure Policy Team endorsed the position for consideration by State Council on 10 July 2024.
- This draft advocacy position should be considered in conjunction with accompanying draft WALGA advocacy positions Energy Transition Engagement and Community Benefit Framework ([Item 8.2](#)) and Renewable Energy Facilities ([Item 8.3](#)).

## ATTACHMENT

- Attachment A: [WALGA 2023 Annual General Meeting \(Item 5.2 – Land Use Policy\)](#)
- Attachment B: [Great Eastern Country Zone Minutes – 11 April 2024 \(Item 9.2 – Agricultural Land Use\)](#)
- Attachment C: [Research Paper: Protection of Productive Agricultural Land](#)
- Attachment D: [State Planning Policy 2.5 - Rural planning](#)
- Attachment E: [Development Control Policy 3.4 - Subdivision of rural land](#)

## POLICY IMPLICATIONS

Current related Advocacy Positions:

### ***6.1 Planning Principles***

*All legislation and policy which deals with planning and development must:*

- *ensure role clarity and consistency across all legislation controlling development, to avoid confusion of powers and responsibilities;*
- *be easily interpreted by, understood by and accessible to all sections of the community;*
- *be amended only with WALGA involvement and/or consultation/involvement with Local Government.*

### ***6.2 Planning Reform***

*The Local Government sector supports the underlying principles of planning reform and the continuing focus of streamlining the planning system while ensuring Local Government retains the ability to respond to local context and characteristics through Local Planning Frameworks.*

## BACKGROUND

A 2023 WALGA Annual General Meeting resolution (Attachment A) and subsequent resolution by the Great Eastern Country Zone (Attachment B) requested WALGA *establish and promote policies to protect and prioritise the preservation of agricultural land against its displacement by non-agricultural activities that lead to a net reduction of the State's productive agricultural land.*

WALGA prepared a *Research Paper: Protection of Productive Agricultural Land* (Research Paper) which provided policy context, WALGA advocacy and analysis of State and Local Government approaches to land use protections (Attachment C). The Research Paper described the process of high quality agricultural land (HQAL) being identified by the Department of Primary Industries and Regional Development (DPIRD), which can then inform Local Governments who choose to adopt priority agricultural land provisions within their local planning frameworks.

This work identified a lack of consistency between the sub-regional planning strategies across the different regions of WA that has impeded the implementation of best practice planning controls into local planning frameworks, and thus produced inconsistent application across the State.

The Research Paper was noted at the Environmental Policy Team meeting on 16 February. The advocacy position was considered at the Environment and Infrastructure Joint Policy Team meeting on 10 July.

#### **COMMENT**

The state planning framework - specifically *State Planning Policy 2.5 - Rural planning* (SPP2.5) and *Development Control Policy 3.4 - Subdivision of rural land* (DCP3.4) (attached) - clarifies the importance of protecting Western Australia's rural land assets, due to their economic, natural resource, food production, environmental and landscape values.

Furthermore, SPP2.5 outlines the general requirements for agricultural land use protections, including the identification of HQAL, with the policy measures able to be enacted by Local Governments who choose to through local planning frameworks. However, there are notable gaps in the current state planning framework, namely, the lack of statutory protections for areas which have been identified as HQAL.

The *Priority Agriculture Advocacy Position* recommends statutory protections of areas that have been identified as HQAL, through the amendment of the *Planning and Development (Local Planning Schemes) Regulations 2015* to include a model zone for 'Priority Agriculture'.

This will provide the ability for Local Governments to adopt the model zone into their local planning scheme. Local Governments would then be able to identify preferred, discretionary, and not permitted land uses through their scheme's zoning table. This could then be supplemented by a local planning policy to outline locally appropriate planning considerations that proponents would need to consider.

This draft advocacy position was informed by sector feedback provided during June 2024. A joint meeting of the Environment Policy Team and Infrastructure Policy Team held on 10 July endorsed the position for consideration by State Council. It should be considered in conjunction with new draft WALGA advocacy positions Energy Transition Engagement and Community Benefit Framework ([Item 8.2](#)) and Renewable Energy Facilities ([Item 8.3](#)).



## 8.5 PLANNING PRINCIPLES AND REFORM ADVOCACY POSITION

*By Coralie Claudio, Senior Policy Advisor Planning*

### **WALGA RECOMMENDATION**

**That State Council:**

- 1. Retire Advocacy Position 6.2 Planning Reform; and**
- 2. Replace Advocacy Position 6.1 Planning Principles with the following:**

#### ***6.1 Planning Principles and Reform***

- 1. The Local Government sector supports an efficient and effective planning system guided by legislation, policy, and processes that:***
  - a. facilitates the creation of sustainable and liveable communities and places;***
  - b. has a focus on strategic planning that delivers on long-term objectives and outcomes that balance social, environmental, cultural, and economic interests;***
  - c. is easy to understand, accessible and transparent;***
  - d. recognises the diversity of Western Australia and ensures that local environment, context, communities and character are appropriately reflected in planning frameworks and decision making;***
  - e. ensures decisions are made by the level of government closest to and most impacted by a planning proposal; and***
  - f. establishes consistent planning frameworks and streamlines planning processes where there is a demonstrated benefit in doing so.***
- 2. Reforms to the planning system should:***
  - a. be guided by the above principles;***
  - b. deliver community benefit;***
  - c. promote system efficiency, including through the use of technology;***
  - d. be evidence-based and informed by robust, transparent data;***
  - e. proceed at an appropriate pace to enable effective implementation;***
  - f. be informed by engagement with the community; and***
  - g. be amended only with WALGA involvement and/or consultation/involvement with Local Government.***

### **EXECUTIVE SUMMARY**

- It is proposed that the Advocacy Positions 6.1 Planning Principles and 6.2 Planning Reform be replaced with a new contemporary combined position that reflects the current planning system and planning reform agenda.
- The updated position identifies key elements that would create an effective and efficient planning system and how planning reform can be developed, prioritised, and implemented to achieve this.
- The updated position has been informed by feedback from Local Government officers, including WALGA's Planning Advisory Group and previous WALGA submissions on State Government planning reform initiatives.
- The Environment Policy Team endorsed the advocacy position at their meeting on 29 July.

## **POLICY IMPLICATIONS**

1. Retire Advocacy Position 6.2 Planning Reform; and
2. Replace Advocacy Position 6.1 Planning Principles with a new 6.1 Planning Principles and Reform.

## **BACKGROUND**

Planning coordinates land use and development by balancing social, environmental, cultural and economic issues in both strategic planning and statutory decision-making. Western Australia is typified by a centrally controlled planning system with strong decision-making powers sitting with the Western Australian Planning Commission (WAPC) and Minister for Planning, with many planning functions then delegated to Local Government.

Local Government is an important decision maker, regulator, and participant in the WA planning system, and has a key role in setting the strategic land use planning framework and managing statutory functions at a local level.

Planning reform has been a priority for the State Government for several years with an ambitious reform agenda and an unprecedented amount of reform initiatives resulting in substantial changes to planning legislation and the planning system, accelerated by COVID-19 Regulatory reforms.

WALGA's Planning Principles and Reform advocacy positions were initially developed over a decade ago and are no longer fit for purpose to deal with the current planning system and ongoing reform agenda.

The consolidated updated position identifies key elements that make an effective planning system and how planning reform can be developed, prioritised, and implemented to achieve these principles.

The updated advocacy position addresses several key planning matters:

### **1. Strategic Planning for the Future**

A strategically focused, well-functioning planning system is critical to creating better places to live and work for all Western Australians through the development of policy and planning decisions for the long-term benefit of the community.

Recent planning reform initiatives have been focused on the Government's plans to boost the housing supply and meet the State's commitment under the National Planning Reform Blueprint specifically through measures that streamline development application processes and decision-making. While the sector supports measures to address current issues, the planning system and reform initiatives should prioritise creating sustainable and liveable communities.

### **2. Transparency and Accountability**

Timeliness and transparent decision making are key elements of the current reform agenda. Local Government processes and decision making have been scrutinised and subject to extensive review as part of the State Government reform agenda.

It is acknowledged a comprehensive review has recently been undertaken to address the structure, functions, and operations of the WAPC to increase transparency and efficiency and focus on greater strategic planning matters.

This review should extend to a holistic review of the planning processes and decision makers including the WAPC, supported by the Department of Planning, Lands and Heritage, to ensure they are efficient, effective and accountable to the communities in which their decisions impact.

### 3. Evidenced-based Reforms

Utilising technology to collect data and report on planning activities by all decision makers should be required to inform the timeliness of decisions and identify changes in planning legislation, policies, and processes. Some recent State planning reform initiatives have not been supported by a strong evidence base.

WALGA has been collecting Local Government planning and building performance data since 2017 through its Performance Monitoring project which currently accounts for 90% of the WA population and 94% of population growth. This data tracks Local Government decision making and informs WALGA's advocacy positions and policy submissions.

DPLH has recently established a Planning Online Portal system which creates a central and single place for applications to be lodged and centralise data collection. These two data sources should be used to assess performance and identify planning reform initiatives.

### 4. Local Government's role in the planning system

Planning reforms have incrementally eroded Local Government's role in the planning system through the standardisation of local planning frameworks and reducing Local Government's role in decision making.

While the planning system has many similarities across WA, there are a range of unique economic, social, environmental, and cultural factors that require planning to consider local context and character. Local Governments have an innate understanding of their area and communities and are uniquely well placed to manage growth and development and make planning decisions that consider local needs under the umbrella of the State planning system.

Decision-making should occur at an appropriate level of Government with consideration given to delegating further low risk local statutory functions to Local Government.

### 5. Pace of planning reform

The pace of reform in recent years has been challenging for Local Government. Sufficient time is needed to adequately review, respond to and implement the State Government's extensive reform agenda. This speed of reform also hasn't allowed for sufficient analysis of the effectiveness of reforms against their intended goals.

**COMMENT**

WALGA's Advocacy Positions 6.1 Planning Principles and 6.2 Planning Reform are outdated and do not reflect the sector's current advocacy priorities for legislative, regulation and policy change. The consolidated contemporary advocacy position will align with WALGA's State Election campaign and ensure WALGA can be effective and agile in responding to future State Government planning reform proposals.

The proposed advocacy position has been informed by feedback from Local Government officers, including WALGA's newly formed Planning Advisory Group, and WALGA's submissions on planning reform initiatives, specifically WALGA's 2023 submission on Consistent Local Planning Schemes.

The Environment Policy Team endorsed the advocacy position at their meeting on 29 July.

## 8.6 PRODUCT STEWARDSHIP POLICY STATEMENT AND ADVOCACY POSITION

*By Rebecca Brown, Policy Manager, Environment and Waste*

### **WALGA RECOMMENDATION**

**That State Council:**

- 1. Rescind the existing Extended Producer Responsibility Policy Statement and Advocacy Position 7.5 Extended Producer Responsibility.**
- 2. Endorse a new Product Stewardship Advocacy Position as follows:**
  - 1. *Industry should take responsibility (physical and/or financial) for the waste that it generates through the entire life cycle of the products it produces through the implementation of effective product stewardship. Without effective Product Stewardship, there will be increasing costs for the community, resource recovery targets will be difficult to reach and a transition to a circular economy is unlikely.***
  - 2. *Effective Product Stewardship is characterised by:***
    - a. *Producers and importers taking responsibility for post consumption product impacts.***
    - b. *Schemes covering the entire cost of product recycling or recovery, including transport.***
    - c. *Leveraging existing Schemes and collection locations.***
    - d. *Being easy and convenient for the community to access.***
    - e. *Having equitable national coverage and access for all, including regional and remote locations.***
    - f. *Being evidence based.***
    - g. *Consistent regulation and implementation across Australia using national Product Stewardship legislation.***
    - h. *Timely action and industry cooperation during Scheme development and implementation.***
    - i. *Being demand based and aiming to recover the maximum amount of material, rather than being limited by targets.***
    - j. *No additional cost to consumers when the product is disposed of post consumption.***
  - 3. *Local Government calls on the Commonwealth Government to implement effective Product Stewardship schemes for all products that drive environmentally and socially sustainable outcomes through the design, manufacture and distribution of products that can be more easily reused, repaired, recovered or recycled.***
  - 4. *If national action is not progressed within a reasonable timeframe, or in a way that meets the needs of the Western Australian community, then Local Government supports a State based approach to Product Stewardship.***

## EXECUTIVE SUMMARY

- The [Extended Producer Responsibility \(EPR\) Policy Statement](#) was first endorsed in 2004 and reviewed and amended in 2008.
- The Statement outlines the rationale for Local Government support for EPR, as a way of ensuring producers take responsibility for their products at the end of life, and some of the key elements of successful Schemes.
- WALGA's [Local Government Principles for Product Stewardship](#) was endorsed in 2022. The Principles provided more detail on key design elements for Schemes and have been used to inform advocacy.
- Following discussion at the April Municipal Waste Advisory Council (MWAC) and Officers Advisory Group meetings it was agreed to review the EPR Policy Statement and incorporate the Local Government Principles into a new Product Stewardship Policy Statement and Advocacy Position.
- The Product Stewardship Policy Statement and Advocacy Position has been updated to:
  - Include a greater focus on the potential for Product Stewardship to influence the design of products, as well as their post consumption disposal.
  - Identifying the increasing cost burden on Local Government and the community of increasing complex products.
  - Focus on ensuring all products have a clear and funded end of life pathway.
- The MWAC endorsed the new Policy Statement and Advocacy Position in June.

## ATTACHMENT

- [Draft Product Stewardship Policy Statement](#)

## POLICY IMPLICATIONS

This item rescinds the existing [Policy Statement](#) and [Advocacy Position](#):

### ***7.5 Extended Producer Responsibility***

*Local Government supports the concept of Extended Producer Responsibility, as a mechanism for ensuring manufacturers of products take responsibility (be that physical or financial) for the entire lifecycle impact of their products.*

*By placing greater responsibility on producers, Extended Producer Responsibility can potentially improve valuation, pricing and incentive mechanisms, as well as encourage greater investment in infrastructure, research and development.*

A new Advocacy Position and Policy Statement for Product Stewardship are proposed:

### ***Product Stewardship***

- 1. Industry should take responsibility (physical and/or financial) for the waste that it generates through the entire life cycle of the products it produces through the implementation of effective product stewardship. Without effective Product Stewardship, there will be increasing costs for the community, resource recovery targets will be difficult to reach and a transition to a circular economy is unlikely.*
- 2. Effective Product Stewardship is characterised by:*
  - a. Producers and importers taking responsibility for post consumption product impacts.*
  - b. Schemes covering the entire cost of product recycling or recovery, including transport.*
  - c. Leveraging existing Schemes and collection locations.*

- d. *Being easy and convenient for the community to access.*
  - e. *Having equitable national coverage and access for all, including regional and remote locations.*
  - f. *Being evidence based.*
  - g. *Consistent regulation and implementation across Australia using national Product Stewardship legislation.*
  - h. *Timely action and industry cooperation during Scheme development and implementation.*
  - i. *Being demand based and aiming to recover the maximum amount of material, rather than being limited by targets.*
  - j. *No additional cost to consumers when the product is disposed of post consumption.*
3. *Local Government calls on the Commonwealth Government to implement effective Product Stewardship schemes for all products that drive environmentally and socially sustainable outcomes through the design, manufacture and distribution of products that can be more easily reused, repaired, recovered or recycled.*
  4. *If national action is not progressed within a reasonable timeframe, or in a way that meets the needs of the Western Australian community, then Local Government supports a State based approach to Product Stewardship.*

## **BACKGROUND**

WALGA's Extended Producer Policy Statement was first endorsed in 2004 and reviewed and amended in 2008. In 2022, Local Government Principles for Product Stewardship were endorsed to provide further detail on the essential design elements of Product Stewardship Schemes. WALGA has used both documents to inform advocacy on the development and implementation of Product Stewardship Schemes.

The Policy Statement and Advocacy Position have been updated to make the language more contemporary and incorporate the Principles for Product Stewardship. The focus on producers taking physical and/or financial responsibility for their products at the end of life has been strengthened. There is also an increased focus on the importance of design in ensuring effective end of life management.

The Municipal Waste Advisory Council (MWAC) endorsed the new Advocacy Position in June.

## **COMMENT**

Local Government has historically been responsible for managing a significant proportion of products consumed by the community. Unfortunately, rapidly changing waste streams have turned the process of managing post-consumption products into an expensive and complicated activity for Local Governments. Product Stewardship offers a mechanism to address this, by placing responsibility for products on their producers. Without this approach, producers have limited incentives to design for recovery or consider the costs of managing products post-consumption.

The updated Policy Statement and Advocacy Position builds on WALGA and Local Governments' existing advocacy and provides the opportunity to highlight the importance of the entire product lifecycle including design, manufacture and distribution as well as reuse, repair, recovery and recycling.

WALGA continues to focus on advocating for effective product stewardship for key priority materials, electronic waste, packaging, tyres and mattresses.

## 8.7 SUBMISSION ON THE DRAFT STATE WASTE STRATEGY

*By Rebecca Brown, Policy Manager, Environment and Waste*

### **WALGA RECOMMENDATION**

**That State Council endorse the Draft State Waste Strategy Submission.**

### **EXECUTIVE SUMMARY**

- The [Draft State Waste Strategy](#) (Draft Strategy) and [State Waste Infrastructure Plan](#) were released on 29 May. This follows the release of the [Strategy Directions Paper](#) in May 2023. WALGA provided a comprehensive [Submission](#) on the Directions Paper.
- Given the significant impact of the Strategy on Local Government, WALGA was granted an extension to the deadline to allow the draft submission to be considered by WALGA Zones and State Council.
- The focus of the Draft Strategy is:
  - Better outcomes for regional and Aboriginal communities
  - Increasing our focus on waste avoidance
  - Better management of priority materials
  - Realising the economic potential of recycling
  - Contingency planning and climate resilience.
- New Targets are also proposed for each of the Avoid, Recover and Protect areas.
- WALGA's draft submission on the Draft Strategy was informed by Local Government written feedback and feedback received at a webinar held on 19 July.
- This Municipal Waste Advisory Council (MWAC) endorsed the draft submission on 31 July 2024.

### **ATTACHMENT**

- [Draft State Waste Strategy Submission](#)

### **POLICY IMPLICATIONS**

The Submission aligns with existing Advocacy Position [7.2 State Waste Strategy](#) and previous [Submissions](#).

#### ***7.2 State Waste Strategy***

*Local Government requires leadership and clear direction from the State Government in relation to waste management. As such, Local Government supports the development and implementation of a comprehensive State Waste Strategy which:*

- 1. Is consistent with the content, purpose and objective of existing legislation and policy at both a state and national level;*
- 2. Clearly identifies the roles and responsibilities of the Waste Authority in regard to the development and implementation of the Strategy, as outlined in the Waste Avoidance and Resource Recovery Act 2007;*
- 3. Is reviewed, with Stakeholder input, within 2 years of implementation; and*
- 4. Includes achievable targets for all waste streams and focuses on waste reduction, resource recovery and the diversion of waste from landfill. Targets should be based on accurate baseline data and clearly identify roles, responsibilities and funding for each target area.*



## **BACKGROUND**

The [Draft State Waste Strategy](#) (Draft Strategy) and [State Waste Infrastructure Plan](#) were released on 29 May 2024. This follows the Government's release of the [Strategy Directions Paper](#) in May 2023. The approach taken in the Draft Strategy is very focused and considers the key areas identified in the Directions Paper. The focus areas align with [WALGA's Submission](#) on the Directions Paper and incorporate some of the key recommendations relating to regional areas, focusing on priority materials and the importance of contingency planning.

A 'Strategy Roadmap' identifying actions and initiatives, to be developed with stakeholders, is flagged in the Draft Strategy as the implementation mechanism. For the current Strategy, WALGA suggested an Action Plan, that meets similar objectives, and this has been a useful tool to track progress and maintain accountability for the Government.

WALGA developed a Draft Submission on the Draft Strategy, drawing on comments on the Directions Paper and feedback from Local Government. The Draft Submission was provided to Local Government for comment. Detailed written feedback was received from seven Local Governments (22 July) and over 30 registered to provide input through a webinar (19 July). An updated Submission, incorporating Local Government feedback, was provided to MWAC for consideration and endorsement (31 July).

## **COMMENT**

In discussing the Draft Strategy, MWAC agreed that it builds on the current Strategy, however considered that the Draft does not emphasise waste avoidance sufficiently. There are new Targets proposed for each of the Avoid, Recover and Protect areas with the Strategy. The focus area of the Draft Strategy includes better outcomes for regional and Aboriginal communities, increasing our focus on waste avoidance, better management of priority materials (organic waste, plastics and batteries and electronic waste), realising the economic potential of recycling, contingency planning and climate resilience.

WALGA conditionally supports the vision and priorities set out in the Draft Strategy, with greater focus recommended on the following activity areas:

- Continued advocacy at a national level for effective product stewardship schemes, which deliver waste avoidance outcomes and cover the full cost of transport and recycling, for priority materials including e-waste, packaging, tyres and mattresses.
- Continued advocacy at a national level to implement design standards for products entering the market to ensure they can be easily reused, repaired, recovered or recycled.
- Expanding the scope of container types accepted as part of Containers for Change, to further support litter reduction and recycling efforts.
- Leveraging the extensive Containers for Change collection network in place to provide opportunities for collection of other materials covered by effective product stewardship schemes.
- Development of fit for purpose regional infrastructure plans that focus on developing infrastructure solutions to manage waste close to source in order to develop local industry and employment.
- Including food waste as a key focus area for program delivery throughout the Strategy, to contribute toward achieving targets under all three goals (Avoid, Recover and Protect).
- Developing a specific funding program to facilitate local repair and reuse opportunities.
- Develop an illegal dumping strategy to map the pathway to zero dumping.
- Review and identify targets for management of priority materials and adopt a framework to assess the priority level of each as effective actions are undertaken.

- Include Paper and Cardboard as a priority material.
- State Government support for market development, products specifications, and recycled content procurement guidelines alongside integrated waste avoidance/reduction procurement practices.
- Support provided for Local Governments to undertake risk assessment and mitigation activities for emergency preparedness, such as asbestos removal.
- Support provided to Local Governments in planning and response to emergency events through the development of a State Emergency Waste Management framework.

# Submission on the *Waste Avoidance and Resource Recovery Strategy 2030 – Consultation Draft*

**July 2024**

## **About WALGA**

The Western Australian Local Government Association (WALGA) is an independent, member-based, not for profit organisation representing and supporting the WA Local Government sector. Our membership includes all 139 Local Governments in the State.

WALGA uses its influence, support and expertise to deliver better outcomes for WA Local Governments and their communities.

We advocate to all levels of Government on behalf of our Members, and provide expert advice, services and support to Local Governments.

WALGA's vision is for agile and inclusive Local Governments enhancing community wellbeing and enabling economic prosperity.

## **Acknowledgement of Country**

WALGA acknowledges the continuing connection of Aboriginal people to Country, culture and community. We embrace the vast Aboriginal cultural diversity throughout Western Australia, including Boorloo (Perth), on the land of the Whadjuk Nyoongar People, where WALGA is located and we acknowledge and pay respect to Elders past and present.

## **Introduction**

WALGA is pleased to provide comment on the Waste Authority's [\*Waste Avoidance and Resource Recovery Strategy 2030 – Consultation draft\*](#). The Consultation Draft (draft Strategy) has been developed based on a public consultation process that commenced with the release of Waste Strategy Directions Paper in mid-2023. WALGA made a [Submission](#) on the Directions Paper and many of the issues raised have been incorporated into the draft Strategy – including an increased focus on waste avoidance and regional and remote waste management.

The *Waste Avoidance and Resource Recovery Act 2007* identifies the purpose of the Waste Strategy as:

*to set out, for the whole of the State –*

*(a) a long term strategy for continuous improvement of waste services, waste avoidance and resource recovery, benchmarked against best practice; and*

*(b) targets for waste reduction, resource recovery and the diversion of waste from landfill disposal.*

The draft Strategy sets out a new vision, strategic priorities and targets for the five-year period 2024-29, as well as five key priority areas which will be the focus for the waste strategy roadmap detailing the State Governments' key initiatives and actions over the next five years.

The priorities are:

- **Better outcomes for regional and Aboriginal communities:** ensuring adequate and appropriate waste infrastructure and services to meet their needs.
- **Increasing our focus on waste avoidance:** avoiding waste generation through reuse, repair and maintaining the value of products and materials for as long as possible.
- **Better management of priority materials:** improved recycling of high impact materials and priority waste streams.
- **Realising the economic potential of recycling:** fulfilling the potential recovery of value and resources, increasing infrastructure investment.
- **Contingency planning and climate resilience:** strengthening the waste sector's planning, adaptability and response to emergency events.

This Submission has been developed with input from Local Governments and Regional Councils. It examines the current progress against targets, identifies areas of the new strategy supported by Local Government and makes recommendations for clarifications or improvements to ensure a fit for purpose strategy for WA Local Governments.

### **Current Waste Strategy Implementation**

The draft Strategy outlines the current targets for 2025, as set by the 2019 Waste Strategy, will not be met, although there has been positive movement in most areas. The draft Strategy, along with the Waste Authority's 23/24 Business and Action Plan, highlights in coming years waste to energy and the further implementation of FOGO systems is anticipated to reduce the amount of Waste Levy funds collected, and potentially the amount available for strategic waste management funding.

WALGA has a clear [Policy Statement](#) on the Levy which articulates the position that all funds raised through the Levy should be used for strategic waste management purposes. Local Government **strongly opposes the application of the Levy to non-waste management related activities**, such as funding State Government core activities that should be funded from consolidated revenue.

Levy funds should be expended on programs that:

- a) Support the achievement of targets, and reflect the priorities, within the State Waste Strategy
- b) Provide adequate funding and support for Regional Councils, non-metropolitan and metropolitan Local Governments, ensuring the difference in regional priorities are recognised
- c) Fully fund the life-cycle costs of infrastructure and services
- d) Facilitate the development, implementation and ongoing operation of Product Stewardship Schemes.

WALGA acknowledges the anticipated decrease in Levy funds collected and reiterates its position that **all funds raised through the Levy should be directed to strategic waste management purposes** to enable the achievement of the proposed strategy targets. WALGA's position is also clear that the Levy **should not be applied to waste generated in the non-metropolitan area** or to waste received at premises undertaking licensed activities whose primary purpose is resource recovery.

## Vision and key principles

The draft Strategy sets out the revised vision of:

*A sustainable, low-waste future powered by a circular economy, where our communities, economies and environment thrive.*

A longer vision statement is also included in the draft Strategy, which goes into more detail on the key elements of the vision. The vision is supported by four key principles:

1. Reduce the impact of waste on the environment and climate.
2. View waste management as an essential service.
3. Share responsibility and empower everyone to make changes.
4. Ensure circular economy benefits are felt by all communities.

WALGA supports the revised focus for the vision to include circular economy principles across all levels of government and industry sectors, as a circular economy cannot be achieved by focusing on effective waste management only. The four principles identified are supported, however it is not clear what role they play within the Strategy, and if they are intended to be monitored or reported against.

**Recommendation: Clarify the role of the four principles identified in the draft Strategy.**

In the detailed draft Strategy vision, product stewardship is identified as a foundation. WALGA **strongly supports the inclusion of product stewardship as a foundation of the Strategy's vision.** The challenge for the WA Government, to implement product stewardship, is that much of the action is taking place at a national level. WALGA is advocating for the Commonwealth Government to implement effective Product Stewardship schemes, for all products, that drive environmentally and socially sustainable outcomes through the design, manufacture and distribution of products that can be more easily reused, repaired, recovered or recycled.

If national action is not progressed within a reasonable timeframe or in a way that meets the needs of the Western Australian community, then Local Government supports a State based approach to Product Stewardship.

National product stewardship action has been progressed on key materials including e-waste and packaging, however a shift in focus at the Commonwealth level has seen the development and implementation of these schemes delayed, with further work expected to occur in late 2025-26.

The delay in implementation of the broader e-waste scheme is anticipated to further raise costs for Local Governments providing e-waste recycling services, as increased public awareness of the State Government e-waste to landfill ban is likely to increase the amount of e-waste items brought to collection points for recycling. State Government support is therefore required to assist Local Government in providing e-waste collections and meeting the associated recycling and transport costs, until an effective national product stewardship scheme is in place for all e-waste.

**Recommendation: The WA State Government undertake advocacy, at a national level, to implement effective product stewardship for priority materials (packaging, electronic waste, tyres and mattresses).**

The circular economy diagram included in the draft Strategy highlights the benefits of a circular economy, however is missing the key element of **designing products for circularity**, as the design stage determines whether and to what extent a product can be reused, repaired or recycled. While work has been initiated at a national level to implement mandatory design standards for packaging, continued advocacy is required to ensure products entering the market are designed to maintain the highest value as long as possible.

**Recommendation: The WA State Government undertake advocacy, at a national level, to implement design standards for products entering the market to ensure they can be easily reused, repaired, recovered or recycled.**

## 2030 Targets

The targets presented in the draft Strategy have been retained from the current Strategy, under the key goals of Avoid, Recover and Protect. New targets have been included for each goal, along with two targets to cover all three areas (Figure 1).

Our 2030 goals and targets		
Avoid Western Australians generate less waste.	Recover Western Australians recover more value and resources from waste.	Protect Western Australians protect the environment by managing waste responsibly.
<ul style="list-style-type: none"> <li>○ 20% reduction in waste generation per capita               <ul style="list-style-type: none"> <li>- MSW: 10% reduction in generation per capita</li> <li>- C&amp;D: 30% reduction in generation per capita</li> <li>- C&amp;I: 10% reduction in generation per capita</li> </ul> </li> <li>○ <b>New target:</b> Adopt national circular economy metrics (as they are developed) to measure avoidance and circularity</li> <li>○ <b>New target:</b> Develop avoidance measures and targets for specific materials consistent with national targets</li> </ul>	<ul style="list-style-type: none"> <li>○ Recover energy only from residual waste</li> <li>○ Increase the recycling rate to 75%               <ul style="list-style-type: none"> <li>- MSW: Increase the recycling rate to 70% in Perth and Peel, 60% in major regional centres</li> <li>- C&amp;D: Increase recycling rate to 80%</li> <li>- C&amp;I: Increase recycling rate to 80%</li> </ul> </li> <li>○ <b>New target:</b> Continue to deliver household and commercial FOGO/FO collection and recycling services in Perth, Peel and major regional centres.</li> </ul>	<ul style="list-style-type: none"> <li>○ No more than 15% of waste generated in Perth and Peel is landfilled</li> <li>○ Move towards zero illegal dumping</li> <li>○ <b>New target:</b> Adopt the 2030 litter reduction target to be developed through the next litter prevention strategy (2025–30)</li> </ul>
Avoid - Recover - Protect		
<ul style="list-style-type: none"> <li>○ All waste is managed and/or disposed of using better practice approaches and facilities</li> <li>○ <b>New target:</b> Reduce disposal of organic waste to landfill by 50% (from 2019–20 levels)</li> </ul>		
Our 2030 strategy priorities		
1. Better outcomes for regional and Aboriginal communities	2. Increasing our focus on waste avoidance	3. Better management of priority materials
4. Realising the economic potential of recycling	5. Contingency planning and climate resilience	
Strategy roadmap		
Actions and initiatives to be developed with stakeholders		

Figure 1: Draft Strategy Targets

### Overarching Avoid-Recover-Protect targets

There are two overarching Targets in the draft Strategy:

- All waste is managed and/or disposed of using better practice approaches and facilities
- Reduce disposal of organic waste to landfill by 50% (from 2019-20 levels)

The first target is a variation of a target included in the current Waste Strategy (under the Protect heading – all waste is managed/disposed to better practice facilities). In a previous [submission](#) WALGA questioned the position of better practice guidance in a regulatory context and how implementation would be monitored and enforced. Currently only one better practice guidance document has been developed for facilities, for collection there are kerbside and vergeside and drop off better practice guidance. For regional and remote Local Governments with limited resources any better practice approach is likely to require significant support to implement.

Better practice approaches should build on the regulatory frameworks in place for waste facilities, rather than being compliance-based, and be developed in consultation with industry to ensure effective implementation.

**Recommendation:** The Department ensure there are sufficient resources in place to develop better practice guidance, in consultation with stakeholders, and implement any new practices, processes or infrastructure.

The development of the Recovered Materials Framework is understood to be in progress, and will be essential in ensuring end users have high confidence in the quality and safety of products derived from recovered materials through developing consistent, outcomes-based standards and investment certainty.

**Recommendation:** The development and implementation of the Recovered Materials Framework, within a set timeframe, be included as an action in the Strategy.

The new target of reducing disposal of organic waste to landfill by 50% raises several concerns. WALGA has identified in previous submissions the limitations on provision of timely and accurate

waste and recycling data, particularly in the case of the Commercial and Industrial (C&I) sector, where a significant percentage of food waste diversion has been identified. While overall tonnage data has been recorded, there has been very limited waste composition data, and data that was available lacked the necessary granularity to assist in developing waste avoidance and resource recovery solutions. Supporting the 50% reduction as an effective target would require a clear baseline figure on organic waste sent to landfill in 2019-20 across both the Municipal Solid Waste (MSW) and C&I streams, which is not likely to be available and therefore not measurable with a high degree of confidence.

Engagement with stakeholders across all waste streams is required to determine an appropriate baseline, in order to assess and measure the impact of each sector and set achievable outcomes.

WALGA understands that the Target has been established to align with [the national target](#), which focuses heavily on FOGO implementation, and establishing organics processing infrastructure, as the mechanisms to achieve it. In Western Australia, with waste to energy facilities anticipated to be operational by 2024/5, the diversion of much of the waste stream from landfill is highly likely. However, this Target in the absence of a more focused approach on waste avoidance risks landfill diversion being the only metric, not diversion of waste to highest and best use.

**Recommendation: Include specific actions in the proposed roadmap to improve data collection and provision to support measurable targets.**

**Recommendation: Reword the target from 'reduce disposal of organic waste to landfill by 50%' to reflect waste hierarchy principles and focus on diversion to highest and best use.**

#### Avoid

In previous submissions WALGA has questioned the use of a per capita 'Avoid' target, as it does not provide a useful measure on the effectiveness of waste reduction initiatives (as waste generation is strongly linked to economic growth) and does not delineate between metropolitan and regional areas where communities may have more limited waste avoidance options. Again, the WA Strategy is being influenced by the National Targets to reduce per capita waste generation.

WALGA supports the new target of developing avoidance measures and targets for specific materials consistent with national targets, with the recommendation that Western Australia is well represented throughout the process to ensure the targets are achievable and appropriate for the WA community.

More information is required as to what the "circular economy metrics" will be before WALGA can offer a position regarding their adoption.

**Recommendation: That the State Government implement specific waste avoidance measures for key priority materials, including food waste.**

#### Recover

The Recover goal retains the target to recover energy only from residual waste. However, the definition of residual waste is not included in the draft Strategy and should be defined as in the 2019 Strategy, which established the requirement for energy recovery only from residual waste – *waste which remains following the application of better practice source separation and recycling systems.*

It is not clear from the draft strategy or from discussions with the Department as to how this condition will be monitored or enforced, and whether pre-existing contracts with Local Governments for general waste including organics (prior to the 2019 Strategy) will be subject to the same requirement.

FOGO targets are slightly reworded in the draft Strategy, to focus on "continuing to deliver FOGO" rather than requiring FOGO for all households in Perth/Peel. The rewording moves away from a timed commitment, stating *'The Waste Authority and the Department of Water and Environmental*

*Regulation continue to work with the nine Local Governments not yet committed to FOGO, to facilitate implementation'. As there is no detail provided around the facilitation, Local Governments not yet committed have requested clarification on whether they will be required to move to FOGO to support the strategy targets and how this may align with existing waste to energy agreements.*

Local Governments have expressed concerns over the financial and physical resources required to implement FOGO, as the Better Bins Plus funding covers only a proportion of the costs required.

**Recommendation: That the Department clarify how the target for 'energy recovery only from residual waste' will be monitored and enforced.**

**Recommendation: That the Department provide further information as to Local Governments' requirements to adopt better practice separation systems, including implementation timeframes.**

**Recommendation: That the Department increase funding support to Local Governments to fully cover the costs of implementing better practice separation systems.**

The wording of the new target also identifies, but does not define, major regional centres in the context of continued FOGO delivery. If the same definition as used in the current strategy is applied, this refers to Albany (Great Southern Region), Bunbury (South West region), Busselton (South West Region), Greater Geraldton (Mid West region) and Kalgoorlie-Boulder (Goldfields-Esperance Region).

The proposed recycling target rate of 60% for major regional centres requires clarification in whether it applies to an average rate across all centres, or an individual rate of 60% for each one.

Presently, there is a significant range in capacity for recycling collection and processing between the five centres. Bunbury and Albany have three bin FOGO systems in place, while Busselton and Kalgoorlie-Boulder are operating two bin waste and recycling systems and Geraldton offers a kerbside general waste (but has explored FOGO).

**Recommendation: Define Major Regional Centres in the Strategy and identify if the 60% target is measured at an aggregate level, or individually.**

The Targets have been reworded to say "recycling" rather than "increase material recovery to 80%" to align with the terminology used by other jurisdictions.

The new target of establishing commercial FOGO and FO collections would theoretically contribute significantly to recovery rates of organic waste, however this would require significant resources and collaboration between industry, State Government and Local Government to determine roles and responsibilities for an integrated program across the State.

#### Protect

Progress toward the Protect target of *no more than 15% of waste generated in Perth and Peel is landfilled* will be supported by the ongoing implementation of FOGO services across the metropolitan area and the introduction of waste to energy facilities.

The new target for litter replaces the 'Move towards zero littering' target included in the current Strategy. Using the new Litter Strategy targets is a good approach, providing all stakeholders are provided with the opportunity to have input into the Strategy.

The Target of move towards zero Illegal dumping remains, and will need strong supporting programs and resourcing to achieve. Illegal dumping can range from the household level where bags of rubbish or items are dumped to large scale dumping of commercial and construction waste, and often falls to Local Government to manage collection and disposal of the waste, requiring significant financial and physical resources. Illegal dumping has impacts across many different land holders including State Government agencies and a comprehensive strategy is needed to map the actions necessary from all stakeholders to achieve the zero illegal dumping target.



**Recommendation: Stakeholders have the opportunity to contribute to the development of the Litter Reduction Strategy and associated targets.**

**Recommendation: The State Government develop an Illegal Dumping Strategy to map how the target will be achieved.**

Following the implementation of the Container Deposit Scheme, Containers for Change, in 2020, the amount of beverage containers littered has significantly reduced. The Scheme currently accepts container types which are most likely to be littered, however feedback from Local Governments shows a wide range of containers, including wine bottles, are reported as litter. Litter reduction is only part of the Scheme's benefits and WALGA has [advocated](#) for several changes to the Scheme, including the expansion of the Scheme to include wine and spirit bottles as a minimum.

Consultation on expansion of the scheme to include a broader scope of container types was undertaken in 2023, with an announcement on a potential expansion yet to be made.

**Recommendation: The State Government, as a matter of priority, expand the scope of container types accepted as part of Containers for Change.**

## Priorities

The draft Strategy outlines five priorities (all of equal importance):

- Better outcomes for regional and Aboriginal communities
- Increasing our focus on waste avoidance
- Better management of priority materials
- Realising the economic potential of recycling
- Contingency planning and climate resilience.

WALGA conditionally supports the five priorities identified, with some clarifications required on each priority. The greater focus on specific priority areas will assist in ensuring that specific targets can be achieved. However, at present, modelling is not available to support how each of the listed priorities will contribute to achieving the strategy targets.

### Priority 1 : Better outcomes for regional and Aboriginal communities

Regional and remote communities face a diverse range of challenges in managing waste, and WALGA welcomes the inclusion of regional and Aboriginal communities as a priority in the draft strategy. Many regional Local Governments do not have collection systems in place for target materials, such as kerbside recycling or FOGO collection, due to financial and infrastructure constraints. 36 Local Governments outside Perth and Peel do not currently provide a kerbside recycling collection, and only two non-metropolitan Local Governments north of Perth have trialled FOGO collections. FOGO is in place in seven Local Governments in the South West, and one in the Great Southern region.

For Local Governments not currently providing a kerbside recycling or FOGO service, establishment costs include infrastructure (bins and caddies), potential fleet investment, variation to collections contracts, and resourcing for operational and support roles including education and communications.

Regional Local Governments identify transport costs as a key barrier in implementing and maintaining recycling services. WALGA will continue to advocate for product stewardship schemes to cover the full cost of collection, transport and processing of material covered, however Local Governments will require support and guidance to assess the long-term viability of establishing and maintaining collection services.

Coordination and support is vital for regional and remote communities to improve their waste management outcomes, and infrastructure planning must be tailored to individual regions.

The State Waste Infrastructure Plan, while a useful starting point for infrastructure planning across the state, has significant limitations as a practical document for Local Governments. WALGA welcomes the inclusion of *'identify priority regions and develop regional waste and recycling infrastructure plans with regional development commissions and key stakeholders'* as a proposed action under the strategy, as this offers an opportunity for Local Government and the community to be involved in waste planning in the region and reliably informs the overall strategic direction.

The development of regional plans will require significant resources and WALGA supports the cross-sector approach identified in the draft actions. It is also recommended that funding opportunities outside the WARR account be investigated, to ensure programs can be adequately resourced and build capacity within communities.

Regional Local Government feedback shows the consolidation model, where infrastructure is established or expanded for the purpose of consolidating and transporting material to Perth and Peel, is not supported as a priority. The preference is for the creation of precincts within the region to facilitate waste being received and processed locally to maximise benefit to local communities, or a series of small individual processing facilities in key areas.

**Recommendation: As part of the Strategy implementation, regional infrastructure plans be developed that focus on developing infrastructure solutions to manage waste close to source in order to develop local industry and employment.**

There is a significant scope to leverage existing systems, such as Containers for Change to provide a hub for product stewardship and a network of collection locations for materials which cannot be disposed of in kerbside bins, or where no appropriate kerbside system exists. Local Governments have provided very positive feedback on how the Containers for Change Program has assisted in providing recycling options for regional and remote, as well as metropolitan, communities. WALGA identified this as an opportunity for the Scheme, in the initial consultation on its development. For example, many of the Container Deposit Scheme depots in South Australia also collect e-waste and scrap metal. However, this will only be achievable if the material collected is also part of an effective product stewardship scheme which covers all the costs associated with collection, transport and recycling. This approach will ensure these services are accessible across WA, even in areas with limited Local Government services available.

**Recommendation: That the State Government work with Containers for Change to leverage the extensive collection network in place to provide opportunities for collection of other materials covered by effective product stewardship schemes.**

WALGA notes that while resource recovery is a key focus, for many regional areas landfill is the main option for waste management. For these areas the focus should be on operating the facility in the best way possible, through provision of guidance and funding support.

## **Priority 2: Increasing our focus on waste avoidance**

WALGA supports the renewed focus on waste avoidance in the draft Strategy and welcomes the approaches to facilitate reuse and repair to maintain product value. However, the key initiatives and actions outlined focus on keeping existing materials in circulation rather than avoiding the generation of waste in the first instance, which is the highest priority in the waste hierarchy. The draft Strategy refers to the national focus on food waste, with the National Food waste Strategy target to halve Australia's food waste by 2030, however actions around food waste have not been included in the draft initiatives and actions. Local Government feedback demonstrates that education alone is not effective in facilitating waste avoidance, and specific programs and incentives should be considered. With increasing pressures on cost of living, supporting the community to reduce food waste should be prominent in Strategy implementation.

**Recommendation: That Food Waste be identified in the Strategy as a key focus area for program delivery.**

WALGA would like to emphasise the importance of product stewardship as a key approach which can provide significant waste avoidance outcomes. Product stewardship can influence product design and focus on reducing waste generation throughout the product lifecycle.

Local Governments are keen to ensure there are effective local repair and reuse options, however there are limited funding opportunities available. Options such as reuse shops at transfer stations and landfills offer a great local opportunity to facilitate reuse.

**Recommendation:** A specific funding program be developed for local repair and reuse opportunities.

### **Priority 3: Better management of focus materials**

The draft Strategy revises the previous list of focus materials down to three key materials – organic waste from the MSW and C&I waste streams, plastics, and e-waste and batteries.

WALGA acknowledges the high impact of these materials on the waste stream and supports the reduction in number of priority materials, with a focus on organic waste. The rationale for including these materials relates to emissions reduction, contribution to targets and potential impact on human health and the environment. The potential impact of batteries and e-waste is significant, with increasing impact on the waste industry through incorrect disposal leading to truck and facility fires and consequently increasing ongoing costs for mitigation measures and insurance.

While the focus materials identified are of high priority for Local Governments, all three have had considerable time and resources invested, at both state and national level, and have progressed actions towards better management which are well underway. The draft Strategy offers an opportunity for Local Government to identify further focus materials where action has not been taken or progressed at a state or national level, and advocate for frameworks and programs to assist in managing these waste streams.

How the priority of these products will be used in Strategy implementation is a key consideration. There are other high impact products, such as Household Hazardous Waste, which have effective programs in place, and it is anticipated that such initiatives would not be reduced because they are not listed as a priority product.

WALGA acknowledges the intent of the e-waste to landfill ban and its alignment to global, national and local environmental and recovery targets. However, WALGA's position on landfill bans is that such bans are only supported in the presence of effective product stewardship schemes, or other funding mechanisms, for products which would be subject to the ban.

The current National TV and Computer Recycling Scheme (NTCRS) is not considered effective as it covers only a proportion of the costs of e-waste recycling, particularly for regional Local Governments required to transport material to Perth for recycling. Development of the national e-waste product stewardship scheme has been delayed and additional funding support is required for Local Governments to continue to manage e-waste volumes into the future.

Many Local Governments are collecting batteries through their facilities including libraries, recreation centres, landfills/transfer stations and administration centres. These collection points were established in the absence of any product stewardship alternative. As the B-Cycle product stewardship scheme continues to establish, a clear opportunity for Local Government is to transition away from collections at these facilities and toward established B-Cycle drop off points.

Local Government has also expressed concern regarding the recycling and recovery options for paper and cardboard, as this is a significant amount of material and currently the only market is export. With the Export Bans for this material coming into force July 2024, and infrastructure yet to be developed this is a priority material for the sector.

**Recommendation:** The Department:

- Identify what 'success' is for each of the Priority Products.

- Review the Priority Products listing as effective action is undertaken to address each of the materials.
- Add paper and cardboard to the list of priority products.

#### **Priority 4: Realising the economic potential of recycling**

Leveraging State Government procurement is a welcome addition to the draft Strategy, and strongly supports developing markets for material by ensuring recycled materials are included in State Government projects. However, this can be taken further than the proposed focus on recycled materials and expanded to include waste avoidance/reduction procurement practices such as lease arrangements for State Government agencies and contracts.

As previously mentioned, waste amount and composition data for the C&I sector is significantly lacking and there has to date been limited assistance provided to the commercial and industrial (C&I) sector. A focus could include targeted programs to assist businesses (on a sector by sector basis) to assess and reduce their waste and improve resource recovery. In the non-metropolitan area Local Governments frequently assist in managing C&I waste as there may be limited or no other service providers.

The development and implementation of a Recovered Materials Framework is a key action in ensuring producers and suppliers have a high degree of confidence in using waste derived materials across a range of applications. However, the draft actions include the framework but focus on developing guidelines and a regulatory framework specifically for bottom ash produced from waste to energy operations.

**Recommendation: The State Government support market development, products specifications, and recycled content procurement guidelines alongside integrated waste avoidance/reduction procurement practices.**

#### **Priority 5: Contingency planning and climate resilience**

The draft Strategy identifies that WALGA has developed a framework to strengthen waste management considerations in local emergency management planning, response and recovery (WALGA, 2018) and is working to establish a Preferred Supplier Panel for Hazardous and Emergency Event Services. This work was undertaken to support Local Government planning for emergency events, but further action is needed to assist Local Government to actively reduce hazards which could be caused by these events.

WALGA supports the proposed initiative to improve data and information on emergency waste disposal options, and recommends guidance and support be provided to Local Governments to identify areas of risk and prioritise actions to reduce hazards, such as removal of asbestos.

Many Local Governments do not have the skills, capacity and subject matter expertise to undertake an emergency risk management assessment process for Emergency Management hazards without support and clear guidance from the State Emergency Management Committee.

**Recommendation: That State Government guidance and funding support be provided to Local Governments to undertake risk assessment and mitigation as part of emergency preparedness activities, and to assist in coordinated clean up following a disaster event.**

An inter-agency approach to planning is essential not only for disaster management but also for potential large scale biosecurity events, such as the recent work led by Department of Primary Industries and Regional Development around a potential Foot and Mouth disease outbreak, which would require significant Local Government participation from both a waste management and community perspective. Developing a consistent framework for use across large scale events would assist in defining State and Local Government roles and responsibilities and provide support and direction in response and recovery. WALGA is engaged in the work that the Department of Fire and Emergency Services is undertaking on waste management and considers that it is

essential that how waste is managed post event is clearly agreed and articulated, through an agreed framework.

**Recommendation:** The State Government to foster inter-agencies collaboration and clearly outline roles, responsibilities, escalation process and support available to Local Governments through a State Emergency Waste Management framework.

## Conclusion

WALGA conditionally supports the vision and priorities set out in the draft Strategy, with greater focus recommended on the following activity areas:

- Continued advocacy at a national level for effective product stewardship schemes, which deliver waste avoidance outcomes and cover the full cost of transport and recycling, for priority materials including e-waste, packaging, tyres and mattresses.
- Continued advocacy at a national level to implement design standards for products entering the market to ensure they can be easily reused, repaired, recovered or recycled.
- Expanding the scope of container types accepted as part of Containers for Change, to further support litter reduction and recycling efforts.
- Leveraging the extensive Containers for Change collection network in place to provide opportunities for collection of other materials covered by effective product stewardship schemes.
- Development of fit for purpose regional infrastructure plans that focus on developing infrastructure solutions to manage waste close to source in order to develop local industry and employment.
- Including food waste as a key focus area for program delivery throughout the Strategy, to contribute toward achieving targets under all three goals (Avoid, Recover and Protect).
- Develop a specific funding program to facilitate local repair and reuse opportunities.
- Review and identify targets for management of priority materials, and adopt a framework to assess the priority level of each as effective actions are undertaken.
- Include Paper and Cardboard as a priority material.
- Develop an illegal dumping strategy to map the pathway to zero dumping.
- The State Government support market development, products specifications, and recycled content procurement guidelines alongside integrated waste avoidance/reduction procurement practices.
- Support provided for Local Governments to undertake risk assessment and mitigation activities for emergency preparedness, such as asbestos removal.
- Support provided to Local Governments in planning and response to emergency events through the development of a State Emergency Waste Management framework.

**MATTERS FOR CONSIDERATION BY STATE COUNCILLORS (UNDER SEPARATE COVER)**

Items Under Separate Cover to State Council only.

## 9 POLICY TEAM AND COMMITTEE REPORTS

### 9.1 ENVIRONMENT POLICY TEAM REPORT

*By Nicole Matthews, Executive Manager Policy*

#### **WALGA RECOMMENDATION**

**That State Council note the report from the Environment Policy Team to the 4 September 2024 meeting.**

The Environment Policy Team includes the following subject areas:

- *Climate change*
- *Native vegetation and biodiversity*
- *Biosecurity*
- *Water resources*
- *Sustainability*
- *Planning and building*

This Report provides an update on matters considered, since the last State Council meeting, by the Environment Policy Team at its meetings held on 10 July and 29 July, and the joint Environment and Infrastructure Policy Team meeting on 10 July.

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

##### **Advocacy Position Review**

The 2023 WALGA Annual General Meeting resolved that WALGA establish and promote policies to protect and prioritise the preservation of agricultural land against its displacement by non-agricultural activities that lead to a net reduction of the State's productive agricultural land. This was followed by similar resolutions from the Great Eastern Country and Central Country Zones as well as an increasing level of concern from the sector regarding these issues.

A joint Environment and Infrastructure Policy Team meeting was held on 10 July to consider new draft Advocacy Positions. The joint meeting endorsed the recommendations that State Council adopt the Advocacy Positions related to Renewable Energy Legislation.

Agenda items [8.2](#), [8.3](#) and [8.4](#) of the State Council Agenda relate to this matter.

##### **Planning Principles and Reform**

The Policy Team considered the review of Advocacy Positions and recommended Advocacy Positions 6.1 Planning Principles and 6.2 Planning Reform be replaced with a new contemporary combined position that reflects the current planning system and planning reform agenda.

Agenda [item 8.5](#) of the State Council Agenda relates to this matter.

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

The Policy Team discussed the following items for noting included in the July State Council Agenda:

- Item 8.1 Caravan Park and Camping Grounds Regulations
- Item 9.1 Environment Policy Team Report
- Item 10.3 Perth and Peel Urban Greening Strategy
- Item 10.4 Polyphagous Shot-Hole Borer Update
- Item 11.1.4 Report on Key Activities, Policy Portfolio

## **3. Portfolio Updates**

The Policy Team was provided with a Polyphagous Shot-Hole Borer update at their meeting on 29 July.



## 9.2 GOVERNANCE POLICY TEAM REPORT

*By Tony Brown, Executive Director Member Services*

### **WALGA RECOMMENDATION**

**That State Council note the report from the Governance Policy Team meeting for the 4 September 2024 meeting.**

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

- *Governance (Local Government legislation)*
- *Local Government Reform/Regional Service Delivery*
- *Local Government Revenue*
- *Local Government Elections*
- *Employee Relations/Industrial Relations*
- *Training*

This Report provides an update on matters considered by the Governance Policy Team at its meetings held on 19 June and 7 August.

### **1. MATTERS FOR STATE COUNCIL DECISION**

#### **Local Government Elections Analysis 2015-2023**

The Policy Team considered a report which presented the findings of a review and analysis of five election cycles up to and including the 2023 local government, against a backdrop of legislative reforms to the Local Government electoral process in WA.

Agenda [item 8.1](#) of the State Council Agenda relates to this matter.

### **2. MATTERS FOR STATE COUNCIL NOTING**

#### **Local Government Elections Advocacy Positions Review**

A report on the current Local Government Elections advocacy positions was considered and the Policy Team requested a review of these advocacy positions including sector consultation on advocacy positions relating to Local Government elections, including the following:

1. Voting at Local Government elections: Compulsory or voluntary voting;
2. Four year terms with a two year spill as opposed to 'all in all out';
3. The "proportional" part of the formula to count votes be removed to fully align with the State and Federal Government preferential voting system;
4. The First Past the Post voting method to be used by all Local Governments for non-public internal elections, thereby replacing the Optional Preferential Voting requirement for these types of elections; and
5. The method of electing the Mayor/President.

### **Protection from Liability**

At a meeting on 23 November 2023, the Central Metropolitan Zone put forward an item - LG Act Division 4 – Protection from Liability – Online Broadcasting of Meetings:

*“Given the legislative changes requiring publicly available recordings and livestreaming of Council meetings, that the Central Metropolitan Zone requests WALGA State Council to reinforce its policy position in the support and defence of Elected Members and Local Government Officers regarding Liability protections. This WALGA action should include (but not limited to): improved advocacy, advice, training and guidelines being made available to Elected Members.”*

The Policy Team considered a report on the resolution from the Central Metropolitan Zone.

The Policy Team recommended that WALGA develop a resource for Local Governments and update existing WALGA Training materials to support Local Governments and Elected Members.

### **Candidate Nomination - National Police Certificates**

The North Metropolitan Zone resolved at its meeting held 23 November 2023, as follows:

*That the North Metropolitan Zone requests that WALGA research whether the introduction of mandatory police clearances for candidates at Local Government elections would be of any benefit.*

The Policy Team considered a report which examined the potential benefits and limitations that may arise from a proposal to implement National Police Certificates as a requirement when making a Nomination for Election. The outcomes of the report indicated that the benefits are outweighed by the potential limitations and therefore it was recommended that no further action is taken.

## 9.3 INFRASTRUCTURE POLICY TEAM REPORT

*By Ian Duncan, Executive Manager, Infrastructure*

### **WALGA RECOMMENDATION**

**That State Council:**

- 1. Note the report from the Infrastructure Policy Team to the 4 September 2024 meeting.**
- 2. Determine to retire the following Advocacy Positions:**
  - a. 5.2.4 Seat Belt Legislation**
  - b. 5.8 Ports**
  - c. 5.12 Infrastructure WA**

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

- *Transport*
- *Infrastructure*
- *Road Safety*
- *Underground power*
- *Street lighting*

This Report provides an update on matters considered, since the last State Council meeting, by the Infrastructure Policy Team at its meetings held on 10 July and 29 July.

### **3. MATTERS FOR STATE COUNCIL DECISION**

The basis for proposing each of the following advocacy positions be retired is summarised below:

#### **5.2.4 Seat Belt Legislation**

This Advocacy Position was endorsed in 2008 in response to proposed changes to seat belt legislation that places an additional responsibility on vehicle drivers to ensure passengers 16 years of age or older are restrained, similarly to the driver's responsibility to ensure passengers under 16 years of age are restrained. Seat belt legislation has since been amended in accordance with this advocacy position and changes to Australian Road Rules implemented in other jurisdictions.

#### **5.8 Ports**

This Advocacy Position was developed in 2010 in response to the draft National Ports Strategy. This strategy has since been superseded by the National Freight and Supply Chain Strategy, which was reviewed in 2023.

#### **5.12 Infrastructure WA**

Apart from supporting the establishment of Infrastructure WA, this 2018 advocacy position outlines recommendations related to scope of work (project value), board representation, transparent processes, strategic asset maintenance and infrastructure renewal costs. Infrastructure WA was established in July 2019 although the proposed representation, scope and some other matters were not achieved in the *Infrastructure Western Australia Act 2019*.

The Joint Environment and Infrastructure Policy Team meeting discussed and endorsed proposed advocacy positions that are listed for consideration by State Council in September 2024:

- Energy Transition Engagement and Community Benefit Framework
- Renewable Energy Facilities, and
- Priority Agriculture.

Agenda items [8.2](#), [8.3](#) and [8.4](#) of the State Council Agenda relate to this matter.

#### **4. MATTERS FOR STATE COUNCIL NOTING**

A submission to Main Roads WA draft Traffic Signals Approval Policy and Process was reviewed, amended and endorsed for consideration by State Council by Flying Agenda.

Development of a Partnership Agreement between WALGA and the Public Transport Authority (PTA) Defining Roles and Responsibilities for Planning, Installation and Maintenance of Bus Stop Infrastructure is being developed and requires conclusion of further discussions with the PTA before being presented to State Council for consideration.

Further engagement to define the expectations and scope of a report on implications to Local Governments of the new vehicle emissions standards is required.

Work is progressing on a green and active travel discussion paper that will help inform the scope of a potential active transport working group or policy forum.

## 9.4 PEOPLE AND PLACE POLICY TEAM REPORT

*By Nicole Matthews, Executive Manager Policy*

### **WALGA RECOMMENDATION**

**That State Council:**

- 1. Note the report from the People and Place Policy Team to the 4 September 2024 meeting.**
- 2. Determine to:**
  - a. retain the following Advocacy Positions with amendment:**
    - i. 3.2.1 Local Public Health Plans**
  - b. rescind the following Advocacy Position:**
    - i. 3.5 Crime Prevention**

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

- *Community*
- *Emergency Management*

This Report provides an update on matters considered, since the last State Council meeting, by the People and Place Policy Team at its meeting held on 10 July.

### **1. MATTERS FOR STATE COUNCIL DECISION**

#### **Advocacy Position Review**

The People and Place Policy Team provides recommendations regarding WALGA community and emergency management advocacy positions for State Council's decision. Advocacy positions may be reviewed in the [WALGA Advocacy Position Manual](#).

#### **Public Health Act 2016 (Advocacy Position 3.2.1)**

The Policy Team recommends that Local Public Health Plans Advocacy Position 3.2.1 be amended to reflect the commencement of Stage 5 of the *Public Health Act 2016* on 4 June 2024 and provide the framework for WALGA's ongoing advocacy.

WALGA's current Public Health Act Advocacy Position:

#### **3.2.1 *Public Health Act 2016***

*The Local Government sector supports the introduction of the Public Health Act 2016 and:*

- 1. Development of a clear implementation plan and timelines for the staged implementation of the Act and subsidiary legislation;*
- 2. Engagement of Local Government in the development of any supporting regulations;*
- 3. The provision of funding to support smaller rural and regional councils with the development of local Public Health Plans; and*
- 4. The development of tools and resources to support the introduction of requirements for Public Health Plans.*

It is proposed to amend the position as follows:

### **3.2.1 Local Public Health Plans**

*WALGA supports the objects and principles of the Public Health Act 2016.*

*The State Government must ensure that:*

- 1. Guidance, tools and resources are developed to support the development of Local Public Health Plans; and*
- 2. Funding is provided for:*
  - a) Smaller rural and regional councils are provided with funding to support the development of Local Public Health Plans; and*
  - b) Local Governments receive ongoing funding for the implementation of actions under Local Public Health Plans.*

### **Crime Prevention (Advocacy Position 3.5)**

The Policy Team recommends that the Crime Prevention Advocacy Position 3.5 be rescinded.

This advocacy position relates to the specific strategies and plans that have since been superseded by the *Graffiti Vandalism Strategy Western Australian 2022-2023*, which encompasses the *Graffiti Management Toolkit* and *Graffiti Management Plan*, and the Crime Prevention Community Liaison Unit, both of which WALGA supports.

WALGA will continue to support Members in the community safety space, including through the Local Government Community Safety Network. There are no foreseen consequences of the advocacy position being rescinded.

### **Family and Domestic Violence (Advocacy Position 3.10.1)**

The Policy Team note that the Advocacy Position 3.10.1 Family and Domestic Violence will be reviewed for its consideration in September 2024.

## **2. MATTERS FOR STATE COUNCIL NOTING**

The Policy Team discussed the following item for noting on the July State Council Agenda:

- Item 10.2 Submission to the Commissioner for Children and Young People WA Priority Area Discussion Paper

## 9.5 MUNICIPAL WASTE ADVISORY COUNCIL (MWAC) REPORT

*By Rebecca Brown, Policy Manager, Environment and Waste*

### **WALGA RECOMMENDATION**

**That State Council note the report from the Municipal Waste Advisory Council to the 4 September 2024 meeting.**

This Report provides an update on matters considered, since the last State Council meeting, by the Municipal Waste Advisory Council (MWAC) at meetings held on 26 June and 31 July.

### **1. MATTERS FOR STATE COUNCIL DECISION**

[Item 8.6](#) Product Stewardship Policy Statement and Advocacy Position Update

[Item 8.7](#) Submission on Draft State Waste Strategy

### **2. MATTERS FOR STATE COUNCIL NOTING**

MWAC considered the following matters:

- Waste to Energy – Consistent Communication: Local Government and Regional Councils are collaborating with the Department of Water and Environmental Regulation, WALGA and the Waste to Energy providers to ensure public communication on Waste to Energy supports existing waste avoidance and source separation behaviours.
- E-Waste Landfill Ban/National Product Stewardship: The Council expressed disappointment regarding delays to the National Product Stewardship Scheme for all electronic waste and encouraged WALGA to continue to advocate for funding for the State Government for e-waste recycling. A webinar will be held on the E-Waste Landfill Ban to ensure Local Government is well informed on this issue.

### **3. UPDATES**

MWAC noted the following updates:

- Policy Statement Review Update,
- Waste and Environment Summit held in Northam (30-31 May) was a success with over 75 delegates gathering to discuss waste management, biodiversity and biosecurity,
- WALGA has successfully advocated for Compostable Barrier Bags to be allowed under the Single Use Plastic Bans,
- National Asbestos Strategy Plan,
- Potential impact of the Landfill Gas ACCU Method Review on Local Government/Regional Council Landfills, and
- E-Cigarette Collection Study Update.

## 10 MATTERS FOR NOTING / INFORMATION

### 10.1 LOCAL GOVERNMENT LEGISLATIVE REFORM

*By Tony Brown, Executive Director Member Services*

#### **WALGA RECOMMENDATION**

**That State Council note the update on the Local Government Legislative Reform update.**

#### **EXECUTIVE SUMMARY**

- The Minister for Local Government has been carrying out a legislative reform program. The program has been separated into two tranches.
- The *Local Government Amendment Act 2023*, containing the first tranche of reforms, was passed on 11 May 2023.
- There are a number of items from the Tranche 1 reforms still requiring regulations to be prepared.
- The Minister for Local Government is progressing with Tranche 2 of the Local Government legislative reform program and will look to introduce a further Local Government Amendment Bill 2024 in August 2024.
- The Tranche 2 reforms include the Office of the Inspector, Elected Member Superannuation, clarity around roles and responsibilities of the Council and CEOs, together with other reforms listed in this report.

#### **ATTACHMENT**

Nil

#### **POLICY IMPLICATIONS**

Please refer to the current [WALGA Advocacy Positions Manual](#).

WALGA has a number of advocacy positions that relate to Tranche 2 of the Local Government legislative reform proposals.

#### **2.5.41 – External Oversight**

*The Local Government sector supports:*

1. *Establishing a Chief Inspector of Local Government, supported by an Office of the Local Government Inspector to provide an independent body to receive, investigate and assess minor and serious complaints against Elected Members and CEOs, and undertake inquiries.*
2. *Establish a Conduct Panel to replace the Standards Panel, and a panel of Monitors to proactively resolve problems at Local Governments.*
3. *That an early intervention framework of monitoring to support Local Governments be provided with any associated costs to be the responsibility of the State Government.*
4. *An external oversight model for local level behavioural complaints made under Council Member, Committee Member and Candidate Codes of Conduct, that is closely aligned to the Victorian Councillor Complaints Framework.*



5. *If State Government does not support external oversight of behaviour complaints, the Local Government sector advocates for a new category of interest be included in the Act, that requires any Council Member who is either the complainant or the respondent to a behaviour complaint, to disclose the interest and be required to leave the meeting and therefore be prohibited from participation in debate or voting on the matter.*

### **2.10.2 – Elected Member Superannuation**

*The Local Government sector:*

1. *supports WALGA advocating for superannuation to be required to be paid to Elected Members of Local Governments in Salaries and Allowances Tribunal (SAT) Band 1 and Band 2; and*
2. *supports the position that superannuation payments to Elected Members of Local Governments in SAT Band 3 and Band 4 should be optional and determined by Council.*

### **2.5.2 – Roles and Responsibilities**

*That roles and responsibilities for Mayors/Presidents, the Council, individual Councillors and CEOs be better defined to ensure that there is no ambiguity.*

*Mayor/President is responsible for:*

1. *Representing and speaking on behalf of the whole council and the local government, at all times being consistent with the resolutions of council.*
2. *Facilitating the democratic decision-making of council by presiding at council meetings in accordance with the Act.*
3. *Developing and maintaining professional working relationships between councillors and the CEO.*
4. *Performing civic and ceremonial duties on behalf of the local government.*

*The Council is responsible for:*

1. *Making significant decisions and determining policies through democratic deliberation at council meetings.*
2. *Ensuring the local government is adequately resourced to deliver the local governments operations, services and functions - including all functions that support informed decision-making by council.*
3. *Providing a safe working environment for the CEO.*
4. *Providing strategic direction to the CEO.*
5. *Monitoring and reviewing the performance of the local government.*

*Every individual Councillor is responsible for:*

1. *Considering and representing, fairly and without bias, the current and future interests of all people who live, work and visit the district (including for councillors elected for a particular ward)*
2. *Positively and fairly contribute and apply their knowledge, skill, and judgement to the democratic decision-making process of council*
3. *Applying relevant law and policy in contributing to the decision-making of the council*
4. *Engaging in the effective forward planning and review of the local governments' resources, and the performance of its operations, services, and functions*
5. *Communicating the decisions and resolutions of council to stakeholders and the public*
6. *Developing and maintaining professional working relationships with all other councillors and the CEO*
7. *Maintaining and developing their knowledge and skills relevant to local government*
8. *Facilitating public engagement with local government.*

*The CEO is responsible for:*

- 1. Coordinating the professional advice and assistance necessary for all elected members to enable the council to perform its decision-making functions*
- 2. Facilitating the implementation of council decisions*
- 3. Ensuring functions and decisions lawfully delegated by council are managed prudently on behalf of the council*
- 4. Managing the effective delivery of the services, operations, initiatives and functions of the local government determined by the council*
- 5. Providing timely and accurate information and advice to all councillors in line with the Council Communications Agreement (see item 5.3)*
- 6. Overseeing the compliance of the operations of the local government with State and Federal legislation on behalf of the council*
- 7. Implementing and maintaining systems to enable effective planning, management, and reporting on behalf of the council.*
- 8. The recruitment and performance management of all staff.*

### **2.3.1 – Regional collaboration**

- 1. Local Governments should be empowered to form single and joint subsidiaries, and beneficial enterprises where the primary governance and regulatory instrument is a charter.*
- 2. In addition, compliance requirements of Regional Councils should be reviewed and reduced.*

### **2.5.9 – Local Law Making process**

*The Local Law making process should be simplified as follows:*

- The requirement to give state-wide notice should be reviewed, with consideration given to Local Governments only being required to provide local public notice;*
- Eliminate the requirement to consult/advertise when Model Local Laws are adopted;*
- Require review of local laws only every 15 years, with local laws not reviewed in the timeframe to automatically lapse; and*
- Introduce certification of local laws by a legal practitioner in place of scrutiny by Parliament's Delegated Legislation Committee.*

### **2.5.36 – Building Upgrade Finance**

*The Local Government Act 1995 should be amended to enable a Building Upgrade Finance mechanism in Western Australia.*

### **2.5.39 – Restriction on Borrowings**

*Section 6.21 of the Local Government Act 1995 should be amended to allow Local Governments to use freehold land, in addition to its general fund, as security when borrowing.*

*Section 6.20(2) of the Local Government Act, requiring one month's public notice of the intent to borrow should be deleted.*

## **BACKGROUND**

The State Government through the Minister for Local Government, has been carrying out a legislative reform program. The program has been separated into two tranches.

### **Tranche 1**

The *Local Government Amendment Act 2023*, containing the first tranche of reforms, was passed on 11 May 2023 and included priority reforms to election and council representation ahead of the October 2023 Local Government Elections.

The electoral reforms included the introduction of optional preferential voting, changes to council member representation based on population, and abolishing the use of wards for smaller Local Governments.

Tranche 1 reforms that were implemented without the need for further regulations included:

- changes to special electors' meetings
- compliance exemptions (due to emergency or unusual circumstances)
- parental leave for council members
- recording individual votes in minutes of council meetings.

Three regulation amendments and 63 Governor's Orders were made in 2023 to prescribe detail related to these reforms. These included:

- model financial statements
- constitutional reforms such as the introduction of class groupings and the alignment of council sizes to population size
- electoral reforms such as optional preferential voting, backfilling and the public election of mayors and presidents
- remuneration for independent committee members
- broadcasting and recording of council meetings
- owners and occupiers' enrolments
- payment for council professional development and training.

Various other regulations projects are currently in development by the Department of Local Government, Sport and Cultural Industries or are being drafted. These include:

- standardised meeting procedures
- council plans
- community engagement charters
- community surveys
- online registers
- publication of CEO key performance indicators
- communications agreements
- standardisation of crossovers and obstruction of public thoroughfares.

### **Tranche 2**

In respect to the Tranche 2 reforms, the Minister for Local Government intends to introduce a Bill to Parliament in August 2024 for these reforms.

Tranche two reforms include the following:

- the new Local Government Inspector
- introduction of monitors for early intervention
- council member superannuation

- greater role clarity for council members and CEOs
- increasing penalties
- enabling resource sharing of CEOs and other staff
- streamlining processes for model local laws
- introduction of a rates and revenue policy for Local Governments
- changes to audit committees with the requirement for an independent Chair
- providing greater flexibility for regional subsidiaries
- building upgrade finance.

Information about Tranche 2 reforms will be provided to the sector as soon as the Minister makes the information public.

#### **COMMENT**

The Local Government sector has been providing input to the Local Government Legislative reform process over the last three years.

Many of the reform proposals for Tranche 2 are in accordance with the WALGA sector advocacy positions as listed in the policy implications section of this report.

WALGA's governance team will provide assistance to the sector on the implementation of the reform proposals.

## 10.2 REPORT ON LOCAL GOVERNMENT ROAD ASSETS AND EXPENDITURE 2022/23

*By Mark Bondiotti, Policy Manager Transport and Roads*

### **WALGA RECOMMENDATION**

**That State Council note the Report on Local Government Road Assets and Expenditure 2022/23.**

### **EXECUTIVE SUMMARY**

- The Report on Local Government Road Assets and Expenditure 2022/23 has been finalised.
- This Report provides information, statistics and trends on:
  - the length and types of roads and bridges managed by Local Governments;
  - sources of funding and the use of funds in expanding, upgrading, renewing and maintaining roads, paths and bridges;
  - actual expenditure relative to that needed to sustainably maintain the road network.
- The Report is intended to underpin advocacy for continued and increased Federal and State funding for Local Government roads and to support Councils wishing to benchmark aspects of their own roads programs with similar or neighbouring areas.

### **ATTACHMENT**

- [Report on Local Government Road Assets and Expenditure 2022/23](#)

### **BACKGROUND**

The Report on Local Government Road Assets and Expenditure 2022/23 (the Report) was produced by WALGA with assistance from the WA Local Government Grants Commission. The report provides information on the lengths and types of roads, paths and bridges and highlights trends in the data over the preceding five years. It includes statistics and trends on the funding sources and amount of Local Government expenditure on roads, paths and bridges. Details are provided on the allocation of expenditure between expansion, upgrade, maintenance and renewal of the network at a regional level and for individual Local Governments.

The expenditure statistics are analysed to provide comparisons of road preservation performance, net preservation needs and expenditure effort. These comparisons provide insight into the adequacy of funding and the difference between road preservation needs and current expenditure on road preservation.

### **COMMENT**

Local Government is responsible for 127, 284 kilometres of roads with a replacement value of over \$35.5 billion, which makes up 86% of the State Road network (excluding Forestry and National Park roads). Only 32% of these roads are sealed with a bitumen surface, the rest being gravel or unformed roads. In 2022/23 the total expenditure on Local Government roads was \$1046.1 million and 51% of this was funded by State and Federal Government grants. Total annual expenditure increased by \$24.1 million (2.4%) compared with the previous year. Four percent of this investment in roads in 2022/23 was to repair flood damage.

Much of the Local Government road network is now approaching the end of its design life and an increasing portion of funding is being spent on maintenance and renewal (collectively termed preservation). In 2022/23 expenditure on preservation (excluding flood damage) was \$700.3 million amounting to 66.9% of the total expenditure.

An important objective of the Report is to assess if road expenditure on preservation is keeping up with road preservation needs. This is determined by comparing actual annual expenditure on road preservation with the estimated amount needed to maintain the roads in their current condition in that year. The estimated cost of maintaining the Local Government road network in its current condition in 2022/23 was \$957.4 million and Local Governments spent \$700.3 million on preservation. There was therefore a shortfall of \$257.0 million. There was a small decrease in shortfall from 2021/22 of \$27.7 million, however the shortfall has increased by \$100.8 million over the past five years, which indicates that the average condition of the road network is deteriorating.

A further important objective is to assess the sustainability and capacity of Local Government to fund their road preservation requirements. For regional Local Governments, 63% of road expenditure is funded by State or Federal Government grants and for the Wheatbelt, this figure rises to 74%. On average, Local Governments spend 18% of their revenue capacity on roads. This illustrates the dependence on State and Federal funding and many regional Local Governments would have to spend almost their entire income on roads if this was the only source of funding.

The statistics and analysis presented in the report provides evidence for the level of expenditure required on Local Government roads and underpins the argument for sustainable funding to maintain and improve the condition and functionality of the road network.

## 11 ORGANISATION REPORTS

### 11.1 KEY ACTIVITY REPORTS

#### 11.1.1 REPORT ON KEY ACTIVITIES, ADVOCACY PORTFOLIO

##### **Report on Key Activities, Advocacy Portfolio**

*By Rachel Horton, Executive Manager Advocacy*

##### **WALGA RECOMMENDATION**

**That State Council note the Key Activity Report from the Advocacy Portfolio to the 4 September 2024 State Council meeting.**

*The Advocacy Portfolio comprises the following work units:*

- *Marketing*
- *Communications*
- *Media*
- *Government Relations*
- *Events*

The following outlines the activities of the Advocacy Portfolio since the July State Council meeting.

#### **1. ADVOCACY**

Significant progress has been made with the State Election campaign, with the 2025 State Election Priorities document finalised, microsite built and public campaign planned. WALGA will share social media assets for Local Governments to personalise for issues facing their community and liaise towards the end of August and September regarding local stories that can strengthen WALGA's advocacy in key areas.

#### **2. MARKETING**

##### **Brand**

- The RoadWise logo was updated in line with the new WALGA Branding and launched alongside a new set of Council recognition badges to update the old ribbon system.
- A fresh identity was developed to launch the 2024 Showcase in Pixels program on 5 August. A marketing plan has been developed to promote the program.

##### **Website**

The first baseline, quarterly analytics report since the website launched is encouraging with 45,140 total users visiting the website, 90% of which were new users.

##### **Campaigns**

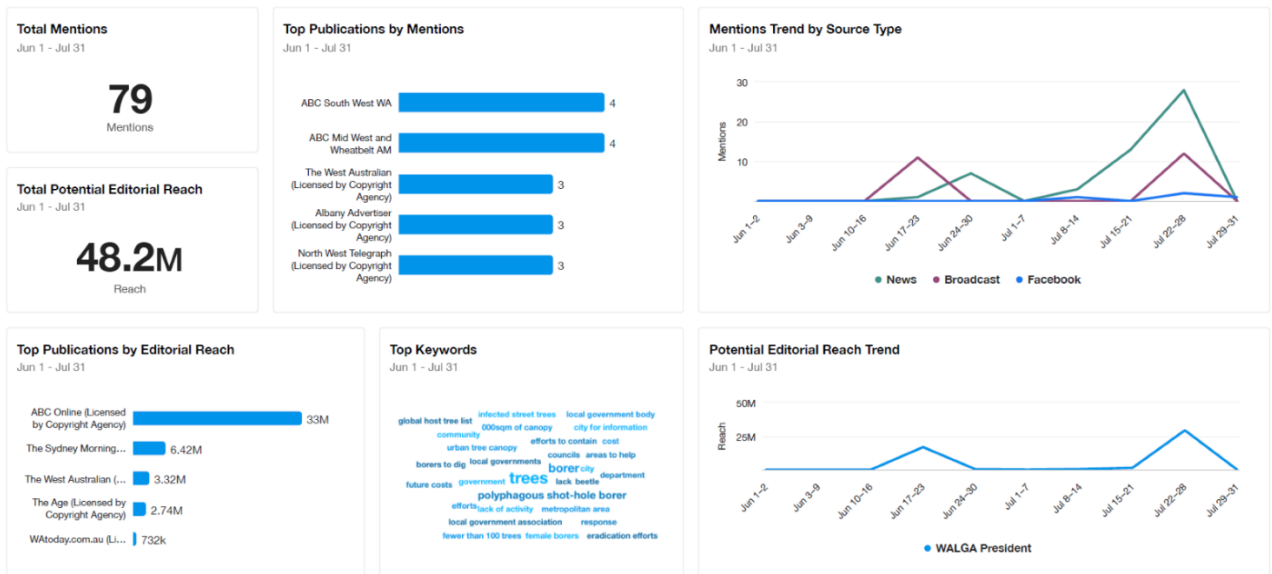
- 16 campaigns were run throughout June and July to promote Training short courses.
- 50% of the Cert III July intake resulted from the marketing campaign.

- Internal campaign - the marketing team developed a graphic device for the new People & Culture Performance, Achievement, Capability Excellence (PACE) program along with assets to launch the program internally.

### 3. COMMUNICATIONS

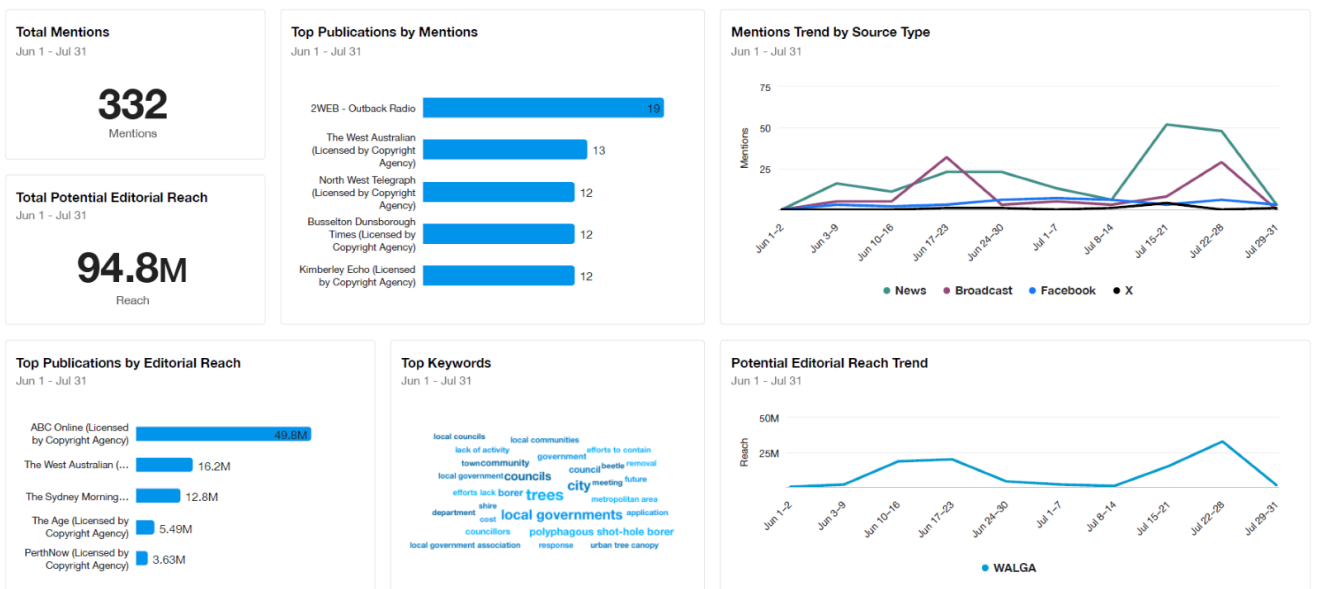
NB: Media monitoring statistics through Meltwater.

The term “WALGA President” was mentioned 79 times in June-July, primarily on ABC Regional Radio, in the West Australian, the Albany Advertiser and the North West Telegraph, with an estimated editorial reach of 48.2 million.



The term “WALGA” was mentioned 332 times in the WA mainstream media, predominantly in the West Australian and the NorthWest Telegraph with an estimated reach close to 100 million.

The two main topics covered were the Polyphagous Shot Hole Borer (PSHB) and the CFMEU demarcation hearing in the Industrial Relations Commission.











Advocacy around the PSHB was significant between 19 July to 25 July, including a double page spread in the Sunday Times, TV coverage with President Chappel on the ABC, Channels 7, 9 and 10, and an Opinion Editorial (op-ed) in Monday's West Australian. 7 West Media covered the story in allied mastheads SMH and The Age, plus radio segments.

## Top Mentions by Engagement

Jul 19 - Jul 25

 <p>            WAtoday.com.au • Sarah Brookes            (Licensed by Copyright Agency)  <b>News</b>   AU 21 July - 2:06 pm            'COVID for trees': The leafy Perth councils bearing the brunt of an imported pest            732k Reach 8 Social Echo         </p>	 <p>            The West Australian (Licensed by Copyright Agency)  <b>News</b>   AU 21 July - 2:00 am            The West Australian exclusiveHyde Park trees: Fight to save trees could c... millions as concern grows            1.11M Reach 9 Social Echo         </p>	 <p>            The West Australian (Licensed by Copyright Agency)  <b>News</b>   AU 22 July - 2:00 am • Karen Chappel            Karen Chappel: Borers threaten hundreds of our trees and must be stopped            1.11M Reach 1 Social Echo         </p>
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### Media Releases June-July:

WA motions passed as WALGA supports its Members at the ALGA National General Assembly (9 July).

### Publications

- 8 weekly LG Direct newsletters to over 2,000 Elected Members and senior staff
- Western Councillor Magazine June 2024 – 3,100 hard copies sent to Member Councils and electronic version available via the WALGA website

### Social Media

The below statistics cover the period from Saturday, 1 June–Wednesday, 31 July, compared to the previous period (Tuesday, 26 March–Tuesday 28 May). Instagram posts performed well, whereas LinkedIn and Facebook saw a slight decrease.

**Facebook**

**f Top posts**



Layne Beachley AO and Kirk Pengilly join the LGC24 speaker lineup A dynamic duo of down to earth icons, Layne will share her triumphs and challenges on the surfing world stage and beyond, while Kirk will delve into



Last week, WALGA joined 134 WA delegates from 45 Local Governments at the Australian Local Government Association's (ALGA) National General Assembly (NGA) in Canberra with eight WA Local Governments passing 10



This morning WALGA welcomed Olympian, former Hockeyroos player and WA Media personality Ashleigh Nelson to share her journey to the London 2012 Olympics and beyond. Taking part in a Q&A with WALGA

- 11,835 post reach (8% decrease)
- 4% post engagement rate (4.5% decrease)

**Instagram**

**@ Top posts**



On Friday, 19 July WALGA hosted its annual People & Culture Seminar with the theme 'Enhancing workplace culture in times of change.' The Seminar welcomed participants from across the State, with a full program



At LGC24, we want you to learn, collaborate and innovate...but we also want you to enjoy yourself! The annual Cocktail Gala provides an opportunity to catch up with friends new and old from across the sector and



To celebrate National Tree Day yesterday, WALGA President Karen Chappel AM JP joined Environment Minister Reece Whitby MLA and City of Bayswater Mayor Filomena Piffaretti at the Baigup Wetlands. Joining the

- 3,220 post reach (31% increase)
- 6% post engagement rate (6% increase)

**LinkedIn**

**in Top posts**



WALGA is calling on the State Government to increase its efforts to eradicate the borer and rebuild our lost tree canopy. This resulted in WALGA leading a public push in the mainstream media that was covered extensively by



Today WALGA hosted its annual Plastic Free July Morning Tea. Started right here in WA, Plastic Free July is now a global initiative which encourages people to accept the challenge of going one month without single use plastic!



WALGA's sixth Waste and Environment Summit brought together Local Government, State Government, businesses and the community to build relationships, share knowledge, improve service delivery, and highlight

- 1,082 post reactions (14% decrease)
- 8% post engagement rate (4% decrease)

## **4. EVENTS**

### **WALGA Local Government Convention**

The Convention campaign is now well advanced with both registrations and exhibition bookings tracking well. The program has been released as part of the branded microsite. Sponsorship has also been successful with all but two packages confirmed.

### **Local Government Awards**

The first stand-alone Local Government awards was held on 2 August at Winthrop Hall, UWA. Approximately 270 guests attended including award recipients, stakeholders, colleagues and families. Feedback is being sought from guests following the event.

### **Mayors and Presidents Forum**

A Mayors and Presidents Forum was held on 2 August, with approximately 50 Mayors and Presidents attending. The Forum featured presentations from DPIRD on renewable energy, and a presentation from WALGA on the Polyphagous Shot Hole Borer.

### **Virtual Graduation**

Following the first virtual graduation in February, a second event was held to celebrate the next tranche of graduates on 7 August. Students attended alongside their Local Governments, with their certificate presented in situ by their managers and celebrated virtually with the WALGA Executive Director, Member Services.

## 11.1.2 REPORT ON KEY ACTIVITIES, INFRASTRUCTURE PORTFOLIO

*By Ian Duncan, Executive Manager Infrastructure*

### **WALGA RECOMMENDATION**

**That State Council note the Key Activity Report from the Infrastructure Portfolio for September 2024.**

*The Infrastructure Portfolio comprises the following work units:*

- *Roads*
- *Funding*
- *Urban and Regional Transport*
- *Utilities*
- *Road Safety*

The following outlines the activities of the Infrastructure Portfolio since the July State Council meeting.

### **1. ROADS**

#### **Local Government Transport and Roads Research and Innovation Program (LGTRRIP)**

Work progressed to develop practitioners guidelines for the use of crumbed rubber modified asphalts and sprayed seals, the use of reclaimed asphalt pavement (RAP) and design and construction guidance for the use of crushed recycled concrete, that will be published over the next quarter. The team is also preparing webinars that will be delivered to introduce these guides.

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

The condition assessment survey of significant roads in the South West region has been finalised and all the collected data uploaded to the relevant Local Government data base and made available online to each of the Local Governments. The tender period for the next stage, to undertake a condition survey of Roads of Regional Significance in the Kimberley, Pilbara and Gascoyne regions, has closed and project proposals are now under evaluation.

#### **Road Rail Interface Agreements**

Rail Interface Agreements are a requirement under the *Rail Safety National Law (WA) Act 2015*. A model *pro forma* agreement between Local Governments and Arc Infrastructure is nearing the end of negotiations and should be available for Local Government review and action soon. This agreement updates various elements of the existing agreements, particularly adding clarification on types of works and the responsibilities of both parties. Additionally, negotiations regarding Interface Agreements with the Public Transport Authority (PTA) are also nearing completion. As soon as these negotiations are complete, WALGA will liaise with each affected Local Government to provide advice around the new agreement.

### **Update of User Guides for calculating the cost of road wear for defined freight tasks**

Due to recent escalation in road construction costs, WALGA has initiated an update of the unit rates that are used to underpin the methodologies in the User Guides for calculating the cost of road wear for defined freight tasks on sealed and unsealed roads. The National Transport Research Organisation (NTRO) will be appointed to update the guides and to compile an online calculator.

## **2. FUNDING**

### **State Road Funds to Local Government Agreement 2023/24 – 2027/28**

Working groups have been established to progress implementation of the commitments made in the agreement in relation to:

1. Increasing application of the Safe System approach to the local road network,
2. Employment of Aboriginal people, and
3. Use of recycled materials in road construction and maintenance.

Each of these groups has held at least one meeting during the past quarter. Correspondence to each Local Government detailing the measures that will be required during the current financial year are scheduled for distribution in August. The first, base line data collection for use of recycled materials will commence in September using the existing annual Road Assets and Expenditure data survey.

Preparation was commenced for the August State Road Funds to Local Government Advisory Committee meeting, that will, amongst other things, consider the project delivery performance of each sub-program and make appropriate adjustments.

### **Achievements of the State Road Funds to Local Government Agreement**

To provide foundational data to demonstrate the need for and value of State Government road funding, the WALGA Infrastructure Team has commenced a project to generate spatial data and provide a visual record of the projects completed on Local Government roads using the Road Project Grant funding component of the State Road Funds to Local Government Agreement.

The initial phase is an evaluation of work completed through the 2018/19 – 2022/23 State Road Funds to Local Government Agreement. Most of the Regional Road Group secretariats in each region have responded with a list of projects completed using Road Project Grants in spreadsheet form. Once all this data has been received, the data will then be collated and prepared as spatial data. Work on this project is expected to be completed in October/November 2024.

### **Multi-Criteria Assessment (MCA) Model Revisions**

The WALGA Infrastructure Team has progressed work to harmonise the MCA models used by Regional Road Groups to prioritise project proposals for funding under the Road Project Grant funding pool in the Goldfields-Esperance, Gascoyne, Kimberley, Wheatbelt, Great Southern, and South West regions. The proposed changes to the MCA models reflect the new focus areas of the State Roads Funds to Local Government Agreement, while still allowing for flexibility to recognise the significant differences between regions.

### **3. TRANSPORT**

#### **Regional Freight Strategy**

A new Regional Freight Strategy is being developed by the WA Department of Transport with WALGA represented on the project steering committee. WALGA is seeking opportunities for Local Governments to provide direct input to this study via Zone meetings, Regional Road Groups and other opportunities.

#### **Bus Stop Infrastructure**

The bus stop infrastructure partnership agreement between WALGA and the Public Transport Authority (PTA) was due for review. WALGA consulted a cross-section of Local Governments to guide negotiations with the PTA. Following an initial meeting with the PTA, the review and consultation process was completed, and the revised version has been sent to PTA for their consideration before submission to State Council for endorsement.

#### **Active/Green Transport Discussion Paper**

In response to numerous reports and requests about Active Transport (AT) challenges, WALGA is exploring the creation of an advocacy position for AT. To support this, WALGA is preparing a discussion paper that will address biking, walking, and micromobility devices. This paper will overview current AT infrastructure and policies and analyse issues and needs across Western Australia.

The consultation process is currently underway. Local Governments from both metropolitan and regional areas have been engaged to ensure a comprehensive understanding of their situations across all regions.

### **4. UTILITIES**

#### **Underground Power**

A legal review of a template Co-funding Agreement between a Local Government and Western Power was completed and further meetings with Western Power undertaken with the aim of achieving an agreed draft.

WALGA is working with Energy Policy WA and Western Power to develop options that respond to significant increases in contractor pricing for underground power projects.

#### **Streetlighting**

Western Power published its Public Lighting Asset Management Strategy V1 in early July. Initial feedback from Local Governments acknowledges that for the first time this strategy proposes that Western Power will replace old technology luminaires with LED which offer significantly improved energy efficiency and lighting performance. However, the proposed program is over 10 years commencing July 2025, with the method of prioritising yet to be determined.

The strategy does not propose to include smart or controlled lighting for the foreseeable future and there are no measures proposed to improve response to cable faults or eliminate the resident complaints regarding glare when inappropriate luminaires are installed. Further work is required over coming months.

## 5. ROAD SAFETY

### **RoadWise Councils**

As of 1 August, there were 66 Local Governments registered as a RoadWise Council. 48 Local Governments (or 73%) registered with a Resolution of Council and 18 (or 27%) via a Declaration. There is a spread of RoadWise Councils across all 10 Regional Road Group regions. In terms of road safety activity, 77% (51) of registered RoadWise Councils recorded road safety activity between April and June.

### **RoadWise Recognised**

The RoadWise Recognised Advisory Committee met in May. Points, which signify road safety actions undertaken, were allocated to 44 RoadWise Councils. The Points that were allocated reflected actions delivered across the different areas of the [RoadWise Framework](#). This then converted to Ribbons which were awarded in recognition of a holistic approach to road safety across governance, management, and operations. In this way, the allocation of Points and Ribbons is designed to encourage local road safety toward better and ultimately best practice.

### **RoadWise Council Road Safety Awards**

During the WALGA Local Government Awards 2024 gala dinner on 2 August, 66 RoadWise Councils were acknowledged for their commitment to work towards better practice road safety delivery for their local communities. Of these, 60 were awarded Ribbons for applying better practice in the planning and delivery of effective road safety intervention and the adoption of a holistic approach to road safety; 13 were awarded one Ribbon, 23 were awarded two, 18 were awarded three, five were awarded four, and just one was awarded the maximum of five Ribbons. Three RoadWise Councils were also acknowledged for having the most recorded road safety activity during the RoadWise Recognised inaugural year.

## 6. ASSET MANAGEMENT

### **Road Assets and Expenditure Report Update Project**

A consultant, Tango IT, has been selected to commence work to evaluate the current Road Assets and Expenditure data collection and report preparation processes, identify options for improvement, and undertake an update of the processes and products produced in the Road Assets and Expenditure Report. This project will identify opportunities to streamline the data collection, support better data reporting and will ultimately result in a more intuitive and user-friendly interface to access the data. Tango IT have been appointed and the scoping phase of the project is expected to be completed in early October 2024.

## 11.1.3 REPORT ON KEY ACTIVITIES, MEMBER SERVICES PORTFOLIO

### Report on Key Activities, Member Services Portfolio

*By Tony Brown, Executive Director Member Services*

#### **WALGA RECOMMENDATION**

**That State Council note the Key Activity Report from the Member Services Portfolio to the 4 September 2024 State Council meeting.**

*The Member Services Portfolio comprises the following work units:*

- *Association and Corporate Governance*
- *Commercial Contract Services*
- *Commercial Development*
- *Commercial Management*
- *Employee Relations*
- *Governance and Procurement*
- *Training*

The following outlines the activities of the Member Services Portfolio since the July State Council meeting.

#### **1. ASSOCIATION AND CORPORATE GOVERNANCE**

##### **Local Government Honours Program 2024**

Nominations for the 2024 Honours Program have now closed, and the Panel have selected this year's recipients. The 2024 Program continued the success of previous years with an influx of outstanding nominations across the six award categories. A total of 46 current and former Elected Members and Local Government officers are recognised in this year's Program.

WALGA's Local Government Honours Program affords significant public recognition and celebration to the outstanding achievement and lasting contributions made by Elected Members and employees to their respective Councils, the Local Government sector, the Association and the wider community.

Recipients for the 2024 Honours Program have been recognised at an Awards event held on 2 August.

#### **2. COMMERCIAL**

##### **Preferred Supplier Program (PSP) Development**

During the financial year ending June 2024 approximately 130 new Preferred Suppliers were added to the PSP. This included new category developments for Line Marking Services, Organisational and Workplace Services, HR Services, and Managed Accounting Services, alongside enhancements to already existing categories of supply.



WALGA Members procured \$460 million of goods, services and works through the program during the financial year, a 12.5% level of growth from the previous year. The program has 12 Panels, and 154 supply categories.

WALGA will shortly release a further tender issued to companies that have been referred by Members through the new Member endorsement process. Member endorsements are assisting to pivot the PSP towards a more relevant and active supplier base. It is also resulting in more engagement with regional suppliers and Small to Medium Enterprise (SME). Tony Brown, WALGA's Executive Director Member Services recently met with Bruce Billson, Small Business and Family Enterprise Ombudsman, to discuss the importance of SME to Local Government. WALGA aspires to focus more attention on the SME sector and support local economic enablement through its current PSP development activity.

A tender for a new category of supply for Architectural Services is currently under evaluation. This activity will be followed by an enhancement to the Project and Operations Management category of PSP002 to support the sourcing of Project Manager, superintendents and related services to deliver construction projects.

### **Energy Project**

WALGA has released an RFQ for phase two of the Sustainable Energy Project which will commence in April 2025. The new term of the project will involve 51 WALGA Members and incorporate a diversification strategy to further support sustainable energy infrastructure development. WALGA is also in the process of implementing a Carbon Reporting Tool to support the project analytics.

### **ARENA Future Fuels Grant Project**

Under the ARENA EV and Charging Infrastructure grant program 21 WALGA Members are now sourcing 137 Battery Electric Vehicles (BEVs) and 105 charging stations. The project is currently on target to meet its milestone requirements. Through the project further opportunities are being sought to enhance the EV transition across the sector. WALGA has supply options available for EV charging infrastructure and related services.

### **WALGA Tax**

The WALGA Tax Service has released its Elected Member and Officer taxation guides for the 2024-25 Tax year. These valuable resources support compliances. In particular the Elected Member taxation guide supports Councillors to manage their individual taxation obligations with respect to income, expenditure and deductions associated with their role.

## **3. EMPLOYEE RELATIONS**

### **WA Industrial Relations Commission applications**

WALGA ER continues to represent the sector in a number of applications regarding the State awards in the WA Industrial Relations Commission (WAIRC). These matters include the following:

- Application APPL 80 of 2023 – The Western Australian Municipal, Administrative, Clerical and Services Union of WA (WASU) and the Local Government, Racing and Cemeteries Employees Union (WA) (LGRCEU) filed an application to increase the wages in the Municipal Employees (Western Australia) Award 2021 (ME Award). If the WASU and LGRCEU are successful, wages in the ME Award will increase for the highest level by \$285.68 per week or 25.15%. WALGA is representing those Local Governments named to the ME Award which have instructed WALGA to act as an industrial agent in their interests. Arising from a conciliation conference on 27 June,

WALGA sought instructions and provided proposed trade rate information to the WAIRC. A further conciliation conference has been listed for 15 August.

- Applications APPL 3 and 4 of 2023 – WALGA is responding to claims from the WASU for additional entitlements in the Local Government Officers' (Western Australia) Award 2021 (LGO Award) and the ME Award. The WASU sought discovery of documents from Local Governments and WALGA which was appealed to the Full Bench. This decision of this appeal (FBA 4 and 5 of 2024) was handed down on 2 July and dismissed WALGA's appeal. In compliance with the Order, WALGA provided the required documents and subsequently made an application for further Directions to redact personal details, responses from Local Governments not party to the proceedings and information outside of the scope of this matter. A hearing is listed for 16 August to determine the interlocutory application, and the substantive hearing has been listed for a seven day hearing in November.
- Applications APPL 26 and 27 of 2023 – The decisions in these matters resulted in the Commission retaining a number of facilitative clauses in the State awards which will assist Local Government employers and employees agree on work arrangements to suit individual employee circumstances. A few amendments have been made to the ME Award and the LGO Award as a result of the decisions, including the obligation that employers must pay employees within two days of the last day of a pay cycle. APPL 27 of 2023 (which deals with the ME Award) included a variation to address wages which are below the minimum wage, this application is adjourned pending the outcome of APPL 80 of 2023.
- Application 90 of 2024 – The LGRCEU has applied to insert a disciplinary procedure clause into the ME Award. WALGA applied and has been granted leave to intervene in this matter. Specific feedback has been sought from the State Award Working Group. The claim will be strongly contested as the proposed clause provides for unworkable timeframes and provisions for the management of disciplinary matters across Local Government. A Directions Hearing has been listed for 8 August.
- Application CICS 5, 8 and 9 of 2023 - Union demarcation dispute. In response to sector feedback, WALGA successfully applied to intervene in these applications. These applications relate to a dispute over coverage of Local Government employees between three unions, the WASU, LGRCEU and the CFMEUW. Essentially the WASU is seeking an order that it cover Local Government outside employees to the exclusion of the CFMEUW. The matter is currently part heard and has been adjourned to be relisted at a later date.

### **WALGA Salary and Workforce Survey**

The survey results have been released and are available via the WALGA Salary and Workforce Survey online portal. Local Governments who have completed the survey or purchased access to the portal can view the survey report and the results in the online dashboard. A webinar outlining key results was held in March and is available on our website.

Preparations are underway for the 2024-25 salary survey. Further communications will be provided shortly and an early September release date is anticipated.

### **People and Culture Seminar**

WALGA's annual People & Culture Seminar was held on 19 July with the theme 'Enhancing workplace culture in times of change'.

The Seminar welcomed participants from a wide variety of Local Governments across Western Australia and one attendee from Alice Springs.

The event provided an excellent opportunity to come together from across Western Australia to network and connect with peers and industry experts including:

- Hon Hannah Beazley, Minister for Local Government; Youth; Minister Assisting the Minister for Training and Workplace Development
- Dr Paula Smith - CEO, Global Institute of Training and Presenting
- Margit Mansfield - CEO, Keogh Consulting
- Cherry McNicol - Executive Manager Human Resources, Town of Port Hedland
- Kathy Hoare - Director State Workforce Planning, Department of Training and Workforce Development, and
- Sarah Collins - Project Officer, Living Proud LGBTIQ+ Community Services of WA
- Philippa Lonnie - Principal and Director, Greenshoots Consulting
- Renae Harding - Partner Jackson McDonald

All presentations were engaging and provided participants with practical knowledge to take back to their workplaces.

### **Long Service Leave – New Regulations**

On 22 April the Department of Local Government, Sport and Cultural Industries (DLGSC) announced the regulations for Local Government long service leave (LSL) have been modernised. The substantive parts of the new LSL regulations will commence operation on 1 September 2024.

On 30 April, the DLGSC hosted a webinar to introduce the new LSL regulations and answered some questions, a recording of the webinar is available on the DLGSC's website.

A joint webinar with DLGSC and WALGA will be held on 1 August. This will provide an opportunity to address queries raised by Local Governments and ensure an understanding of the provisions prior to their commencement.

## **4. GOVERNANCE AND PROCUREMENT**

### **Audit Fees**

The WALGA State Council considered an Emerging Issue item at the July State Council meeting on Office of the Auditor General increased audit fees.

In June, many Local Governments were advised that the costs of the 2023-24 audit (which is well underway) would increase substantially. The correspondence advised that the average fee increase across the sector would be 21%. In many Local Governments, especially, smaller local governments the fee increase is much higher.

The WALGA State Council resolved as follows:

*That State Council:*

1. *Objects to the Office of the Auditor General's audit fees increases for the 2023-24 audits of accounts and annual financial report of Local Governments; and*
2. *Requests the Legislative Council's Standing Committee on Estimates and Financial Operations to conduct an Inquiry into the OAG's performance of audits and increased audit fees to Local Governments.*

Correspondence has been sent to the Legislative Council's Standing Committee on Estimates and Financial Operations and WALGA is waiting on a response.

## **5. TRAINING**

### **Elected Member Training**

Since the last election, Elected Member Training has been a smooth experience for our learners with little to no technical issues for our eLearning participants. So far, 91% of Elected Members required to undertake the Council Member Essentials, enrolled with WALGA Training. For the first time since 2019, we had Elected Members who were exempt to undertake training besides newly Elected Members and Re-Elected Members who had to undertake training. Professional Development for Elected Members continues to be popular, in particular for newly Elected Members who completed their Council Member Essentials training.

### **Diploma of Local Government – Elected Members**

The Jacqui Dodd Scholarship has now closed, and the four successful nominees were announced on 2 August at the WALGA Award night. In a recent Public Skills Training Council consultation, it was acknowledged that WALGA is one of the only Registered Training Organisations, providing this nationally recognised training program to Elected Members.

The Diploma is growing in popularity and Elected Members appreciate the practical application of knowledge of skills and as it relates to their Local Government. The next intake is on 2 September with enrolments closing on 23 August.

### **LGA30120 Certificate III in Local Government**

Over the past 6 months, WALGA has developed a marketing strategy for the Certificate III in Local Government to reach a wider audience in the sector. The People and Culture seminar covered a special section on the Certificate III student journey and their supervisors and/or employers. It highlighted the rewards and successes of the program and the importance for Local Governments to invest into their local talents and invest into career development opportunities for their staff. As a special guest we had Kathy Hoare, Director, State Workforce Planning from the Department of Training and Workforce Development sharing her insights of the importance of Traineeships and formal training pathways to train skilled Officers who choose the Local Government sector as their career.

## 11.1.4 REPORT ON KEY ACTIVITIES, POLICY PORTFOLIO

*By Nicole Matthews, Executive Manager Policy*

### **WALGA RECOMMENDATION**

**That State Council note the Key Activity Report from the Policy Portfolio to the September 2024 State Council meeting.**

*The Policy Portfolio comprises the following work units:*

- *Economics*
- *Environment and Waste*
- *Planning and Building*
- *Emergency Management*
- *Community*

The following outlines the activities of the Policy Portfolio since the July State Council meeting.

### **1. ECONOMICS**

#### **Energy Transition**

There is growing concern that the State Government does not have a framework for how the energy transition that is currently underway will deliver benefits to impacted communities. WALGA met with Powering WA and Curtin University to discuss the challenges and opportunities for Local Governments as well as learnings from the Eastern States. WALGA also attended a discussion on this matter in the Shire of Moora. These discussions are reflected in the draft Energy Transition Engagement and Community Benefit Framework Advocacy Position item for decision in the State Council Agenda ([item 8.2](#)), alongside draft Renewable Energy Facilities and Priority Agriculture advocacy positions (items [8.3](#) and [8.4](#) respectively).

#### **Economic Briefing**

The June 2024 Economic Briefing was released with a focus on the State and Federal Budgets and their implications for Local Governments. Whilst both Treasuries announced surpluses, the challenge of addressing the cost of living pressures without adding to the inflation problem was front and centre. The Western Australian economy continues to outperform the nation, however, the growing population is pressuring infrastructure and service provision, in particular housing.

### **2. ENVIRONMENT AND WASTE**

#### **Local Biodiversity and Native Vegetation Management Project**

This Project, being undertaken with funding from the Western Australian Government's State Natural Resource Management Program, is already showing benefits for some of the 12 Local Governments undertaking the project.

The City of Bunbury and the Shire of Esperance have significantly progressed ecological assessments of priority natural area reserves. The City of Bunbury completed assessments for more reserves than anticipated, establishing an inventory of biodiversity values on City managed lands. The City of Albany, the Avon Regional Organisation of Councils (Shires of Toodyay and Victoria Plains), Shires of Augusta–Margaret River, Donnybrook–Balingup, Harvey and West Arthur have set up organisational project governance, processes for community engagement and undertaken data inventory for the preparation of Local Biodiversity Strategies.

Updated resources to support local biodiversity planning are available via WALGA's [website](#), including the updated Natural Area Initial Assessment (NAIA) templates and links to WALGA mapping data. The next stage of the project will see the development of specific training resources for the sector and an event in September/October on Roadside Vegetation Management.

### **Electronic Waste (E-Waste) Landfill Ban**

In response to Local Government concerns regarding the implementation of the e-waste landfill ban, WALGA held a webinar on 30 July 2024. Over 90 Local Governments registered for the webinar, which focused on how the Regulations applied to Local Government operations, including transfer stations and landfills and reporting requirements. WALGA also confirmed that the Department of Water and Environmental Regulation is developing a transitional Funding Program to support Local Governments in regional areas with their e-waste costs, aiming to implement the Program in October-December.

## **3. PLANNING AND BUILDING**

### **Urban Greening Grants**

The Urban Greening Grant Program provides \$3.75 million (ex GST) to support additional tree and understorey planting for the 33 Local Governments located in the Boorloo (Perth) and Bindjareb (Peel) regions. Round 1 awarded \$591,839 to 12 Local Governments. \$2.8m was available for Round 2, to support planting in the winter of 2025. Round 2 opened in early May and closed on 28 June. Round 2 funding will be awarded in early August.

### **Polyphagous shot-hole borer**

WALGA and Local Governments are continuing to focus attention on the impact of Polyphagous shot-hole borer (PSHB) in meetings with the State Government and in the media.

In early July, WALGA met with the Minister responsible for the PSHB response, Hon Jackie Jarvis MLC, to discuss Local Governments' concerns and the need to escalate and commit additional funding for the response and to rebuild lost canopy.

WALGA, the City of Perth and the City of Vincent also presented to the Consultative Committee on Emergency Plant Pests (CCEEP), Australia's key technical body for coordinating the national response to the PSHB incursion. The Committee met in Perth on 16-18 July to inspect infested sites and see the extent of response activities being implemented by the Department of Primary Industries and Regional Development and Local Government, and deliberate on whether it is still technically feasible to eradicate PSHB.

WALGA led a public push in the mainstream media that was covered extensively by print, television, radio and online media outlets over Sunday, 21 and Monday, 22 July 2024. WALGA President Cr Karen Chappel AM JP authored an opinion piece (op-ed) that was published in The West Australian. The full op-ed can be found [here](#), along with a summary of the news coverage.

### ***Training Workshop for Local Government Officers***

WALGA partnered with the Department of Primary Industries and Regional Development and the Botanic Parks and Gardens Authority to provide training to Local Government field crews. The training was held on 25 July at Kings Park with over 50 Local Government officers participating. The focus of the training was to increase general knowledge of PSHB and ensure staff are equipped to effectively assist in surveillance efforts. The training included a site visit to look at infested trees and discuss their management.

### **Single House Delegations Report**

From 1 July 2024, the determination of development applications for single houses or any development associated with a single house, (excluding development of or associated with a heritage-protected place) must be made by the Chief Executive Officer (CEO) of the Local Government or employees authorised by the CEO and cannot be determined by Council.

WALGA undertook a review of the Council Minutes from 46 Local Governments between July 2022 and June 2023 to determine how many Council-determined development applications will be affected by this reform.

This data showed that of the over 15,000 applications that were determined by Local Governments in 2022–23, only 511 (3.26%) development applications were determined by Council. Furthermore, only 14 (0.09%) of them related to single residential applications that were refused against officer recommendation. This confirms WALGA's position that this reform to single house delegations will have little impact on the housing supply.

## **4. EMERGENCY MANAGEMENT**

### **Local Emergency Management Arrangements (LEMA) Improvement Project**

WALGA has received funding from the State Emergency Management Committee (SEMC) to partner with the Department of Fire and Emergency Services in the implementation of the [LEMA Improvement Program](#). WALGA has established a LEMA Working Group of diverse WA Local Governments. This group is meeting monthly to inform the development of new LEMA resources, tools, and guidance material. The new LEMA approaches will be piloted with the broader Local Government sector to inform the SEMC's rollout of a more fit-for-purpose LEMA model.

### **Draft State Support Plan - Animal Welfare in Emergencies**

The [draft State Support Plan - Animal Welfare in Emergencies](#) (SSP – AWiE) is open for consultation until 12 August 2024. Local Governments have been requested to share their feedback with WALGA. WALGA is preparing a submission on the draft Plan with input from the sector and aligned to existing advocacy positions. The submission will be provided as an item for noting in the December State Council Agenda.

### **State Recovery Arrangements**

The Department of Fire and Emergency Services is currently reviewing state-level recovery arrangements in the WA State Emergency Management Framework to define how the State Government will provide recovery support to Local Governments and communities following emergencies. Under the *Emergency Management Act*, Local Governments are responsible for Community Led Recovery following an emergency impacting their district and are key stakeholders in this review. Amendments are expected to include a four-level State Model for Recovery Governance (R1-R4), to define increasing State involvement relative to the complexity of recovery and capacity of the Local Government, and will be released for a three-month consultation period when finalised.

The WALGA Emergency Management Team will prepare a submission incorporating feedback from Local Governments. The draft submission will be provided to the People and Place Policy Team and State Council for consideration.

### **State Hazard Plan – Fire**

The Department of Fire and Emergency Services is currently reviewing the [State Hazard Plan – Fire](#) (SHP – Fire), which is expected to be released for consultation in July/August. Local Governments have significant responsibilities under the *Bush Fires Act 1954* and are key stakeholders in the SHP – Fire. WALGA provided officer-level feedback on the current SHP – Fire, as did a number of Local Governments (approximately 13).

The WALGA Emergency Management Team will prepare a submission, in consultation with Local Governments and via Policy Team and State Council. Feedback from Local Governments will be incorporated into the formal submission.

### **State Bushfire Advisory Committee (SBAC) and Bushfire Operations Committee (BOC) Meetings**

Confidential updates on the Consolidated Emergency Services Act (CES Act) have recently been provided to the SBAC and the BOC. WALGA is represented on both of these committees. The timing of the release of a Draft Exposure Bill remains unclear.

### **Australian Warning System**

As of 15 July, the Department of Fire and Emergency Services has joined with other Australian States and Territories to implement the [Australian Warning System](#) (AWS). The AWS is a nationally consistent three-level warning system featuring standardised warning level names, colours, and clear calls to action, guiding affected communities on what steps to take to stay safe.

## **5. COMMUNITY**

### **Aboriginal Affairs**

On 25 July, WALGA attended a Native Title and Aboriginal Cultural Heritage Roundtable facilitated for the Goldfields-Esperance Country Zone by the Goldfields Esperance Development Commission. The session aimed to raise awareness and build knowledge and a shared understanding of the requirements under the amended *Aboriginal Heritage Act 1972* and foster working relationships between Local Governments and regional representatives of the Department of Planning, Lands and Heritage (DPLH). This workshop followed similar events previously organised by WALGA for the Gascoyne and Avon Midland Country Zones. WALGA is continuing to foster the working relationships between Local Governments and regional representatives of DPLH through these roundtable discussions.



Planning for future sessions is underway for the South West and Great Eastern Country Zones.

### **Commencement of Stage 5A of the *Public Health Act 2016***

As a member of the Public Health Planning Reference Group, WALGA has provided feedback to the State Government on the draft State Public Health Plan Objectives and Priorities and the draft Public Health Planning Guide for Local Government. WALGA's feedback emphasised the role Local Government provides in the protection and enhancement of health and well-being within their communities across various responsibilities and functions, and the need to ensure sufficient support and expertise within State agencies to support the preparation of Local Public Health Plans, especially in relation to the new climate change priority. These documents will be released for public consultation in the coming months, at which time WALGA will consult with Members to develop a draft submission for the People and Place Policy Team and State Council's consideration.

WALGA will continue to work to advocate for support and funding for the development and implementation of Local Public Health Plans. WALGA has established a Public Health Plans Reference Group to support advocacy development.

### **Housing**

The Deputy Director General, Housing and Assets, Leon McIvor presented at the July State Council Strategic Forum. The presentation included an overview of housing programs and delivery and provided the space for State Councillors to raise community concerns. The presentation included an offer to Local Governments to submit expressions of interest for partnership on social and affordable housing as well as the Government Regional Officer Housing program, including those that request variations to the current program parameters – such as rent returns or interest-free loans.

The Director of the State Treasury's Housing Supply Unit (HSU) will present at the September State Council Strategic Forum on the role, work and priorities of the HSU to boost housing supply, and affordability, and expand workforce capacity including:

- how the HSU is working with other agencies that have a role in supporting housing and associated enabling infrastructure,
- the process for determining and prioritising locations for increased housing supply and how this interacts with population growth, employment opportunities and socio-economic factors, and
- how the HSU and Local Governments can work together to drive housing outcomes in their communities.

### **Regional Education**

On 22 July, the Department of Education released a [draft Regional Education Strategy](#). The Strategy aims to provide a framework to guide more effective delivery of regional education, focusing on improved educational and wellbeing opportunities across four pillars:

- Pillar 1: Build the capability of our regional workforce
- Pillar 2: Expand curriculum delivery
- Pillar 3: Strengthen support for student wellbeing
- Pillar 4: Develop partnerships to create opportunity

Country Zones and Local Governments are strongly encouraged to provide feedback on the draft Strategy, particularly given its relevance to matters raised by the Great Southern Country Zone with support from other Country Zones.

The consultation period closes on 20 September. [More information is available here.](#)

WALGA is currently working with the Department of Education to facilitate direct engagement with the regional sector on the Strategy.

## 11.2 PRESIDENT'S REPORT

### **WALGA RECOMMENDATION**

**That the President's Report for September 2024 be received.**

## 11.3 CEO'S REPORT

### **WALGA RECOMMENDATION**

**That the CEO's Report for September 2024 be received.**

## 12 ADDITIONAL ZONE RESOLUTIONS

To be advised following Zone meetings.

## 13 DATE OF NEXT MEETING

The next ordinary meeting of the WALGA State Council will be a Regional Council Meeting, hosted by the South West Country Zone at the City of Busselton on Friday, 6 December 2024.

## 14 CLOSURE

**STATUS REPORT ON STATE COUNCIL RESOLUTIONS**

MEETING	RESOLUTION	COMMENT	COMPLETION DATE	OFFICER RESPONSIBLE
<p><b>10 July 2024</b> Item 7.1 Officer of the Auditor General Increased Costs</p>	<p>That State Council:</p> <ol style="list-style-type: none"> <li>1. Objects to the Office of the Auditor General's audit fees increases for the 2023-24 audits of accounts and annual financial report of Local Governments; and</li> <li>2. Requests the Legislative Council's Standing Committee on Estimates and Financial Operations to conduct an Inquiry into the OAG's performance of audits and increased audit fees to Local Governments.</li> </ol> <p>RESOLUTION 045.3/2024</p>	<p>WALGA wrote to the Standing Committee on 22 July advising of the State Council Resolution and requesting a meeting – no response received as at 31 July.</p> <p>WALGA also wrote to the Auditor General on 22 July advising of the State Council Resolution – response received 24 July.</p>	<p>July 2024</p>	<p>Tony Brown Executive Director Member Services</p>
<p><b>10 July 2024</b> Item 8.1 Caravan Park and Camping Ground Regulations</p>	<p>That State Council endorse a new Caravan Park and Camping Grounds Regulations Advocacy Position:</p> <p>Part 2 of the <i>Caravan Parks and Camping Grounds Regulations 1997</i> should be amended to allow Local Governments to:</p> <ol style="list-style-type: none"> <li>1. Consider camping on private property for a period of greater of three months.</li> <li>2. Establish policy to guide approvals beyond 3 months to ensure that camping is locally appropriate and provide for circumstances where caravans, predominantly in the form of tiny homes on wheels, can be occupied on a more permanent basis.</li> </ol> <p>RESOLUTION 046.3/2024</p>	<p>The <a href="#">Advocacy Positions Manual</a> has been updated.</p>	<p>July 2024</p>	<p>Nicole Matthews Executive Manager Policy</p>

MEETING	RESOLUTION	COMMENT	COMPLETION DATE	OFFICER RESPONSIBLE
<p><b>10 July 2024</b> Item 8.2 2024 Audit Experience Survey Results and Advocacy Position</p>	<p>That State Council:</p> <ol style="list-style-type: none"> <li>1. Note the Audit Experience Survey Results Summary <u>2022-23</u>; and</li> <li>2. Amend Advocacy Position 2.2.2 Local Government Audit Process to remove point 7 as it has been achieved.</li> </ol> <p>RESOLUTION 047.3/2024</p>	<p>The <a href="#">Advocacy Positions Manual</a> has been updated.</p>	<p>July 2024</p>	<p>Tony Brown Executive Director Member Services</p>
<p><b>10 July 2024</b> Item 8.3 Finance and Services Committee Minutes (incorporating the WALGA Budget 2024-25 and WALGA Reserves Amendments) – 19 June 2024</p>	<p>That State Council:</p> <ol style="list-style-type: none"> <li>1. Endorse the Minutes of the Finance and Services Committee meeting held on 19 June 2024.</li> <li>2. Endorse: <ol style="list-style-type: none"> <li>a. the WALGA Budget 2024-25, being for the full year ending 30 June 2025,</li> <li>b. Renaming the Strategic Reserve as the Sector Strategic Reserve.</li> <li>c. Creation of a new Reserve called the Organisation Strategic Initiatives Reserve</li> <li>d. That each reserve is to be used for the purpose presented within this report.</li> <li>e. Establishing the Organisation Strategic Initiatives Reserve with \$600,000 from the 2023-24 Non-Grant Surplus, to be applied to funding Strategic Projects in the Budget 2024-25.</li> </ol> <p>as recommended by the Finance and Services Committee.</p> <p>RESOLUTION 048.3/2024</p> </li> </ol>	<p>The actions from the Finance &amp; Services Committee meeting have been actioned including the implementation of the WALGA 2024/25 budget.</p>		<p>Tony Brown Executive Director Member Services</p>

MEETING	RESOLUTION	COMMENT	COMPLETION DATE	OFFICER RESPONSIBLE
<b>10 July 2024</b> Item 8.6 Appointments to State Council Policy Teams	That State Council: 1. Appoint Mayor Terresa Lynes, the State Council representative from the South East Metropolitan Zone to the Environment Policy Team, and 2. Appoint Cr Aaron Bowman, the State Council representative from the East Metropolitan Zone to the People and Place Policy Team.  RESOLUTION 051.3/2024	Members appointed to Policy Teams	July 2024	Tony Brown Executive Director Member Services
<b>10 July 2024</b> Item 8.7 Selection Committee Minutes – 16 April 2024 and 17 April 2024	That State Council: 1. Note the resolutions contained in the 24 June 2024 Selection Committee Minutes; and 2. Endorse the recommendations contained in the 24 June 2024 Selection Committee Minutes.  RESOLUTION 052.3/2024	Selection Committee items have been actioned.	July 2024	Tony Brown Executive Director Member Services
<b>10 July 2024</b> Item 8.9 LGIS Fees and Board Minutes	That State Council: 1. Approve the annual LGISWA Scheme Management fee payable to JLT is increased by 3.9% for the 2024-25 year as recommended by the LGISWA Board. 2. Approve a 3.9% increase to the WALGA Trustee fee from the Scheme. 3. Note the minutes of the LGISWA Board meeting held on 24 May 2024 and that at this meeting the Board adopted the 2024-25	No action required.	Complete	Tony Brown Executive Director Member Services

MEETING	RESOLUTION	COMMENT	COMPLETION DATE	OFFICER RESPONSIBLE
	<p>Scheme Budget that incorporates in-housing of Management Liability cover for Members.</p> <p>RESOLUTION 054.3/2024</p>			
<p><b>10 July 2024</b> Item 8.11 CEO Performance Review Report 2023-2024</p>	<p>That State Council:</p> <ol style="list-style-type: none"> <li>1. Note the appraisal of Mr Nick Sloan, Chief Executive Officer has been completed for the period of July 2023 to June 2024.</li> <li>2. Endorse the findings of the 2023-24 Annual Performance Review Report as presented by Price Consulting and thank Mr Sloan for his efforts.</li> <li>3. Endorse the recommendations on Page 3 of the Summary Report to State Council on Employment Contract Terms.</li> <li>4. Endorse the proposed CEO's Performance Criteria for the 2023-2024 period, as per Attachment 1 within the Summary Report to State Council.</li> </ol> <p>RESOLUTION 055.3/2024</p>	<p>Actions completed as per State Council resolution.</p>	<p>July 2024</p>	<p>Lauren Mathison Manager People and Culture</p>
<p><b>10 July 2024</b> Item 9.4 People and Place Policy Team Report</p>	<p>That State Council:</p> <ol style="list-style-type: none"> <li>1. Note the matters considered by the People and Place Policy Team at its meeting on 30 April 2024.</li> <li>2. Determine to retire Advocacy Position 3.12.1 State Trail Bike Strategy.</li> </ol> <p>RESOLUTION 059.3/2024</p>	<p>The <a href="#">Advocacy Positions Manual</a> has been updated.</p>	<p>July 2024</p>	<p>Nicole Matthews Executive Manager Policy</p>

MEETING	RESOLUTION	COMMENT	COMPLETION DATE	OFFICER RESPONSIBLE
<p><b>6 December 2023</b> Item 7.1 2023 Annual General Meeting Resolutions</p>	<p>That the following resolutions from the 2023 WALGA Annual General Meeting be referred to the appropriate Policy Team for further work to be undertaken</p> <p>...</p> <p>5.2 Land Use Policy <i>That WALGA establish and promote policies to protect and prioritise the preservation of agricultural land against its displacement by non-agricultural activities that lead to a net reduction of the State's productive agricultural land.</i></p> <p>RESOLUTION 501.5/2023</p>	<p>Following the Environment Policy Team's consideration of WALGA's Research Paper at its February meeting, WALGA met with the Department of Planning, Lands and Heritage (DPLH) and the Department of Primary Industries and Regional Development (DPIRD) to discuss progress with the various initiatives being undertaken at a State level to prioritise agricultural land.</p> <p>A Joint meeting of the Environment Policy Team and Infrastructure Policy Team considered three draft advocacy positions at its meeting held on 10 July. These positions are included in the September State Council agenda for consideration.</p>		<p>Nicole Matthews Executive Manager Policy</p>
<p><b>6 December 2023</b> Item 7.1 2023 Annual General Meeting Resolutions</p>	<p>That the following resolutions from the 2023 WALGA Annual General Meeting be referred to the appropriate Policy Team for further work to be undertaken.</p> <p>5.4 Regional and Remote Housing <i>That WALGA advocates to the WA State and Commonwealth Governments to address the dire shortage of affordable key</i></p>	<p>The Deputy Director General, Housing and Assets presented at the 10 July State Council Strategic Forum. The presentation included an offer to Local Governments to submit expressions of interest for partnership on social and affordable housing as well the</p>	<p>Ongoing</p>	<p>Nicole Matthews Executive Manager Policy</p>



MEETING	RESOLUTION	COMMENT	COMPLETION DATE	OFFICER RESPONSIBLE
	<p><i>worker family housing options in regional and remote towns to encourage families to live and work in regional and remote towns. Social housing is addressed at both the State and Federal levels.</i></p> <p>RESOLUTION 501.5/2023</p>	<p>Government Regional Officer Housing program, including those that request variations to the current program parameters – such as rent returns or interest free loans.</p> <p>WALGA continues to advocate for State Government to optimise partnership opportunities with Local Government that make capital investment in housing supply viable.</p>		
<p><b>1 March 2023</b> Item 7.4 Submission on Draft Guideline Minimising Noise Impact from Outdoor Community Basketball Facilities</p>	<p>That WALGA:</p> <ol style="list-style-type: none"> <li>Note that the Environment Minister has withdrawn the Draft Guideline: Minimising noise impact from outdoor community basketball.</li> <li>Write to the Ministers for Environment, Local Government, Sport and Planning requesting the formation of a cross Government working group, including relevant representative bodies, to consider and develop solutions to balance urban density and infill, public recreation and noise management.</li> </ol> <p>RESOLUTION 422.1/2023</p>	<p>Update sought from the Minister's office on 29 July.</p>	<p>Ongoing</p>	<p>Nicole Matthews Executive Manager Policy</p>
<p><b>7 December 2022</b> Item 5.1</p>	<p>The following resolutions from the 2022 WALGA Annual General Meeting be referred to the relevant Policy Team for further work to be undertaken: ...</p>	<p>The Infrastructure Policy Team resolved: <i>That efforts to increase the importance given to Local</i></p>	<p>Ongoing</p>	<p>Ian Duncan Executive Manager Infrastructure</p>

MEETING	RESOLUTION	COMMENT	COMPLETION DATE	OFFICER RESPONSIBLE
2022 Annual General Meeting Resolutions	<p>3.1 Road Traffic Issues  <i>That WALGA advocate on behalf of the local government sector to the State Government and in particular, Main Roads, to increase importance and weight given to local knowledge and input regarding road traffic issues including requests for speed reduction, intersection treatments and overall preventative and traffic safety measures.</i></p> <p>RESOLUTION 394.8/2022</p>	<p><i>Government knowledge regarding traffic issues be deferred for consideration in mid-2023 after a clear Local Government advocacy position on speed management is developed and endorsed.</i></p> <p>This matter is central to the new Speed Management Policy adopted by State Council in May 2023. Implementation strategy being considered.</p>		
<p><b>7 December 2022</b>  Item 5.1  2022 Annual General Meeting Resolutions</p>	<p>The following resolutions from the 2022 WALGA Annual General Meeting be referred to the relevant Policy Team for further work to be undertaken:  ...</p> <p>3.2 Car Parking and Traffic Congestion Around Schools  <i>That WALGA engages with the State Government on behalf of Local Government to review issues associated with car parking and traffic congestion around school sites including but not limited to:</i></p> <ol style="list-style-type: none"> <li><i>1. Reviewing car parking standards for schools;</i></li> <li><i>2. Ensuring sufficient land is set aside for the provision of parking on school sites;</i></li> <li><i>3. Reviewing the co-location of schools to avoid issues being exacerbated;</i></li> <li><i>4. Restricting school access from major roads;</i></li> </ol>	<p>The Infrastructure Policy Team resolved:  <i>That WALGA uses its role at the Safe Active Travel to School Working Group to advocate for these outcomes and provide advice back to the Local Government sector.</i></p>	Ongoing	Ian Duncan Executive Manager Infrastructure

MEETING	RESOLUTION	COMMENT	COMPLETION DATE	OFFICER RESPONSIBLE
	<p>5. Developing plans to enable schools to manage school traffic;</p> <p>6. Develop programs to educate drivers; and</p> <p>7. Develop options and implement initiatives to encourage alternative modes of transport to school.</p> <p>RESOLUTION 394.8/2022</p>			
<p><b>7 December 2022</b> Item 5.1 2022 Annual General Meeting Resolutions</p>	<p>The following resolutions from the 2022 WALGA Annual General Meeting be referred to the relevant Policy Team for further work to be undertaken:</p> <p>3.3 Proposal for Regional Road Maintenance Contracts with Main Roads WA <i>That WALGA assist Local Governments and work with the Hon Minister Rita Saffioti to introduce a similar program that is currently in play in Queensland and introduce a sole invitee Program for Local Governments to engage in a Road Maintenance Performance Contract with Main Roads WA.</i></p> <p>RESOLUTION 394.8/2022</p>	<p>The Infrastructure Policy Team resolved: <i>That the opportunities and interest in contracting Local Governments to undertake maintenance and minor works on the State road network be explored in discussion with Main Roads WA.</i></p>	Ongoing	Ian Duncan Executive Manager Infrastructure
<p><b>7 December 2022</b> Item 5.1 2022 Annual General</p>	<p>The following resolutions from the 2022 WALGA Annual General Meeting be referred to the relevant Policy Team for further work to be undertaken:</p> <p>... 3.4 Northern Australia Beef Roads Program</p>		Ongoing	Ian Duncan Executive Manager Infrastructure

MEETING	RESOLUTION	COMMENT	COMPLETION DATE	OFFICER RESPONSIBLE
Meeting Resolutions	<p><i>That WALGA work with the Hon Madeleine King MP Minister for Resources and Minister for Northern Australia to make Beef Road Funding available to all Australian Local Governments north and south, or establish a Southern Australia Beef Road Funding Program to allow for equitable support across Australia's beef and agriculture industries.</i></p> <p>RESOLUTION 394.8/2022</p>			
<p><b>1 December 2021</b> Item 5.3 2021 Annual General Meeting</p>	<p>That the following resolutions from the 2021 WALGA Annual General Meeting be endorsed for action:</p> <p>Cost of Regional Development <i>That WALGA makes urgent representation to the State Government to address the high cost of development in regional areas for both residential and industrial land, including the prohibitive cost of utilities headworks, which has led to market failure in many regional towns.</i></p> <p>...</p> <p>RESOLUTION 294.7/2021</p>	<p>In March the State Government announced the establishment of a new Infrastructure Development Fund that includes a stream to support the delivery of regional worker accommodation with applications open until September. This is an infrastructure investment program to address infrastructure constraints in the water, wastewater and electricity network at a precinct or strategic site scale impacting the delivery of regional worker accommodation. Full details can be found <a href="#">here</a>.</p>	Ongoing	Ian Duncan Executive Manager Infrastructure