

State Council

Full Minutes

1 March 2023

Ordinary meeting no. 1 of 2023 of the Western Australian Local Government Association (WALGA) State Council held at ONE70, LV1, 170 Railway Parade, West Leederville on Wednesday, 1 March 2023.

OPEN and WELCOME

The Chair declared the meeting open at 4:23pm.

1. ATTENDANCE & APOLOGIES

1.1. Attendance

Members	WALGA President - Chair WALGA Deputy President, Central Metropolitan Zone Avon-Midland Country Zone Central Country Zone Central Metropolitan Zone East Metropolitan Zone East Metropolitan Zone Goldfields Esperance Country Zone Gascoyne Country Zone Great Eastern Country Zone Great Southern Country Zone Kimberley Country Zone Murchison Country Zone North Metropolitan Zone North Metropolitan Zone North Metropolitan Zone Northern Country Zone Peel Country Zone 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 JP Cr Paul Kelly Cr Ken Seymour President Cr Phillip Blight Cr Helen Sadler Cr Catherine Ehrhardt Cr John Daw President Cr Laurene Bonza President Cr Cheryl Cowell President Cr Stephen Strange President Cr Chris Pavlovich Cr Chris Mitchell JP Cr Les Price Cr Frank Cvitan JP Cr Russ Fishwick JP Cr David Lagan President Cr Moira Girando President Cr Michelle Rich Mayor Peter Long Mayor Patrick Hall Mayor Ruth Butterfield Cr Doug Thompson Mayor Carol Adams OAM Mayor Logan Howlett JP President Cr Tony Dean
Ex Officio	Local Government Professionals WA President	Ms Annie Riordan
Secretariat	Chief Executive Officer Executive Director Member Services Executive Manager Advocacy Executive Manager Infrastructure Executive Manager Policy Manager Association and Corporate Governance Chief Financial Officer Manager Governance and Procurement Executive Officer Governance	Mr Nick Sloan Mr Tony Brown Ms Narelle Cant Mr Ian Duncan Ms Nicole Matthews Mr Tim Lane Mr Rick Murray Mr James McGovern Ms Kathy Robertson

The Chair welcomed:

- State Councillors
- LG Professionals WA President, Ms Annie Riordan
- WALGA secretariat

Observers:

- Deputy State Councillor Cr Melissa Northcott, South East Metropolitan Zone

1.2. Apologies

- The Rt. Hon. Lord Mayor Basil Zempilas, City of Perth

2. ACKNOWLEDGEMENT OF COUNTRY

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

3. ANNOUNCEMENTS

Following the resignations of Mayor Mark Irwin and former Councillor Carl Celedin from State Council in December last year, two new State Council representatives have been elected at the most recent round of Zone meetings:

1. Cr David Lagan, City of Stirling for the North Metropolitan Zone; and
2. Mayor Patrick Hall, City of Canning for the South East Metropolitan Zone.

The Chair extended her welcome to Cr Lagan and Mayor Hall for their first State Council meeting.

4. MINUTES OF THE PREVIOUS MEETINGS

4.1. Minutes of the State Council meeting held 7 December 2022

RECOMMENDATION

Moved: Cr Chris Mitchell JP
Seconded: Cr Frank Cvitan JP

That the Minutes of the WALGA State Council meeting held on [Wednesday, 7 December 2022](#) be confirmed as a true and correct record of proceedings.

RESOLUTION 416.1/2023

CARRIED

4.1.1 Business arising from the Minutes of the State Council meeting held 7 December 2022

Nil

4.2. Flying Minute – WALGA Submission Aboriginal Cultural Heritage Act 2021 Co-design Process, Phase Three

RECOMMENDATION

Moved: Cr Doug Thompson
Seconded: President Cr Phil Blight

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

RESOLUTION 417.1/2023

CARRIED

4.2.1 Business arising from the Flying Minute – WALGA Submission Aboriginal Cultural Heritage Act 2021 Co-design Process, Phase Three

Nil

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.

- Cr Paul Kelly declared an interest in item 7.10, LGIS Board Tenure
- Cr Helen Sadler declared an impartiality interest in item 7.1, Proposed Advocacy Position on Constitutional Recognition of Aboriginal and Torres Strait Islander People and an interest in item 9.5, WALGA Submission on Phase Three of the Aboriginal Cultural Heritage Act 2021 Co-Design Process

6. EMERGING ISSUES

Nil

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7. MATTERS FOR DECISION

7.1 Proposed Advocacy Position on Constitutional Recognition of Aboriginal and Torres Strait Islander People

By Rachel Armstrong, Senior Policy Advisor Emergency Management

WALGA RECOMMENDATION

That the following Advocacy Position be endorsed:

WALGA supports constitutional recognition of Aboriginal and Torres Strait Islander People through the enshrining of a Voice to Parliament.

Executive Summary

- The Australian Government will hold a referendum in the second half of 2023 on amending the Constitution to enshrine an Aboriginal and Torres Strait Islander Voice to Parliament (the Voice) as part of its commitment to implement the Uluru Statement from the Heart.
- At its December 2022 meeting State Council resolved that WALGA prepare an advocacy position in support of constitutional recognition to be circulated to WALGA Zones for their next meeting for consideration and feedback.
- WALGA has prepared the attached Information Paper for WALGA Zones and State Council to facilitate discussion on the proposed WALGA Advocacy Position.

Attachment

- [Information Paper: Constitutional Recognition of Aboriginal and Torres Strait Islander People](#)

Policy Implications

WALGA does not have a position on constitutional recognition of Aboriginal and Torres Strait Islander people. Relevant current [Advocacy Positions](#) include:

3.1.2 Reconciliation Position Statement

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

(September 2012 - 118.5/2012)

1.1 State-Local Government Partnership Agreement

The 2021 [Partners in Government Agreement](#) which commits the Western Australian Government and Local Government to work together on the implementation of the National Closing the Gap Agreement.

(December 2020 - 142.6/2020)

2.5 Local Government Legislation

WALGA's [Local Government Reform Submission](#), endorsed by State Council in February 2022 supported the inclusion of a [principle](#) in the Local Government Act recognising Aboriginal people.

(February 2022 - 312.1/2022)

WA Local Government and other Local Government Association positions are detailed in the attached information paper.

Background

The Commonwealth Government will hold a referendum in the second half of 2023 seeking support for a constitutional amendment to establish an Aboriginal and Torres Strait Islander Voice to Parliament as part of its commitment to implementing the 2017 [Uluru Statement from the Heart](#).

On 6 December 2022, it was resolved that State Council:

- *Support a robust and respectful national debate on constitutional recognition for Aboriginal and Torres Strait Islanders and requests the Commonwealth Government provide further details on the proposed Voice to Parliament.*
- *Request that the Commonwealth Government ensure that Local Governments and local communities across WA are meaningfully engaged with on this issue.*
- ***Request WALGA prepare an advocacy position in support of constitutional recognition to be circulated to WALGA Zones for their next meeting for consideration and feedback.***

As at January 2023, four WA Local Governments had passed Council motions in support of the Uluru Statement from the Heart and / or a Voice to Parliament, the [City of Bayswater](#), [City of Fremantle](#), [City of Vincent](#), and [Shire of Denmark](#).

A WALGA position would not be binding on individual Local Governments.

Comment

Constitutional recognition is a relevant matter for WALGA to consider, given its importance to Aboriginal and Torres Strait Islander people; the implications for all tiers of Government; and Local Governments' unique role in considering and making decisions that impact on Aboriginal people in their communities.

With the focus on connecting the National voice to Local and Regional voices, the implications of a constitutionally enshrined Voice to Parliament will have implications for all levels of government. It will have a tangible impact on Aboriginal and Torres Strait Islander people living in Local Government Areas across Australia, and their capacity to equitably represent all their constituents.

A national Voice to Parliament is likely to be linked via a two-way relationship to local and regional Voices and therefore has a direct link to Local Government. Through their place-based functions and connection to community, Local Governments can provide leadership to develop and build relationships, undertake meaningful local consultation, and provide the building blocks for local, regional and ultimately national change.

Local Government, as the closest level of government to communities, is uniquely placed to build awareness and support for the referendum. Support for constitutional recognition would be an important tangible demonstration of the critical leadership role Local Government plays in the community and with Aboriginal people, and the sector's strong commitment to the ongoing work in progressing reconciliation and Closing the Gap.

A WALGA position would not be binding on individual Local Governments. It would demonstrate leadership and demonstrate the constructive and progressive role of Local Government on a matter of national significance with which all Australians should be engaged, and which is of particular relevance and importance to Aboriginal people.

WALGA taking a position in support of constitutional recognition may also highlight the opportunity for individuals in communities across Western Australia to seek out information and make an informed decision in the lead up to the referendum.

Zone Consideration	
East Metropolitan Zone	WALGA recommendation supported
Kimberley Country Zone	WALGA recommendation supported
Murchison Country Zone	No meeting held
South Metropolitan Zone	WALGA recommendation supported

AVON MIDLAND COUNTRY ZONE

That the Zone ask WALGA not to adopt an advocacy position on the amendment of the Australian Constitution to enshrine an Aboriginal and Torres Strait Island Voice to Parliament at this point in time.

CENTRAL COUNTRY ZONE

That:

1. the Central Country Zone acknowledge the importance of the recognition of all Australians in the Australian Constitution; and
2. the Central Country Zone does not believe WALGA should actively participate in the national referendum on the Voice to Parliament.

CENTRAL METROPOLITAN ZONE

That the Central Metropolitan Zone supports a robust and respectful national debate on constitutional recognition for Aboriginal and Torres Strait Islanders and requests the Commonwealth Government provide further details on the proposed Voice to Parliament.

GASCOYNE COUNTRY ZONE

1. The Gascoyne Zone resolved that the referendum will be conducted as a matter of course and the result will be determined by the voters. Zone support is therefore irrelevant.
2. The Gascoyne Zone does not support WALGA adopting an Advocacy Position. The result of the referendum will be determined by the voters.

GOLDFIELDS ESPERANCE COUNTRY ZONE

The GVROC:

1. notes WALGA's support for constitutional recognition of Aboriginal and Torres Strait Islander People through the enshrining of a Voice to Parliament.
2. acknowledge the importance of the recognition of all Australians in the Australian Constitution.
3. advise WALGA through the State Council that it believes it should not be actively participating with an advocacy position in the National Referendum on a Voice to Parliament as it is a vote by individuals, and LGAs are not voting as an organisation on the referendum except as individual members of the community.
4. request that WALGA develop a policy and advisory position on this matter for LGAs once the outcome of the referendum is known, and if passed when the details of how it will work are advised, outlining the impact and responsibilities for LGA's going forward.

GREAT EASTERN COUNTRY ZONE

That the Great Eastern Country Zone does not believe that WALGA should actively participate in the National Referendum on a Voice to Parliament.

GREAT SOUTHERN COUNTRY ZONE

That the Great Southern Country Zone resolve that WALGA does not take a political position on the matter of Constitutional Recognition of Aboriginal and Torres Strait Islander People.

NORTH METROPOLITAN ZONE

WALGA supports early presentation of details surrounding the Voice by the Federal Government and details associated with funding of representative bodies and inclusion of changes led by such bodies in legislation.

NORTHERN COUNTRY ZONE

The Northern Country Zone of WALGA believes that WALGA shall remain impartial and without influence in the National Referendum on a Voice to Parliament.

PEEL COUNTRY ZONE

That the Peel Country Zone postpone this item and lay a decision on the table until the next Zone Meeting.

PILBARA COUNTRY ZONE

That the Pilbara Country Zone postpones a decision on State Council item 7.1 pending member Council consideration.

SOUTH EAST METROPOLITAN ZONE

WALGA supports constitutional recognition of Aboriginal and Torres Strait Island People.

SOUTH WEST COUNTRY ZONE

That WALGA abstains from forming an advocacy position on constitutional recognition of Aboriginal and Torres Strait Islander People through the enshrining of a Voice to Parliament.

SECRETARIAT COMMENT

The Zone resolutions and feedback are noted.

A consistent theme during Zones' consideration of this Agenda Item was the need for the Commonwealth Government to provide more detail on the proposed Voice to Parliament.

In December 2022, State Council resolved:

That State Council

1. Supports a robust and respectful national debate on constitutional recognition for Aboriginal and Torres Strait Islanders and requests the Commonwealth Government provide further details on the proposed Voice to Parliament.
2. Requests that the Commonwealth Government ensure that Local Governments and local communities across WA are meaningfully engaged with on this issue.

(Resolution 414.8/2022)

It would be prudent to restate this position.

WALGA will write to the Hon. Linda Burney MP, Minister for Indigenous Australians, to request further information and meaningful engagement with Local Governments and local communities on this matter.

WALGA will continue to keep the Local Government Sector informed of progress towards the Referendum on an Aboriginal and Torres Strait Islander Voice.

COMPOSITE RECOMMENDATION

That WALGA:

1. **Supports a robust and respectful national debate on constitutional recognition for Aboriginal and Torres Strait Islanders and requests the Commonwealth Government provide further details on the proposed Voice to Parliament.**
2. **Requests that the Commonwealth Government ensure that Local Governments and local communities across WA are meaningfully engaged with on this issue.**
3. **Does not take a position on Constitutional Recognition of Aboriginal and Torres Strait Islander People through the enshrining of a Voice to Parliament at this time.**

Cr Helen Sadler declared an impartiality interest in this item.

ALTERNATE MOTION

Moved: Cr Helen Sadler
Seconded: Cr Michelle Rich

That WALGA:

1. **Supports respectful conversations about constitutional recognition of Aboriginal and Torres Strait Islanders and the Voice to Parliament.**
2. **Requests that the Commonwealth Government ensure that Local Governments and communities are kept informed on the proposal.**

AMENDMENT

Moved: Cr John Daw
Seconded: Cr Catherine Ehrhardt

That an additional point 3 be added as follows:

3. **Supports constitutional recognition of Aboriginal and Torres Strait Islander People through the enshrining of a Voice to Parliament.**

THE AMENDMENT WAS PUT AND LOST

Cr Michelle Rich called for a division.

For	Against
<ol style="list-style-type: none"> 1. Cr John Daw 2. Cr Catherine Ehrhardt 3. Mayor Ruth Butterfield 4. Cr Helen Sadler 5. President Cr Michelle Rich 6. Cr Doug Thompson 7. Mayor Logan Howlett JP 	<ol style="list-style-type: none"> 1. Cr Paul Kelly 2. President Cr Moira Girando JP 3. President Cr Tony Dean 4. Mayor Patrick Hall 5. Cr Cheryl Cowell 6. President Cr Laurene Bonza 7. President Cr Stephen Strange 8. Mayor Peter Long 9. President Cr Phil Blight 10. Cr Chris Mitchell JP 11. President Cr Chris Pavlovich 12. Cr David Lagan 13. Cr Russ Fishwick JP 14. Cr Frank Cvitan JP 15. Cr Les Price 16. Mayor Carol Adams OAM 17. Cr Ken Seymour

THE ORIGINAL MOTION WAS PUT

That WALGA:

- 1. Supports respectful conversations about constitutional recognition of Aboriginal and Torres Strait Islanders and the Voice to Parliament.**
- 2. Requests that the Commonwealth Government ensure that Local Governments and communities are kept informed on the proposal.**

RESOLUTION 418.1/2023

CARRIED

Cr Michelle Rich called for a division.

For	Against
<ol style="list-style-type: none"> 1. Cr Paul Kelly 2. President Cr Moira Girando JP 3. President Cr Tony Dean 4. Mayor Ruth Butterfield 5. Mayor Patrick Hall 6. Cr Helen Sadler 7. President Cr Cheryl Cowell 8. President Cr Laurene Bonza 9. President Cr Michelle Rich 10. Mayor Peter Long 11. President Cr Phil Blight 12. Cr Doug Thompson 13. Mayor Logan Howlett JP 14. Mayor Carol Adams OAM 15. Cr Ken Seymour 	<ol style="list-style-type: none"> 1. Cr John Daw 2. Cr Catherine Ehrhardt 3. President Cr Stephen Strange 4. Cr Chris Mitchell JP 5. President Cr Chris Pavlovich 6. Cr David Lagan 7. Cr Russ Fishwick JP 8. Cr Frank Cvitan 9. Cr Les Price

**Item 7.1 Proposed Advocacy Position on
Constitutional Recognition of Aboriginal
and Torres Strait Islander People**

Attachment: Information Paper: Constitutional
Recognition of Aboriginal and Torres Strait
Islander People

Constitutional Recognition of Aboriginal and Torres Strait Islander People

Information Paper

January 2023

Item 7.1 Proposed Advocacy Position on Constitutional Recognition of Aboriginal and Torres Strait Islander People

Attachment: Information Paper: Constitutional Recognition of Aboriginal and Torres Strait Islander People

Acknowledgement

WALGA works across the State and recognises, respects and values the continuity of cultural, spiritual and educational practices of Aboriginal people throughout Western Australia. We are committed to supporting Local Governments in their efforts to connect and partner with Aboriginal Communities and support reconciliation.

We acknowledge the Traditional Custodians of Country and their continuing connection to their land, waters and community and pay our respects to Aboriginal cultures and Elders both past and present.

Item 7.1: Proposed Advocacy Position on Constitutional Recognition of Aboriginal and Torres Strait Islander People

Attachment: Information Paper: Constitutional Recognition of Aboriginal and Torres Strait Islander People

1. Purpose

On 6 December 2022, it was resolved that WALGA State Council:

- Supports a robust and respectful national debate on constitutional recognition for Aboriginal and Torres Strait Islanders and requests the Commonwealth Government provide further details on the proposed Voice to Parliament.
- Requests that the Commonwealth Government ensure that Local Governments and local communities across WA are meaningfully engaged with on this issue.
- Requests WALGA prepare an advocacy position in support of constitutional recognition to be circulated to WALGA Zones for their next meeting for consideration and feedback.

This Paper provides information and considerations for WALGA Zones and State Council regarding constitutional recognition of Aboriginal and Torres Strait Islander people through the establishment of a Voice to Parliament (the Voice), which will be the subject of a referendum in the second half of 2023.

The Paper is intended to facilitate discussion on the proposed WALGA Advocacy Position.

2. What is being proposed?

2.1 The referendum

As part of its commitment to implement the 2017 Uluru Statement from the Heart in full the Australian Government will hold a referendum in the second half of 2023 on amending the Constitution:

to recognise Aboriginal and Torres Strait Islander people in our Constitution and enshrine a Voice to Parliament to ensure consultation on matters that directly affect Indigenous Australians, such as education, health, housing, and justice issues.¹

The Prime Minister has provided a draft of the amendment that could be inserted into the Constitution:

There shall be a body, to be called the Aboriginal and Torres Strait Islander Voice.

The Aboriginal and Torres Strait Islander Voice may make representations to Parliament and the Executive Government on matters relating to Aboriginal and Torres Strait Islander peoples. The Parliament shall, subject to this Constitution, have power to make laws with respect to the composition, functions, powers and procedures of the Aboriginal and Torres Strait Islander Voice.

And a draft question to be put to the Australian people at a referendum:

Do you support an alteration to the Constitution that establishes an Aboriginal and Torres Strait Islander Voice?

The Government introduced the [Referendum \(Machinery Provisions\) Amendment Bill 2022](#) into the Parliament on 1 December 2022. It intends to introduce a constitutional alteration bill detailing the proposed amendment to the constitution to be put in the referendum by April 2023. The referendum must be held no sooner than two months and no later than six months after this bill is passed by both houses of Parliament or alternatively passed twice in either the House of Representatives or the Senate.

¹ Albanese, Anthony (2023) [Speech, 28 Dec 2022, Woodford, Queensland, Prime Minister](#), Prime Minister of Australia

Item 7.1 Proposed Advocacy Position on Constitutional Recognition of Aboriginal and Torres Strait Islander People

Attachment: Information Paper: Constitutional Recognition of Aboriginal and Torres Strait Islander People

The Minister for Indigenous Australians the Hon Linda Burney has [established three groups](#) working with Government on the next steps to a referendum:

- The Referendum Working Group, co-chaired by Minister Linda Burney and Special Envoy Patrick Dodson, includes a broad cross-section of representatives from First Nations communities to provide advice on ensuring a successful Referendum, including:
 - timing
 - refining the constitutional amendment and question; and
 - information on the Voice necessary for a successful referendum.
- The Constitutional Expert Group which is providing the Referendum Working Group with legal support on constitutional matters relating to the referendum including advice on the draft referendum question and constitutional amendments proposed by the Prime Minister in his address to the Garma Festival. Its members include some of Australia's leading legal and constitutional experts.
- The First Nations Referendum Engagement Group which includes those on the Referendum Working Group as well as additional people from across the country including representatives from land councils, local governments and community controlled organisations. This group is providing advice about building community understanding, awareness and support for the referendum.
 - Local government is represented through four First Nations Mayoral and Deputy Mayoral representatives nominated by the Australian Local Government Association (ALGA).

The Government has indicated that it is a question of principle that will be put to the Australian people - support for constitutional recognition in the form of the Voice to Parliament - with the form and function of the Voice to be determined by the Parliament if the referendum is successful.

Unlike previous referenda the Government will not be funding a 'Yes' and 'No' campaign, believing that these should be organised and funded by the Australian community. [From the Heart](#) have launched a formal campaign in support of Indigenous Constitutional Recognition through a Voice to Parliament. The No campaign is being supported by [Advance Australia](#), and [Pauline Hanson's One Nation](#) and [Recognise a better way](#).

Updates on progress towards the referendum can be found on the [National Indigenous Australians Agency](#) website.

2.2 What is the Voice to Parliament?

The Voice to Parliament (the Voice) is a key recommendation of the 2017 [Uluru Statement from the Heart](#). The Uluru Statement is a call by Aboriginal and Torres Strait Islander people for real and practical change through constitutional recognition, a Voice to Parliament and the establishment of a Makarrata Commission, to undertake processes of treaty-making and truth-telling.

The Voice will be an independent, representative advisory body for First Nations people which will provide a permanent means to advise the Australian Parliament and Government on the views of Aboriginal and Torres Strait Islander peoples on matters that affect them.

The following principles on how the Voice will work have been agreed by the Referendum Working Group.

The Voice as a body will:

- provide independent advice to Parliament and Government;
- be chosen by First Nations people based on the wishes of local communities;
- be representative of Aboriginal and Torres Strait Islander communities;
- be empowering, community led, inclusive, respectful, culturally informed and gender balanced, and includes youth;
- be accountable and transparent; and

Item 7.1 Proposed Advocacy Position on Constitutional Recognition of Aboriginal and Torres Strait Islander People

Attachment: Information Paper: Constitutional Recognition of Aboriginal and Torres Strait Islander People

- work alongside existing organisations and traditional structures.

The Voice will not have a:

- program delivery function; or
- veto power.

The proposal for constitutional recognition and the Voice follows an extended period of consideration and extensive consultation, as summarised below.

Table 1 Summary and timeline of work contributing to the proposal for constitutional recognition of Aboriginal and Torres Strait Islander people

<p>Referendum Council 2015-2017</p>	<p>The Referendum Council was jointly appointed by the Prime Minister Malcolm Turnbull and Leader of the Opposition Bill Shorten on 7 December 2015 to advise on progress and next steps towards a referendum to recognise Aboriginal and Torres Strait Islander peoples in the Constitution. The Final Report of the Referendum Council in June 2017 recommended a constitutionally guaranteed Indigenous advisory body, with legislated processes and functions, as its consultations found that this was backed by Indigenous consensus and the most popular reform with the wider Australian public.</p>
<p>Regional Dialogues 2016-2017</p>	<p>The Referendum Council established 12 First Nations Regional Dialogues, which engaged over 1200 Aboriginal and Torres Strait Islander delegates, broadly representative of the region where they were held, on proposals for constitutional change. Traditional owners, community-controlled organisations, First Nations leaders, elders and young people were included.</p>
<p>The National Constitutional Convention May 2017</p>	<p>The National Constitutional Convention was the culmination of the Regional Dialogues and brought together 250 Indigenous representatives, elected from the Regional Dialogues across the country, to reach a consensus on the most meaningful and appropriate path to constitutional recognition.</p>
<p>Uluru Statement from the Heart May 2017</p>	<p>The Uluru Statement from the Heart emerged from the National Constitutional Convention. It is a call by Aboriginal and Torres Strait Islander people for real and practical change through constitutional recognition, a Voice to Parliament and the establishment of a Makarrata Commission, to undertake processes of treaty-making and truth-telling.</p>
<p>Joint Select Committee on Constitutional Recognition 2018</p>	<p>The Joint Select Committee on Constitutional Recognition was appointed in March 2018 to find common ground and a way forward on the issues arising from the Uluru Statement from the Heart. The Final Report of the Committee (November 2018) recommended a co-design process be initiated with Aboriginal and Torres Strait Islander People.</p>
<p>Indigenous Voice Co-Design Process 2019 - 2021</p>	<p>The two year Indigenous Voice co-design process involved 3 co-design groups and 52 members from across the country working together to design an Indigenous Voice, followed by a nationwide consultation, involving 9400 people, communities and organisations. The Final Report to the Australian Government on the Indigenous Voice Co-design Process includes a National Voice and a Principles Based Framework for Local and Regional Voice.</p>
<p>May 2022</p>	<p>The newly elected Labor Government commits to implementing the Uluru Statement in full.</p>

Item 7.1 Proposed Advocacy Position on Constitutional Recognition of Aboriginal and Torres Strait Islander People

Attachment: Information Paper: Constitutional Recognition of Aboriginal and Torres Strait Islander People

July 2022	Prime Minister provided detail on draft referendum question and changes to the Constitution in his address Garma Festival .
State and Territory Support August 2022	Indigenous Affairs Ministers from all States and Territories and the Commonwealth met on 17 August 2022, agreeing to continue backing the Australian Government's work towards a First Nations Voice to the Australian Parliament enshrined in the Constitution, as outlined in the Uluru Statement. ²
First Nations Referendum Advisory Groups established Sept 2022	A First Nations Referendum Working Group and Referendum Engagement Group comprised of more than 60 Aboriginal and Torres Strait Islander People from across the Nation and Constitutional Expert Group was established by the Minister for Indigenous Australians The Hon Linda Burney MP.
Timing of referendum confirmed Dec 2022 – Jan 2023	<p>On 28 December 2022, in his address at the Woodford Folk Festival, Prime Minister Albanese committed to a referendum on Constitutional recognition before the end of 2023.</p> <p>On 1 January 2023, the Minister Linda Burney revealed draft timing for the Indigenous voice to parliament vote with legislation to set up the referendum being introduced into parliament in March 2023, and the referendum likely to occur between August and November 2023.</p>

2.2 Regional and Local representation in the Voice to Parliament

The [Final Report to the Australian Government on the Indigenous Voice Co-design Process](#) provides a recommended design for the National Voice (Appendix 5) and a Principles-based framework for Local and Regional Voice (Appendix 6) that shows how regional and local representation would link to the National Voice to Parliament. Although the final design of the National Voice is intended to occur through the legislative process following a successful referendum, this work provides an indicative model for how the National Voice, and Local and Regional Voice may be structured, and interact with one another.

The model for the National Voice outlines a two-way link between the National Voice and Local and Regional Voices.

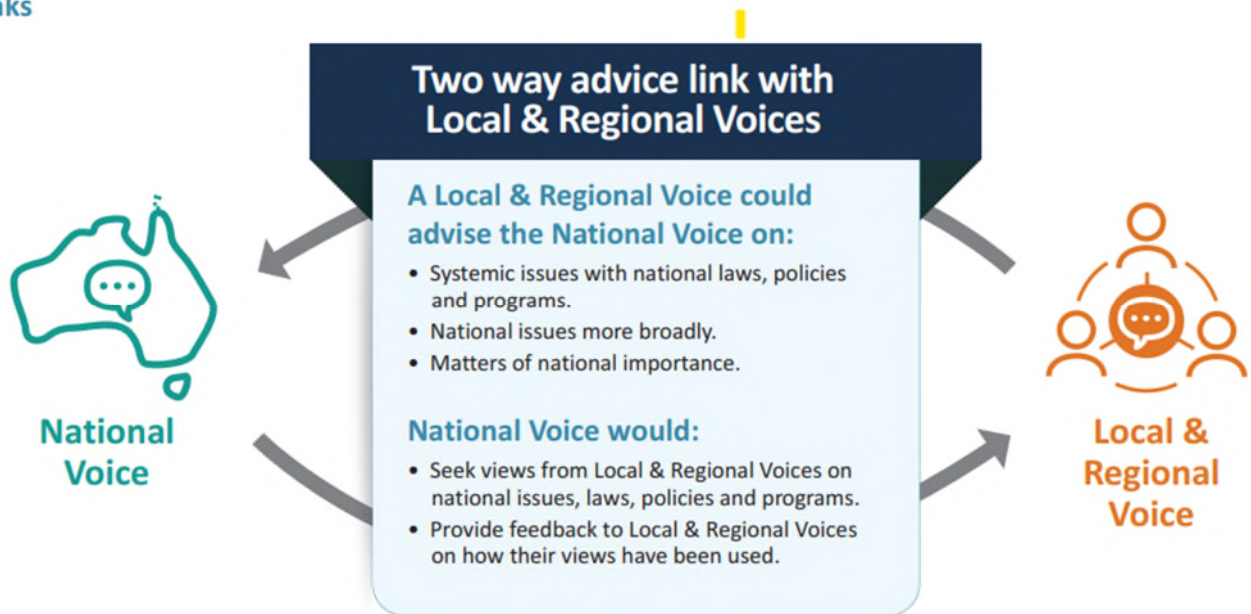
² Wensing, Ed (2022) Briefing A First Nations Voice to Parliament: Local Government's Role. LGIU Members Briefing. 12 September 2022.

Item 7.1 Proposed Advocacy Position on Constitutional Recognition of Aboriginal and Torres Strait Islander People

Attachment: Information Paper: Constitutional Recognition of Aboriginal and Torres Strait Islander People

Table 2 Proposed relationship between the National Voice and Local and Regional Voices

Links



Local and Regional Voices would build on existing structures, and provide a mechanism for local communities to lead on local priorities and link with a regional network. Local and Regional Voice would work in partnership with all levels of government to advise and engage in planning and shared decision-making on policies and programs affecting Indigenous communities.³

2.2.1 Relevance for Local Government

With the focus on connecting the National Voice to Local and Regional Voices, the implications of a constitutionally enshrined Voice to Parliament will play out at all levels of government. The relevance of Local Government in this context has been recognised in the appointment of four First Nations Mayors to the First Nations Referendum Engagement Group.

The [Final Report to the Australian Government on the Indigenous Voice Co-design Process](#) clearly indicated that participation of all levels of government would be fundamental to the success of Local and Regional Voice arrangements.

A National Voice to Parliament is likely to be linked via a two-way relationship to Local and Regional Voices and will therefore have a direct relevance to Local Government. These bodies could provide advice to Local Governments on programs and policies that impact Aboriginal and Torres Strait Islander peoples, and support reconciliation. Through their place-based functions and connection to community, Local Governments can provide leadership from below to develop and build relationships, undertake meaningful local consultation, and provide the building blocks for local, regional and national change.

Many Local Governments have embedded formal mechanisms for Indigenous participation in planning and decision-making processes, such as, Indigenous Advisory Groups to Council, Elders Groups and through Reconciliation Action Plan (RAP) frameworks. In some instances, a regional structure with a group of Local Governments has been established to align with broader geographical boundaries of key Indigenous groups such as Traditional Owners.

³National Indigenous Australians Agency, (2021) [Indigenous Voice Co-design Process Final Report to the Australian Government](#). Commonwealth of Australia

Item 7.1 Proposed Advocacy Position on Constitutional Recognition of Aboriginal and Torres Strait Islander People

Attachment: Information Paper: Constitutional Recognition of Aboriginal and Torres Strait Islander People

In November 2022 WALGA consulted with Local Governments on whether they have a RAP and/or an Aboriginal / First Nations strategy. 86 Local Governments responded with 45 per cent stating that they have either a RAP (22) or alternative strategy in place. These existing structures will be an important consideration as the model for Regional and Local Voice is developed.

WALGA's [Local Government Reform Submission](#), endorsed by State Council in February 2022, supported the inclusion of a [principle](#) in the Local Government Act recognising Aboriginal people.

3. Support for constitutional recognition

For a referendum to pass in Australia a majority of voters nationally, as well as a majority of voters in a majority of States (four out of six) must vote in favour of the proposal.

3.1 Community

Opinion Polls have consistently showed majority support for the Voice. Responses also indicate that some consider they do not yet know enough about what is being proposed.

A January 2023 [survey of Western Australians](#):

- 51 per cent support; 22 per cent did not know enough to have an opinion; 27 per cent opposed.⁴

[Polling undertaken for the Australian Financial Review](#) in December 2022:

- 63 per cent were aware a referendum is set to take place with highest awareness among 55+, lowest among younger voters 18-34
- 50 per cent would vote 'Yes'
- 23 per cent were undecided, but when asked which way they are leaning 65 per cent responded 'Yes'
- Support was strongest among younger voters (85 per cent) and opposition strongest among those 55+ and over (58 per cent)

A December 2022 [nationwide survey by Roy Morgan](#):

- 53 per cent would vote 'Yes'; 30 per cent 'No'; 17 per cent undecided
- Slim majorities in New South Wales (52 per cent), Victoria (55 per cent) and South Australia (54 per cent)
- Larger majorities in Western Australia (63 per cent) and Tasmania (68 per cent)

An August/September 2022 [Resolve Political Monitor](#) survey:

- 64 per cent of Australians surveyed (Western Australia 60 per cent) backed the idea of an Indigenous Voice based on the draft wording from the Prime Minister.
- The survey also found that this level of support could change sharply if there is not bipartisan support for constitutional change.

The [Reconciliation Australia's 2022 Australian Reconciliation Barometer](#):

- 93 per cent agreed importance of Aboriginal and Torres Strait Island people having a say in matters that affect them
- 80 per cent thought it important to establish a representative Indigenous body
- 79 per cent thought it was important to protect that body in the Constitution.

⁴ Curtis, Katina (2023) [Majority of West Australians support Indigenous Voice to Parliament according to new poll](#) The West Australian, 7 January 2023.

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3.2 Aboriginal and Torres Strait Islanders

Research company Ipsos conducted a survey of Aboriginal and Torres Strait Islanders aged 18 and over from 20-24 January 2023, asking “Do you support an alteration to the Australian Constitution that establishes a Voice to parliament for Aboriginal and Torres Strait Islander people?”

Ipsos found 80 per cent of respondents backed the proposal, 10 per cent opposed it and the remainder were undecided (with a margin of error of 6 percentage points). Asked how sure they were about their view, 57 per cent said they were “very sure” of their support while 21 per cent said they were “fairly sure” and 2 per cent backed the proposal but said they were not really sure about it.

300 people were surveyed and the data was weighted to population parameters using the most recent figures for Aboriginal and Torres Strait Islander people to reflect the community by age, location and gender.

3.3 Local Government

3.3.1 Western Australia

As at January 2023, four WA Local Governments had passed council motions in support of Uluru Statement from the Heart and/or a Voice to Parliament, the [City of Bayswater](#), [City of Fremantle](#), [City of Vincent](#), and [Shire of Denmark](#). The [City of Melville](#)⁵ and the [City of Cockburn](#)⁶ have recently deliberated on but not passed motions in support of the Uluru Statement from the Heart.

3.3.2 Nationally

In December 2022, thirty-eight mayors from across Australia issued a Mayors for the Voice to Parliament Public Statement in support of the Uluru statement from the Heart, and constitutional recognition of Aboriginal and Torres Strait Islander people through a Voice to parliament, including Mayor Hon George Gear JP – City of Melville (WA) and Mayor. Rhys Williams – City of Mandurah.⁷ The full statement is at Appendix 4.

3.3.3 Local Government Associations

Three state Associations, the [Municipal Association of Victoria](#) (MAV), Queensland (LGAQ) and [New South Wales \(LGNSW\)](#) have policy positions supporting the Uluru Statement from the Heart and Voice to Parliament.

The Local Government Associations of Tasmania (LGAT), Northern Territory (LGANT), South Australia (LGA SA), in addition to WALGA do not have a position.

A motion supporting a constitutionally enshrined voice to Parliament for Aboriginal and Torres Strait Islander peoples and endorsing the Uluru Statement from the Heart was passed at the 2022 Australian Local Government Association (ALGA) National General Congress. ALGA has indicated it will consider its position once the views of member associations are available.

ALGA is a signatory to the [National Agreement on Closing the Gap](#).

Further information on Association positions is at Appendix 3.

3.4 States and Territories

At their meeting on 12 December 2022 Ministers responsible for Indigenous Affairs from all States and Territories reiterated their in-principle support for the Australian Government’s work to enshrine

⁵ Melville City Council (2022) 15.1 Support for Uluru Statement of the Heart. City of Melville Minutes to the Ordinary Meeting of the Council. 15 November 2022. Pp 138-143

⁶ Cockburn City Council (2022) 14.3.1 Uluru Statement from the Heart. City of Cockburn Ordinary Council Meeting Minutes. Thursday 8 December 2022. Pp178-183

⁷ A motion to support the [Uluru Statement from the Heart was not passed at the November meeting of the Melville Council](#).

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an Aboriginal and Torres Strait Islander Voice in the Constitution⁸. This meeting was attended by ALGA Vice President (and WALGA President) Cr Karen Chappel in an observer capacity.

3.4.1 Western Australia

In 2015, a bill was passed to amend the Western Australian Constitution Act of 1889 to officially recognise Western Australia's Aboriginal people as the first people and traditional custodians of this land and to express the parliaments' aspiration of a reconciliation with the Aboriginal people of Western Australia.

The Western Australian Labor [2022 Platform](#) on First Nations People - Recognition of Traditional Rights includes the following:

10. *WA Labor recognises First Nations people's decision-making processes lie within individual language groups.*
11. *WA Labor endorses the Uluru Statement from the Heart and is committed to achieving the outcomes of a Voice to Parliament, a legislative process by which treaties can be made between First Nations and governments, and a Truth and Justice Commission, which will ensure a generational process of healing.*⁹

3.4.2 South Australia

The South Australian Government is committed to State Based implementation of the Uluru Statement from the Heart and has developed The [First Nations Voice Bill 2022](#), which is currently being consulted on.¹⁰

3.4.3 Victoria

The [Victorian Government](#) was the first Australian jurisdiction to commit and action all elements of the Uluru Statement from the Heart and supports commitment and action from all levels of government to implement the Uluru Statement, including establishing an Indigenous Voice to Parliament in the Australian Constitution.¹¹

3.4.4 New South Wales

The NSW Coalition Government reaffirmed its support for an Indigenous Voice to Parliament in December 2022.¹²

3.4.5 Tasmania

In 2016, the Tasmanian Parliament passed a [constitutional amendment to recognise Aboriginal people](#) as Tasmania's first people. In [November 2021](#), the Tasmanian Government tabled a Pathway to Truth Telling and Treaty report, and in December 2022 the [Premier of Tasmania](#) announced a six member Aboriginal Advisory Group to guide the process for Truth-Telling and Treaty in Tasmania.

3.4.6 Queensland

In May 2021 committed to moving [Indigenous Voice reform](#) forward in Queensland through further co-design work with First Nations Queenslanders. The First Nations consultative Committee will report back to Government on a recommended Voice to Queensland Parliament in 2023. The Queensland Constitution was amended in 2010 honour Aboriginal people and Torres Strait Islander peoples as the First Australians.

3.4.7 Northern Territory

The Northern Territory Government supports the Uluru Statement from the Heart in full, including recognition of Aboriginal and Torres Strait Islander Peoples in the Constitution through a Voice to

⁸ Indigenous Affairs Ministers meeting communiqué, 6 December 2022

⁹ WA Labour (2022) [WA Labour Platform – First Nations People](#). WA Labor. pp. 10

¹⁰ Premier of South Australia (2022) [First Nations Voice in SA a step closer with draft bill out for consultation](#) Government of South Australia

¹¹ First Peoples – State Relations (2022) [Treaty in Victoria](#). Government of Victoria.

¹² Rabe, Tom (2022) [We know how important it is that Aboriginal voices be heard: NSW backs constitutional change](#) Sydney Morning Herald. 8 December 2022

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Parliament.¹³ The Northern Territory Government signed the [Barunga Agreement](#) with First Nations Land Councils on 8 June 2018, as a Memorandum of Understanding to provide for the development of a framework for negotiation a Treaty with the First Nations of the Northern Territory of Australia.¹⁴

3.4.8 Australian Capital Territory

The [Australian Capital Territory \(ACT\) Government](#) is committed to the Uluru Statement from the heart in full, including a constitutionally enshrined Voice to Parliament¹⁵. The ACT government has also signed the [ACT Aboriginal and Torres Strait Islander Agreement 2019 – 2028](#).

*The Agreement recognises Aboriginal and Torres Strait Islander peoples as Australia's first people. First people have the right to self-determination which is an ongoing process of choice to ensure that Aboriginal and Torres Strait Islander communities are able to meet their social, cultural and economic need.*¹⁶

3.5 Opposition and other Political Parties

On 28 November 2022 the National Party of Australia confirmed its opposition to establishing an Aboriginal and Torres Strait Islander Voice to Parliament in the Australian Constitution. The Western Australian Nationals Leader Mia Davies subsequently indicated [Western Australian National Party](#) support for the Voice.

The NSW Coalition Government supports a Voice to Parliament.

The Liberal Party of Australia has not announced its position on constitutional recognition. The Opposition Leader, Peter Dutton released an open letter to the Prime Minister on 7 January 2023 requesting detailed information on the Government's preferred model for the Voice prior to the referendum¹⁷.

The Australian Greens have a position on [First Nations Peoples: Truth, Treaty and Voice](#) which but has not confirmed whether or not it will support the referendum on the Voice, preferring the establishment of a Truth and Justice Commission first, with Greens Senator Lidia Thorpe campaigning for greater transparency on the proposal.¹⁸

¹³ Office of Aboriginal Affairs (nd). [Treaty in the Northern Territory factsheet](#) Northern Territory Government

¹⁴ Northern Territory Government and Aboriginal Land Councils (2018) [The Barunga Agreement – A Memorandum of Understanding](#).

¹⁵ Lindell, J (2021) [Uluru Statement from the Heart: ACT Govt urges Commonwealth to commit to actions](#). The Canberra Times. 6 May 2021

¹⁶ ACT Government and Aboriginal Torres Strait Islander Elected Body (2019) [ACT Aboriginal and Torres Strait Islander Agreement 2019-2028](#)

¹⁷ Brewster, Alex (2023) [Opposition Leader Peter Dutton says the Indigenous Voice to Parliament referendum will fail without more detail](#). ABC News. 8 January 2023

¹⁸ Visentin, Lisa (2023) ['Good on her': Thorpe backs Price of calls for more details on the Voice](#) Sydney Morning Herald 5 January 2023

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4. Opposition to constitutional recognition

Issues being raised in the public debate on constitutional recognition through a Voice to Parliament include:

- Lack of information;
- The role of the Voice in Australian democracy; and
- The capacity of the Voice to improve in the lives of Aboriginal and Torres Strait Islander people.

4.1 Lack of information

Some argue that more information on the form, function and powers of the Voice is needed for the Australian public to make an informed decision at the referendum¹⁹, including by the Federal Opposition Leader in his open letter requesting more detail on the proposed legislation for the voice, prior to the referendum on 8 January 2023.^{20 21}

The Government asserts that the change to the Constitution will be at the level of Principle with the detail worked out through a subsequent legislative process should the referendum be successful. The Indigenous Law Centre (2022) writes that:

As a matter of constitutional principle, there are clear dangers in providing a full, detailed model of the Voice prior to a referendum, in the form of a draft Bill or actual legislation. It will potentially mislead voters and impair the constitutional function of the referendum: that is, voters may think they are voting on the detail of the model, and not the constitutional provision which is pitched at a much higher level of generality and principle.

Significant consultation and design work has already been undertaken on the Voice, which outline likely options for consideration through the legislative process that would follow a successful referendum.²² The [Final Report to the Australian Government on the Indigenous Voice Co-design Process](#) provides guidance on the form that a Voice is likely to take, though it is not considered final.

4.2 The role of the Voice in Australian democracy

Some critics of the Voice argue that it would confer special rights to Aboriginal and Torres Strait Islander peoples that go against the ideal notion of equality²³, notwithstanding the overwhelming support among Aboriginal people for the Voice as a mechanism to redress inequity.²⁴

The Constitution already enables the Commonwealth Government to make special laws for people of any race. This power has enabled the Commonwealth Parliament to make laws that impact Aboriginal and Torres Strait Islander People, such as in relation to native title and cultural heritage. Although there have been a number of previous bodies established to provide input on laws and policies impacting Aboriginal and Torres Strait Islander peoples, these bodies have been set up administratively or legislatively, with their tenure dependent on the priorities of successive governments.²⁵

¹⁹ For discussion see Rouse, Tim (2022) [The Voice: not enough "meat on the bone"?](#) Inside Story, 27 September 2022

²⁰ Butler, Josh (2023) [Albanese accuses Dutton of engaging in 'culture war stunts' over Indigenous Voice](#) The Guardian, 8 January 2023

²¹ Brewster, Alex (2023) [Opposition Leader Peter Dutton says the Indigenous Voice to Parliament referendum will fail without more detail](#) ABC News, 8 January 2022

²² National Indigenous Australians Agency (2021) [Indigenous Voice Co-design Process Final Report to the Australian Government](#) Commonwealth of Australia

²³ See for example Sheridan, Greg (2022) [Liberalism's Universal Vision Better than a Race Based Voice](#) CIS Occasional Paper 198, November 2022. Centre for Independent Studies.

²⁴ See for example Turnbull, Malcolm (2022) [I will be voting yes to establish an Indigenous voice to Parliament](#) the Guardian, 15 August 2022

²⁵ Previous bodies include the Federal Council for the Advancement of Aboriginal and Torres Strait Islanders (1957), the National Aboriginal Consultative Committee (1973-76), the National Aboriginal Conference (1977-85), the Aboriginal and Torres Strait Islander Commission (1989-2004), the National Congress of Australia's First Peoples (2010-19)

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It has also been argued that Indigenous Australians are *constitutionally vulnerable* in Australia due to their unique position as First Nations people in a colonised State, their minority status in the Australian public and their ongoing experience of social and economic disempowerment.²⁶ Proponents of the Voice argue that it will ensure Aboriginal and Torres Strait Islander People can make representations to Parliament on matters that impact them.²⁷

Concerns have also been expressed that a Voice cannot effectively represent the over 300 Traditional Owner groups across Australia²⁸ and would treat all Aboriginal people as if they had a unified view.²⁹ The representative structure provided in the [Indigenous Voice Co-design Process Final Report](#) to the Australian Government seeks to address this issue through the connection to local and regional structures that feed into the National Voice.

More than 9,400 people and organisations participated in consultations on the Voice over a 4-month period, including 115 community consultation sessions in 67 locations with more than 2,600 participants, 13 webinars with more than 1,450 participants, more than 4,000 submissions and surveys lodged and more than 1,200 participants across more than 120 stakeholder meetings.³⁰

The Uluru Statement represented a historic, unprecedented moment in the ongoing struggle of Indigenous peoples for substantive constitutional recognition and empowerment. The Indigenous advocacy of the past has tended to emanate from particular regions and First Nations: never before has a national Indigenous consensus position been achieved. Though seven delegates walked out of the Uluru convention citing a preference for 'sovereign treaties', the consensus position was powerful. It reflected views expressed at every dialogue, each of which advocated a First Nations Voice as the preferred constitutional reform³¹

Although the proposal for Constitutional recognition through a Voice to Parliament is not without its critics, including among First Nations People, it is based on rigorous consultation and deliberation, and does represent a broad consensus on a positive way forward.³²

4.3 The capacity of the Voice to improve the lives of Aboriginal and Torres Strait Islander people

Some discussions around the Voice have centred around whether it will help to 'Close the Gap'.³³ Currently, only 4 of 18 socio-economic targets reported in the [Commonwealth Closing the Gap Annual Report 2022](#) are on track.

The Voice to Parliament is intended to make a practical difference by providing an enduring mechanism for Aboriginal and Torres Strait Islander people to advise parliament and executive government on the policies and projects that impact their lives. A Voice to Parliament is in keeping with the [National Agreement on Closing the Gap](#), to which ALGA is a signatory and *is premised on*

²⁶ Morris, Shireen (2018) ['The Torment of our Powerlessness': Addressing Indigenous Constitutional Vulnerability through the Uluru Statement's call for a first Nations Voice in their Affairs](#) University of New South Wales Law Journal. 41:3 pp629-656

²⁷ Davidson, Renee (2022) [Proposed Indigenous Voice to Parliament will not confer "special rights" to one race of people](#) RMIT Factlab 23 December 2022

²⁸ Mundine, Nyunggai Warren (2022) [Do we really need an Indigenous 'voice' to parliament? - The Centre for Independent Studies](#) *Epoch Times* 4 September 2022

²⁹ Price, Jacinta (2019) [Power, inclusion and exclusion: my concerns about a 'Voice'](#) NITV 20 July 2019

³⁰ Rowse, Tim (2022) [Review of The Indigenous Voice Co-design Process: Final Report to the Australian Government](#) Australian Policy and History. March 10 2022.

³¹ Morris, Shireen (2018) ['The Torment of our Powerlessness': Addressing Indigenous Constitutional Vulnerability through the Uluru Statement's call for a first Nations Voice in their Affairs](#) University of New South Wales Law Journal. 41:3 pp629-656

³² See Turner, Lesley (2022) [Jacinta Price doesn't speak for my people – and her stance shows why Australia needs the Indigenous voice](#) The Guardian. 1 December 2022.

³³ See for example, Allam, Lorena (2022) [Why do the Nationals oppose the Indigenous voice and do their arguments stand up to scrutiny?](#) The Guardian, 29 November 2022

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*the belief that when First Nations peoples have a genuine say in the design and delivery of services that affect them, better life outcomes are achieved.*³⁴

The importance of self-determination to sustainable human development is also recognised in the international human rights framework.³⁵ The [Prime Minister's speech to Woodford Festival](#) highlighted that better outcomes are achieved when people have input into the decisions that affect them and that is evidenced by the most successful programs, which have directly empowered Indigenous people.

³⁴ Commonwealth of Australia (2022) [Commonwealth Closing the Gap Annual Report 2022](#)

³⁵ Wensing, Ed (2022) [Indigenous Peoples Human Rights, Self Determination and Local Governance](#). Commonwealth Journal of Local Governance. Issue 24. June 2021.

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Appendices

Appendix 1: Uluru Statement from the Heart

We, gathered at the 2017 National Constitutional Convention, coming from all points of the southern sky, make this statement from the heart:

Our Aboriginal and Torres Strait Islander tribes were the first sovereign Nations of the Australian continent and its adjacent islands, and possessed it under our own laws and customs.

This our ancestors did, according to the reckoning of our culture, from the Creation, according to the common law from 'time immemorial', and according to science more than 60,000 years ago.

This sovereignty is a spiritual notion: the ancestral tie between the land, or 'mother nature', and the Aboriginal and Torres Strait Islander peoples who were born therefrom, remain attached thereto, and must one day return thither to be united with our ancestors. This link is the basis of the ownership of the soil, or better, of sovereignty. It has never been ceded or extinguished, and co-exists with the sovereignty of the Crown.

How could it be otherwise? That peoples possessed a land for sixty millennia and this sacred link disappears from world history in merely the last two hundred years?

With substantive constitutional change and structural reform, we believe this ancient sovereignty can shine through as a fuller expression of Australia's nationhood.

Proportionally, we are the most incarcerated people on the planet. We are not an innately criminal people. Our children are alienated from their families at unprecedented rates. This cannot be because we have no love for them. And our youth languish in detention in obscene numbers. They should be our hope for the future.

These dimensions of our crisis tell plainly the structural nature of our problem. This is the torment of our powerlessness.

We seek constitutional reforms to empower our people and take a rightful place in our own country. When we have power over our destiny our children will flourish. They will walk in two worlds and their culture will be a gift to their country.

We call for the establishment of a First Nations Voice enshrined in the Constitution.

Makarrata is the culmination of our agenda: the coming together after a struggle. It captures our aspirations for a fair and truthful relationship with the people of Australia and a better future for our children based on justice and self-determination.

We seek a Makarrata Commission to supervise a process of agreement-making between governments and First Nations and truth-telling about our history.

In 1967 we were counted, in 2017 we seek to be heard. We leave base camp and start our trek across this vast country. We invite you to walk with us in a movement of the Australian people for a better future

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Appendix 2: Resources on Constitutional Recognition of Aboriginal and Torres Strait Islander People

Referendum on the update to the Constitution to include an Aboriginal and Torres Strait Islander Voice to Parliament

Up to date information on progress towards the Referendum is available from the [National Indigenous Australian Agency](#) (NIAA).

- The latest news items and Communique's are shared here

Indigenous Voice Co-Design Process

Information on the Indigenous Voice co-design process is available at <https://www.niaa.gov.au/indigenous-affairs/indigenous-voice> including the:

- [Final Report to the Australian Government on the Indigenous Voice Co-design Process](#)
- [Indigenous Voice Discussion Paper](#)

Joint Select Committee on Constitutional Recognition - 2018

Information on the Joint Select Committee on Constitutional Recognition Relating to Aboriginal and Torres Strait Islander Peoples is available at <https://www.aph.gov.au/constitutionalrecognition> including the [Final Report](#) of the Committee.

The Referendum Council – 2015-2017

Information on the outcomes from the Referendum Council are available at <https://www.referendumcouncil.org.au/>, including:

- [Final Report of the Referendum Council \(30 June 2017\)](#)
- Details of the [First Nation Regional Dialogues](#) that discussed Constitutional recognition
- Information on the [National Constitutional Convention](#) in Uluru, May 2017
- The [Uluru Statement from the Heart](#)

Uluru Statement from the Heart

- Information on the Uluru Statement from the Heart is available at <https://ulurustatement.org/>
- The From the Heart campaign page for a Referendum on Indigenous Constitutional Recognition is available at <https://fromtheheart.com.au/>
- [From the Heart offer a free short online course - Indigenous Constitutional Recognition through a Voice - Overview \(fromtheheart.com.au\)](#)

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Appendix 3: Local Government Association positions on Constitutional Recognition of Aboriginal and Torres Strait Islander People

Australian Local Government Association

The following motion was carried at the [2022 ALGA National General Assembly](#):

56 Newcastle City Council NSW

This National General Assembly calls on the Australian Government to continue to demonstrate strong leadership in support of Aboriginal and Torres Strait Islander Peoples by supporting a constitutionally enshrined voice to Parliament for Aboriginal and Torres Strait Islander peoples and endorsing the Uluru Statement from the Heart.

Request that the Australian Local Government Association work with the Uluru Statement from the Heart's campaign to develop a resource kit for councils seeking to host public forums to inform their communities about the proposed referendum.

The ALGA Board resolved, at its November meeting that the ALGA Board:

Endorses the Board considering a position on the Voice to Parliament once all the view of member association are available, either out-of-session or at the first board meeting in 2023.

Municipal Association of Victoria

At its June 2022 meeting the [Municipal Association of Victoria](#) State Council resolved:

That the MAV call upon all Victorian local government authorities to consider supporting the Uluru Statement from the Heart which calls on the Australian people to walk with First Nations in a people's movement for Voice, Treaty and Truth, and encourage all Councils to write to their respective Federal Member of Parliament calling on the Australian Government to support Constitutional Recognition for Aboriginal and Torres Strait Islander peoples and the key principles of the "Uluru Statement from the Heart".

Local Government Association of Queensland (LGAQ)

Motion 8 carried at the 2019 Conference:

That the LGAQ write to the Australian Local Government Association (ALGA) affirming the support of Queensland councils to the central tenets of the Uluru Statement from the Heart and conferring to ALGA the responsibility for ensuring effective representation of local government in the Federal Government's response to the Statement.

Motion 29 carried at the 2022 Annual Conference

The LGAQ support the Uluru Statement from the Heart, an Indigenous Voice to Parliament and the Makarrata Commission.

The LGAQ:

- 1. To make a statement of support for the Uluru Statement from the Heart, an Indigenous Voice to Parliament and the Makarrata Commission*
- 2. To engage with the State and Federal governments, Indigenous leaders and organisations to develop communication materials to support an informed vote at the proposed referendum.*

Local Government Association of New South Wales (LGNSW)

[Resolution 39 of the LGNSW 2022 Special Conference](#):

That Local Government NSW:

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1. *Supports the Statement from the Heart's call for Indigenous constitutional recognition through a Voice and that a referendum is held in the next term of federal parliament to achieve it.*
2. *Develops a kit in partnership with the Traditional Custodians to assist councils to hold public forums to inform their communities about the Statement from the Heart and the proposed referendum.*
3. *Develops an advisory body model for a First Nations Voice to Council for local Indigenous communities; with the structure, terms of reference and membership for the First Nations Voice to Council to be determined by consultation with local Indigenous community stakeholders including Local Aboriginal Land Councils, native title holders and elders in conjunction with local councils.*
4. *Encourages local councils to develop a relationship with their local First Nations communities, especially the Traditional Owners/Custodians, and to develop with them ways in which they can provide input into the decisions of council.*

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[Policy Platform 20. Aboriginal and Torres Strait Islander People](#)

LGNSW acknowledges the significance of the Statement from the Heart issued at the 2017 First Nations National Constitutional Convention at Uluru and supports the principle of the Constitutional recognition of Aboriginal and Torres Strait Islander Australians. Australia is one of the few first world nations with a colonial history that does not recognise its Aboriginal population in the Constitution. LGNSW believes that Constitutional change will build stronger relationships of trust and mutual respect between Aboriginal and Torres Strait Islander peoples and other Australians. Local government in NSW can be instrumental in this campaign as it is best connected to communities at the grass roots level.

OUR POSITION

LGNSW:

- 20.1 *Seeks that the Australian Government co-design with Aboriginal and Torres Strait Islander peoples, Constitutional recognition through a First Nations Voice, support the process of truth-telling and consider the establishment of a National Resting Place (or Places) for commemoration, healing and reflection.*
- 20.2 *Encourages councils to progress the Constitutional recognition campaign at the local level and build support among all political leaders to advocate for a referendum.*
- 20.3 *Supports reforms to redress any disproportionate disadvantage experienced by Aboriginal and Torres Strait Islander peoples.*
- 20.4 *Encourages councils to develop a relationship with local First Nations communities to develop ways in which they can provide input into council decisions.*

**Local Government Association of Western Australia (WALGA)
Government Association of Tasmania (LGAT)
Local Government Association of South Australia (LGASA)
Local Government Association of the Northern Territory (LGANT)**

No position

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Appendix 4: Mayors for the Voice to Parliament Public Statement

We the undersigned endorse the Uluru Statement from the Heart and support constitutional recognition for Aboriginal and Torres Strait Islander people through a Voice to Parliament.

As local leaders, we are committed to building awareness in our communities about the upcoming referendum. Our citizens should be informed about what constitutional recognition through a Voice to Parliament will mean for Indigenous people and Australian society as a whole.

Local government must play an important role in holding civic forums, promoting dialogue, and providing a platform for Indigenous voices to be heard in the debate.

We believe that a successful referendum can be a unifying achievement for Australia.

We are ready to work with all levels of government to educate and inform our communities about why this referendum is such an important moment for our nation.

- Heather Holmes-Ross – City of Mitcham (SA)
- Dr Mary Duniam – Waratah-Wynyard Council (Tas)
- Chris Homer – Shellharbour Council (NSW)
- Anna Reynolds – Hobart City Council (Tas)
- Ben Ramcharan – Nillumbik Shire Council (Vic)
- Lisa Lake – Cumberland Council (NSW)
- Kenrick Winchester – Queanbeyan-Palerang Regional Council (NSW)
- Danny Gibson – City of Launceston (Tas)
- Dylan Parker – Randwick City Council (NSW)
- Maree Statham – Lithgow City Council (NSW)
- Tony Bleasdale OAM- Blacktown City Council (NSW)
- Peter Castaldo – Banyule City Council (Vic)
- Zoe Baker – North Sydney Council (NSW)
- Donna Davis – City of Parramatta (NSW)
- Michael Kerr – Douglas Shire Council (Qld)
- Andrew Zbik – Lane Cove Council (NSW)
- Christina Curry – Bayside Council (NSW)
- Nick Katris – Georges River Council (NSW)
- Michael Whelan – Bass Coast Shire Council (Vic)
- Clover Moore – City of Sydney (NSW)
- Isabelle Tolhurst – Borough of Queenscliffe (Vic)
- Rhys Williams – City of Mandurah (WA)
- Tony Jack – Roper Gulf Regional Council (NT)
- Nuatali Nelmes – City of Newcastle (NSW)
- Khal Asfour – Canterbury Bankstown (NSW)
- Keri Tamwoy – Aurukun Shire Council (Qld)
- Charlie Sheahan – Cootamundra-Gundagai Regional Council (NSW)
- Mark Greenhill – Blue Mountains City Council (NSW)
- Des Hudson – City of Ballarat (Vic)
- Jay Suvaal – Cessnock City Council (NSW)
- Stephen Allan – Bellingen Shire Council (NSW)
- Sarah Carter – Maribyrnong City Council (Vic)
- Kevin Beatty – Cabonne Council (NSW)
- Paula Masselos – Waverley Council (NSW)
- Jason Hamling – Orange City Council (NSW)
- Peter Scott – Cook Shire Council (Qld)
- Hon George Gear JP – City of Melville (WA)

Item 7.1 Proposed Advocacy Position on Constitutional Recognition of Aboriginal and Torres Strait Islander People

Attachment: Information Paper: Constitutional Recognition of Aboriginal and Torres Strait Islander People

Appendix 5: New South Wales Indigenous Law Centre Issues Papers

The [New South Wales Indigenous Law Centre](#) released a series of three issues papers in September 2022 to support public discussion in the lead up to the referendum on the Voice.

[Issues Paper 1: The Constitutional Amendment](#) outlines a range of issues and options for the proposed constitutional amendment for the Voice. In summary, it recommends that:

The Constitutional Amendment should:

- Constitutionally enshrine the Voice
- Constitutionally enshrine the primary function to make representations on laws and policies that affect Aboriginal and Torres Strait Islander People
- Leave the design of the Voice, its composition, additional functions, powers and procedures to Parliament

The Constitutional Amendment should not:

- Create a constitutional limit on parliamentary power
- Shift power from the political process to the courts
- Leave it entirely to Parliament to determine how Aboriginal and Torres Strait Islander people are to be 'heard'

This is in keeping with the current approach being taken by the Government.

[Issues Paper 2: The Referendum Question](#) addresses the referendum requirements, including the framing of the referendum question focusing on the principles of constitutional jurisprudence (not leaving the wording open to future constitutional challenge) and ensuring there is sufficient information for voters to fulfil their constitutional function.

[Issues Paper 3: Finalisation of the Voice Design](#) addresses the design of the Voice, including the level of detail that Australian people require to make an informed vote, and the potential legislative form of the Voice. They highlight that the referendum is to be held on a matter of principle: *should Aboriginal and Torres Strait Islander peoples be recognised in the Australian Constitution by ensuring they have a representative Voice to Parliament and government regarding laws and policies that affect them*, and focus on the three following principles:

- **Respect for voters** including sufficient detail to make an informed choice
- **Assurance to First Nations** including that membership of the Voice will not be imposed by parliament without their input
- **Maintaining flexibility** to enable to Voice to adapt and evolve over time.

Appendix 6: National Voice Overview

National Voice overview

Structure and membership

24 Members

= Base members
 = Additional remote members
 = Mainland Torres Strait Islander member

- There would be two members from each state and territory, as well as the Torres Strait Islands.
- There would also be a third member for remote representation for NSW, NT, QLD, WA and SA and one member for mainland Torres Strait Islander people.
- Gender balance would be structurally guaranteed.
- Option for two additional members jointly appointed between the National Voice and the Government.

Membership structurally linked to Local & Regional Voice

A
Determined by Local & Regional Voice (Default option)

Local & Regional Voices collectively determine the National Voice members for their state, territory and the Torres Strait. This is the default option.

B
Determined by state or territory representative assemblies

National Voice members determined by relevant state, territory and Torres Strait representative assemblies, if they are formed by drawing on Local & Regional Voices, where they exist.

C
Hybrid arrangement

Combination of determining members:

- Determined by special meeting of Local & Regional Voice representatives
- Determined by relevant jurisdiction-level representative assemblies where these exist (either an elected assembly or drawn from Local & Regional Voices).

OR

Role of members

Members would represent the diverse perspectives of all Aboriginal and Torres Strait Islander people at the national level. Part of the role is to represent the views of Local & Regional Voices in their state, territory or the Torres Strait Islands.

Membership features

- Members would have four year staggered terms (maximum two consecutive terms).
- Members would select two full time co-chairs of different gender from among themselves.
- Members would be subject to eligibility requirements (age, Indigenous identity, criminal conviction and bankruptcy), and a fit and proper person assessment. Eligibility issues would be subject to review on the advice of an independent Ethics Council.
- A member could be removed from their position for misconduct, subject to a review process and a two-thirds super-majority vote of the membership.

Parliament and Government

Consultation standards

The proposed standards set out when and how the National Voice should be consulted by Parliament and Government including:

- An *obligation* to consult on proposed laws that overwhelmingly relate to Aboriginal and Torres Strait Islander people, or which are 'special measures'.
- An *expectation* to consult on proposed laws and policies that significantly impact Aboriginal and Torres Strait Islander people.
- Ability to consult the National Voice on any relevant matter

- Consultation should occur as early as possible in the development of relevant laws and policies, and throughout the development process.

Transparency mechanisms

- A statement would be included with bills that would explain consultation with the National Voice.
- The National Voice would be able to table formal advice in Parliament.
- A parliamentary committee would consider tabled advice and engagement with the National Voice, and enable parliamentarians to hear directly from the National Voice.

All elements would be non-justiciable, meaning that there could not be a court challenge and no law could be invalidated based on whether there was alignment with the consultation standards or transparency mechanisms.

Policy and expert input

Two permanent committees, separate to the membership:

- A Youth Permanent Advisory Group
- Disability Permanent Advisory Group

The National Voice would be able to establish other committees and draw on expert advice at any time.

Corporate form

The National Voice would be a new, independent Commonwealth entity. The National Voice members would be supported by its own Office of the National Voice to provide policy and administrative support.

Item 7.1 Proposed Advocacy Position on Constitutional Recognition of Aboriginal and Torres Strait Islander People

Attachment: Information Paper: Constitutional Recognition of Aboriginal and Torres Strait Islander People

Functions

Role of the National Voice

On behalf of Aboriginal and Torres Strait Islander people, the National Voice would have a responsibility and right to advise the Parliament and Australian Government on national matters of significance to Aboriginal and Torres Strait Islander people.

Core function

Advise on matters of national significance relating to the social, spiritual and economic wellbeing of Aboriginal and Torres Strait Islander people.



Advice function scope

- Advice would be both proactive and responsive. The National Voice would be able to initiate advice, as well as respond to referrals from the Parliament and Australian Government.
- The National Voice would determine which issues to advise on. There would be no restriction on this. Advice would focus on national level issues.
- The National Voice would prioritise to focus resources on what it sees as most important.
- Advice would be provided to both the Parliament and the Australian Government.

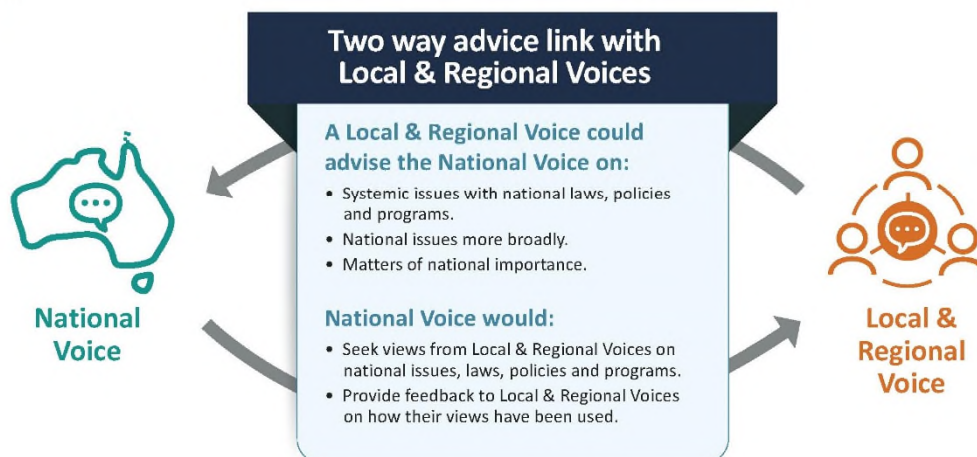
Advice function features

- Two-way interactions between the National Voice and the Parliament and Australian Government. The National Voice may ask for advice and information.
- Advice can be requested by the Parliament or Australian Government but the National Voice would not be required to provide advice.
- Advice would generally be public, with discretion for informal discussions where appropriate.
- Advice would present a clear position where possible, with flexibility to reflect diverse or dissenting views where necessary.

Engagement with other Aboriginal and Torres Strait Islander organisations

The National Voice would engage and link with other Aboriginal and Torres Strait Islander organisations. It would not replace or undermine existing bodies.

Links



The National Voice would not:

- ✗ deliver Government programs.
- ✗ provide mediation or facilitation between Aboriginal and Torres Strait Islander organisations.
- ✗ replace existing organisations.
- ✗ be an escalation point for local and regional operational issues, nor mediate between government and Local & Regional Voices.
- ✗ be a clearing house for research.
- ✗ undertake program evaluation, but could identify matters where evaluation may be needed, or how evaluations could be more effective.

Appendix 7: Principles-based framework for Local & Regional Voice

Principles-based framework for Local & Regional Voice

What is the Local & Regional Indigenous Voice Framework?

Purpose

To enable Aboriginal and Torres Strait Islander people in every community to have a greater say in public policy, programs and service delivery affecting their lives through shared decision making in partnership with governments.

Context

The *Joint Select Committee on Constitutional Recognition* found Local & Regional Voice should provide a forum for dialogue between Indigenous Australians and governments on policy, programs and services, and draw on the varying practices of communities rather than a 'one size fits all' model.

The Local & Regional Co-design Group's task is to articulate preferred approaches to improved local and regional decision making and Indigenous regional governance, and provide advice on preferred options.

To achieve this, the Group has developed this principles-based framework that:

- draws on what is working well in local and regional decision-making across the country
- is flexible enough to build on these approaches and accommodate diverse communities
- provides a platform for enhanced, effective and sustainable engagement between communities and governments on the ground
- connects communities and regions to a National Voice
- embeds respectful and culturally safe arrangements for all involved – community members and governments alike.


How will it be achieved?

Regional governance structures are established as Local & Regional Voice, building on what exists and works well. There are ways for local communities across a region to lead on their local priorities and link up with region-wide work.

Local & Regional Voice works in partnership with all levels of government. They provide advice and engage in planning and 'shared decision making' on policies and programs affecting communities, based on community aspirations and priorities. Detail in Scope below.


Scope

Functions of Local & Regional Voice are expected to evolve over time along this spectrum, depending on their preferences and capacity.




Advice to governments and others

- Provide advice to all levels of government on community aspirations, priorities and challenges to influence policy, program and service responses (including mainstream)
- Draw on knowledge of local Indigenous organisations and sector experts to develop advice and enhance their voice to governments
- Provide advice to non-government sector (e.g. business, corporate)




Shared decision making

- Work with all levels of government to undertake strategic regional planning based on the aspirations, priorities and challenges of communities in the region
- Co-design strategies targeted at community aspirations and priorities and how they should be delivered
- Provide joint advice to government decision makers about how funding investment and other resources can be better aligned to local priorities and strategies



National engagement


- Provide advice to the National Voice on systemic issues associated with national policies and programs, and matters of national importance
- Clear, two-way flow of advice and communication between levels of the Indigenous Voice
- Communication with state/territory level representative bodies (where they exist)



Out of scope

- Administration of programs & funding

Noting 'shared decision making' with governments is in scope (with all final decisions remaining with relevant government delegates).



Community engagement

- Provide clear pathways for community members (includes all individuals, families, groups, organisations and traditional owners with ties to the local area) to contribute input and feedback loop with the Local & Regional Voice.

Principles

These guide Local & Regional Voice, government arrangements, and the partnership interface arrangements.

★ Empowerment

- Aboriginal and Torres Strait Islander Australians have greater control and voice in their own affairs – a self-determination approach. Governments shift to an enabling role. Arrangements are culturally safe.

★ Inclusive Participation

- All have the opportunity to have a say, including traditional owners and historical residents. Arrangements are broad-based and support respectful engagement across a diversity of voices – individuals, communities and organisations. This includes 'unheard' community members that have been historically excluded, or who face unique barriers to participation.

★ Cultural Leadership

- Local & Regional Voice arrangements strongly connect to cultural leaders in a way that is appropriate for each community and region. Communities determine how this principle interacts with the Inclusive Participation principle in their context.

★ Community-led Design

- Arrangements are determined by communities according to local context, history and culture. Community ownership gives authorisation and mandate to Local & Regional Voices. Communities determine implementation pace; governments support and enable this.

★ Non-duplication and Links with Existing Bodies

- Local & Regional Voices build on and leverage existing approaches wherever possible, with adaptation and evolution as needed to improve the arrangements. Voices link to other existing bodies, not duplicate or undermine their roles.

★ Respectful Long-term Partnerships

- Governments and Local & Regional Voices commit to mutually respectful and enduring partnership, supported by structured interface. Governments are responsive and proactive. Governments support building capacity and expertise of Local & Regional Voices and implement system changes.

★ Transparency and Accountability

- Governments and Local & Regional Voices adhere to clear protocols and share responsibility and accountability, especially downwards to communities.

★ Capability Driven

- Local & Regional Voice arrangements match the unique capabilities and strengths of each community and region. Governments and communities both build their capability to work in partnership and support local leadership development.

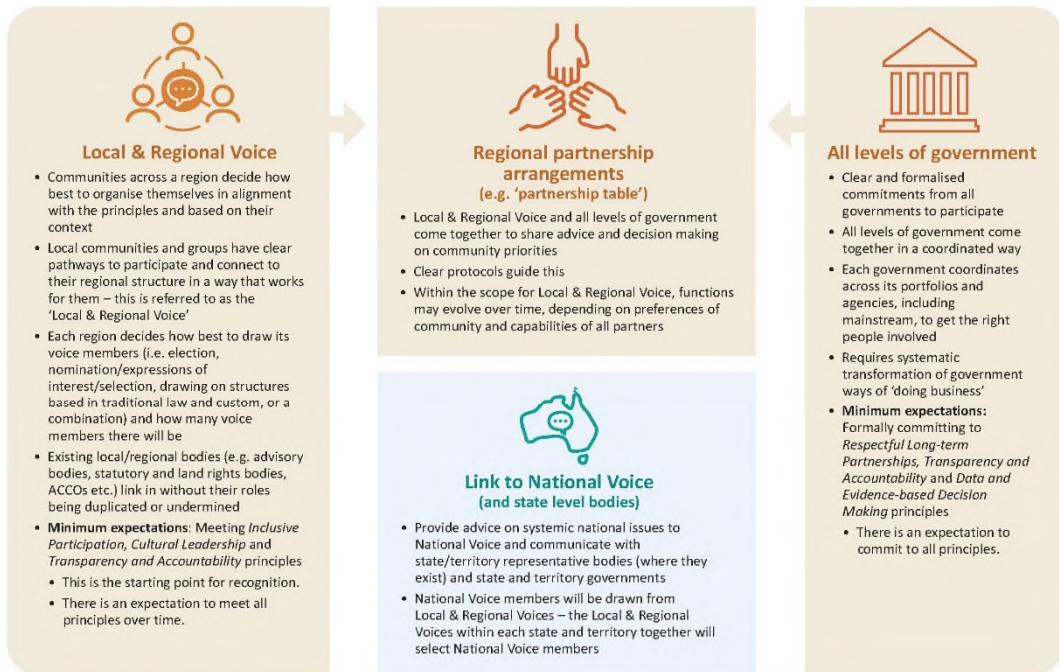
★ Data and Evidence-based Decision-Making

- Data is shared between governments and communities to enable evidence based advice and shared decision-making. Communities are supported to collect and manage their own data.

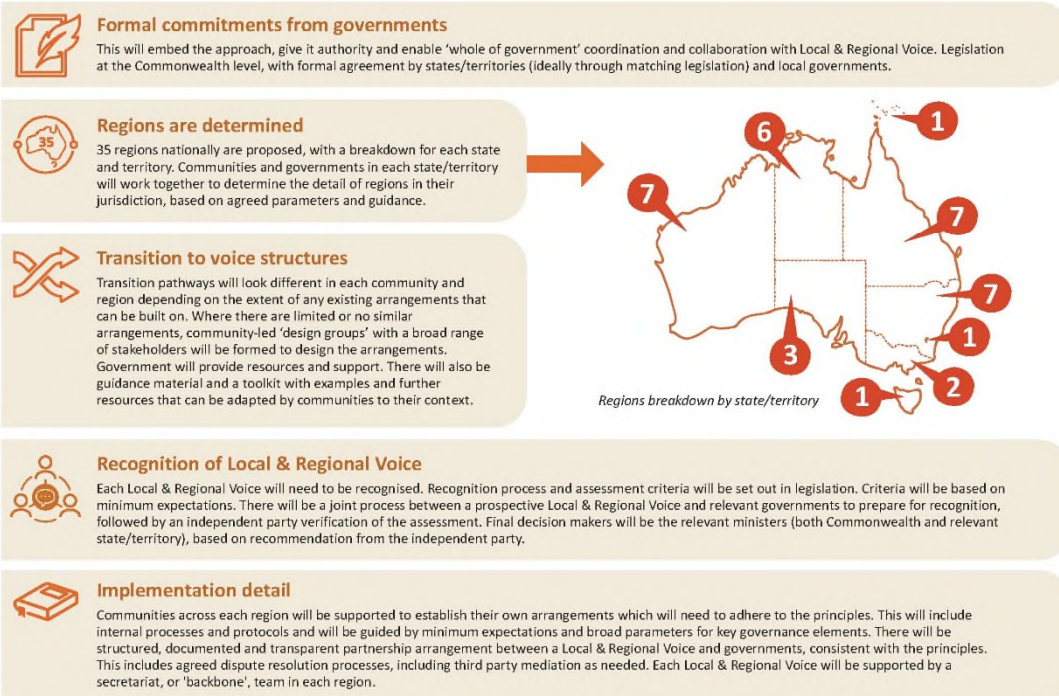
Item 7.1 Proposed Advocacy Position on Constitutional Recognition of Aboriginal and Torres Strait Islander People

Attachment: Information Paper: Constitutional Recognition of Aboriginal and Torres Strait Islander People

How does this work in practice?



What are the steps to get there?



Item 7.1 Proposed Advocacy Position on Constitutional Recognition of Aboriginal and Torres Strait Islander People

Attachment: Information Paper: Constitutional Recognition of Aboriginal and Torres Strait Islander People

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7.2 Community Disaster Resilience Strategy Submission

By Rachel Armstrong, Senior Policy Advisor, Emergency Management

WALGA RECOMMENDATION

That the submission on the draft *Western Australian Community Disaster Resilience Strategy* be endorsed.

Executive Summary

- The State Emergency Management Committee (SEMC) has released the draft *Western Australian Community Disaster Resilience Strategy* (CDRS) for public consultation, until 3 March 2023.
- The Strategy intends to provide the guidance to support all Western Australians to increase their disaster resilience.
- The Strategy builds on a *CDRS Discussion Paper*. WALGA previously provided input on the discussion paper, and Local Government Consultation was also undertaken by SEMC
- WALGA has prepared a draft Submission that is supportive of the CDRS

Attachments

- [WALGA Submission March 2023 - Community Disaster Resilience Strategy](#)
- [Draft Community Disaster Resilience Strategy](#)

Policy Implications

This submission relates to the following emergency management [Advocacy Positions](#) (included as an appendix to the submission):

- [8.1 Emergency Management Principles](#)
- [8.2 State Emergency Management Framework](#)
- [8.3 Sustainable Grant Funding Model for Emergency Management](#)

The following WALGA advocacy positions are also relevant.

- [3.1.1 Service Delivery to Aboriginal Communities](#)
- [3.11 Homelessness](#)
- [4.1 Climate Change](#)
- [5.4.3 Betterment](#)

Background

WALGA provided feedback to on the WA Community Disaster Resilience Strategy Discussion Paper via letter on Monday, 4 April 2022. The letter expressed support for the preparation of a CDRS to strengthen community resilience to disasters and hazards in WA. WALGA sought feedback from Local Governments through WALGA's Local Government Emergency Management Advisory Group (LGEMAG) and feedback received from members during the consultation period directly, or through the three workshops held for Local Governments by SEMC.

WALGA's submission emphasised the resourcing implications of the initiatives and actions identified in the Discussion Paper and importance of releasing the CDRS for a formal consultation process to ensure that the implementation actions proposed were reasonable and achievable.

In December 2022, the SEMC released a draft [Western Australian Community Disaster Resilience Strategy](#) for public comment. WALGA prepared a draft submission and sought feedback from the Local Government Sector. Feedback was received from the City of Rockingham, the Shire of Mundaring, and the Shire of Ashburton, the Shire of Wagin, the Shire of Coorow and the Shire of Dundas.

The final Strategy will be submitted to the SEMC and the Minister for Emergency Services for approval to publish in 2023.

Comment

The WA CDRS is a significant strategic milestone for emergency management in our State. Local Government plays a critical role in supporting the community to prevent, prepare for, respond to, and recover from emergencies. Local Governments also build community resilience as part of their everyday business, enhancing health and wellbeing and supporting vulnerable communities including children and young people, the homeless, Aboriginal communities, people with disabilities, multicultural communities and seniors, and undertaking hazard and climate change mitigation activities.

The WALGA submission generally supports the WA CDRS and also recommends the following:

1. The CDRS requires greater coherence and connection between principles, objectives, and initiatives to guide effective action and support meaningful evaluation.
2. WALGA welcomes initiative *4.1 Improved access to Financial Support* and strongly supports the proposed establishment of a State Disaster Risk Reduction Fund. This has the potential to make a significant and positive impact on the resilience of local communities across the State to disasters.
3. The opt-in model for the CDRS, suggests there is no resources committed, nor responsibility allocated for implementing initiatives. This reduces the likelihood that the Strategy will achieve its outcomes and objectives or drive improvements in resilience across Western Australian communities. WALGA recommends that this is addressed by:
 - a. Inclusion of a clear implementation plan with roles, responsibilities, and accountabilities at the State level.
 - b. Exploring options to bring the CDRS into effect, including through allocating funds to support a network of experienced advisors to work with Local Governments and Communities to implement initiatives under the Community Disaster Resilience Strategy.

The draft WALGA submission to the *Western Australian Community Disaster Resilience Strategy* was endorsed by the People and Place Policy Team on Wednesday, 25 January.

Zone Consideration	
Avon Midland Country Zone	WALGA recommendation supported
Central Country Zone	WALGA recommendation supported
Central Metropolitan Zone	WALGA recommendation supported
East Metropolitan Zone	WALGA recommendation supported
Gascoyne Country Zone	WALGA recommendation supported
Goldfields Esperance Country Zone	WALGA recommendation supported
Great Eastern Country Zone	WALGA recommendation supported
Great Southern Country Zone	WALGA recommendation supported
Kimberley Country Zone	WALGA recommendation supported
Murchison Country Zone	No meeting held
North Metropolitan Zone	WALGA recommendation supported
Northern Country Zone	WALGA recommendation supported
Peel Country Zone	WALGA recommendation supported
Pilbara Country Zone	WALGA recommendation supported
South East Metropolitan Zone	WALGA recommendation supported
South West Country Zone	WALGA recommendation supported

SOUTH METROPOLITAN ZONE

That the additional points be included in the WALGA submission as below:

- Omission of donation management during a disaster, recovery from a disaster and ongoing. There is no guidance in the document around this matter;
- Appears to focus initiatives and opportunities on Local Government rather than identifying clearly what the State can do and how it can be coordinated, the funding that is required and how support can be accessed. There needs to be more detail around this given it is driven by the SEMC;
- Fails to provide guidance around how a community can support individual impacts;
- Training of VBFB members in resilience training is not supported. VBFB members role is focusing on response, this training is better targeted to support agencies and community groups that are focussed on disaster recovery.

SECRETARIAT COMMENT

WALGA notes the points suggested by the South Metropolitan Zone. Point one and three will be incorporated as suggested initiatives and opportunities outlined in Table one of WALGA's submission. Point two is addressed by WALGA's calls for the development of a clear implementation plan with roles, responsibilities and accountabilities at the State level, and Point Four will be incorporated noting that any training for Brigade members should be voluntary.

COMPOSITE RECOMMENDATION

Moved: President Cr Phil Blight
Seconded: President Cr Tony Dean

That the Submission on the draft Western Australian Community Disaster Resilience Strategy be endorsed, incorporating the following points:

- 1. Guidance on donation management during a disaster, recovery from a disaster and ongoing;**
- 2. Additional detail on the State's role, the funding that is required and how support can be accessed;**
- 3. Acknowledgment that the role of volunteer bush fire brigade members is focused on response, and that resilience training is better targeted to support agencies and community groups assisting with disaster recovery. Any training requirements for brigade members should be voluntary.**

RESOLUTION 419.1/2023

CARRIED

Community Disaster Resilience Strategy

WALGA Submission – March 2023

Executive Summary

WALGA appreciates the opportunity to provide feedback on the *Western Australian Community Disaster Resilience Strategy* (CDRS). As the peak body for the 139 Local Governments in Western Australia and a member of the State Emergency Management Committee (SEMC), WALGA is committed to supporting Local Governments in their roles and responsibilities in emergency management.

WALGA is supportive of the WA CDRS and considers it will be a significant strategic milestone in our State shifting from a focus on emergency *services* to emergency *management*.

This submission recommends some improvements to the draft Strategy relating to the guiding principles, key objectives, and initiatives and opportunities to ensure that it is effective for use by Local Governments.

WALGA provides the following overall comment and recommendations:

1. **The CDRS requires greater coherence and connection between principles, objectives, and initiatives to guide effective action and support meaningful evaluation. To achieve this, WALGA recommends that:**
 - a. **Refinement of the community disaster resilience definition, considering capacity and capability, climate change adaption and mitigation, community development and the variability of stresses and shocks.**
 - b. **The CDRS objectives are reframed so that they are clearly within the context of disaster resilience, similar to the outcomes framework in the *CDRS Discussion Paper October 2021 (the Discussion Paper)*.**
 - c. **The CDRS clearly links each proposed initiative with the strategy to the principles, objectives and outcomes.**
 - d. **Monitoring and evaluation of the Strategy is coordinated at a State level.**
2. **WALGA welcomes initiative 4.1 *Improved access to Financial Support* and strongly supports the proposed establishment of a State Disaster Risk Reduction Fund. This has the potential to make a significant and positive impact on the disaster resilience of local communities across the State.**
3. **The opt-in model for the CDRS suggests there are no resources committed, nor responsibility allocated, to implementation. This reduces the likelihood that the Strategy will be effective in driving improvements in resilience across Western Australian communities. WALGA recommends that this be addressed by:**
 - a. **Including a clear implementation plan with roles, responsibilities and accountabilities at the State level and links to a range of related State level initiatives, such as those identified in Appendix A of the Strategy.**
 - b. **Exploring options to bring the CDRS into effect, including through allocating funds to support a state-wide network of experienced advisors to work with Local Governments and Communities to implement initiatives under the Community Disaster Resilience Strategy.**

Item 7.2 Community Disaster Resilience Strategy Submission

Attachment: WALGA Submission March 2023 - Community Disaster Resilience Strategy

Introduction

Local Government plays a critical role in supporting the community to prevent, prepare for, respond to, and recover from emergencies. Beyond emergency management, Local Governments also build community resilience as part of their everyday business, enhancing health and wellbeing and supporting vulnerable communities including children and young people, the homeless, Aboriginal communities, people with disabilities, multicultural communities and seniors, and undertaking hazard and climate change mitigation activities.

WALGA acknowledges that shared responsibility and all-hazards approaches should be a part of community disaster resilience. WALGA's feedback reflects this sentiment and outlines areas of improvement to support the Local Government sector in participating in the implementation of the Community Disaster Resilience Strategy (CDRS or 'the Strategy').

Background

WALGA's feedback on the *Western Australian Community Disaster Resilience Strategy Discussion Paper* provided in April 2022 (see Appendix Two) expressed support for the preparation of a CDRS to strengthen community resilience to disasters and hazards in WA. This feedback was informed by Local Governments through WALGA's Local Government Emergency Management Advisory Group (LGEMAG), from members during the consultation period directly and through the three workshops held for Local Governments by the SEMC.

WALGA's comments emphasised that the initiatives and actions identified in the *Discussion Paper* would have resource implications and therefore it is important that the CDRS be released for a formal consultation process to ensure that the implementation actions proposed are reasonable and achievable.

In December 2022, SEMC released a draft [Western Australian Community Disaster Resilience Strategy](#) for public comment. WALGA prepared a draft submission and sought feedback from the Local Government sector. Feedback was received from emergency management staff and / or elected members from the City of Rockingham, the Shire of Mundaring, and the Shire of Ashburton, the Shire of Wagin, the Shire of Coorow and the Shire of Dundas.

Concurrent to the development of the WA CDRS, WALGA has been progressing the Local Emergency Management Arrangements (LEMA) Review Project. More information about the review, is available on the [WALGA website](#). Feedback received in this project, as well as opportunities for integration, have been considered in this submission. The LEMA Review was initiated in response to reports that WA Local Governments face several challenges in maintaining effective and current LEMA.

WALGA has recently endorsed a [suite of emergency management advocacy positions](#). A number of these are relevant to the preparation of the CDRS, including

- 8.1 Emergency Management Principles,
- 8.2 State Emergency Management Framework, and
- 8.3 Sustainable Grant Funding for Emergency Management

These are attached as an appendix to this submission along with other relevant WALGA advocacy positions.

Comment

1. The CDRS requires greater coherence and connection between principles, objectives, and initiatives to guide effective action and support meaningful evaluation. To achieve this, WALGA recommends that:
 - a. Refinement of the community disaster resilience definition, considering capacity and capability, climate change adaption and mitigation, community development and the variability of stresses and shocks.
 - b. The CDRS objectives are reframed so that they are clearly within the context of disaster resilience, similar to the outcomes framework in the *CDRS Discussion Paper October 2021 (the Discussion Paper)*.
 - c. The CDRS clearly links each proposed initiative with the strategy to the principles, objectives and outcomes.
 - d. Monitoring and evaluation of the Strategy is coordinated at a State level.

Guiding Principles

WALGA agrees that disaster resilience is a shared responsibility and understands that the WA CDRS should be used by the emergency management sector, including Local Government, other areas of government, businesses, non-for-profit, as well as the community and individuals. However, in its current form, the draft CDRS does not sufficiently provide for meaningful community engagement and community-led recovery in its principles and objectives. Community engagement should be integrated into the CDRS as a guiding principle as it is central to all aspects of disaster resilience. Considering Principle 3, the term “relationships management” infers a top-down approach. This should be replaced with “relationship building” as relationships need to be developed and built horizontally, and from the bottom up to achieve resilience. Alternatively, this principle could simply be captured as ‘Partnerships and co-design’.

WALGA suggests the principles, as depicted in *Figure 1*, are rewritten as follows:

1. **Community engagement and education**
2. Inclusion and recognition
3. Partnerships, co-design and **relationship building**
4. **Communication and modern technology**

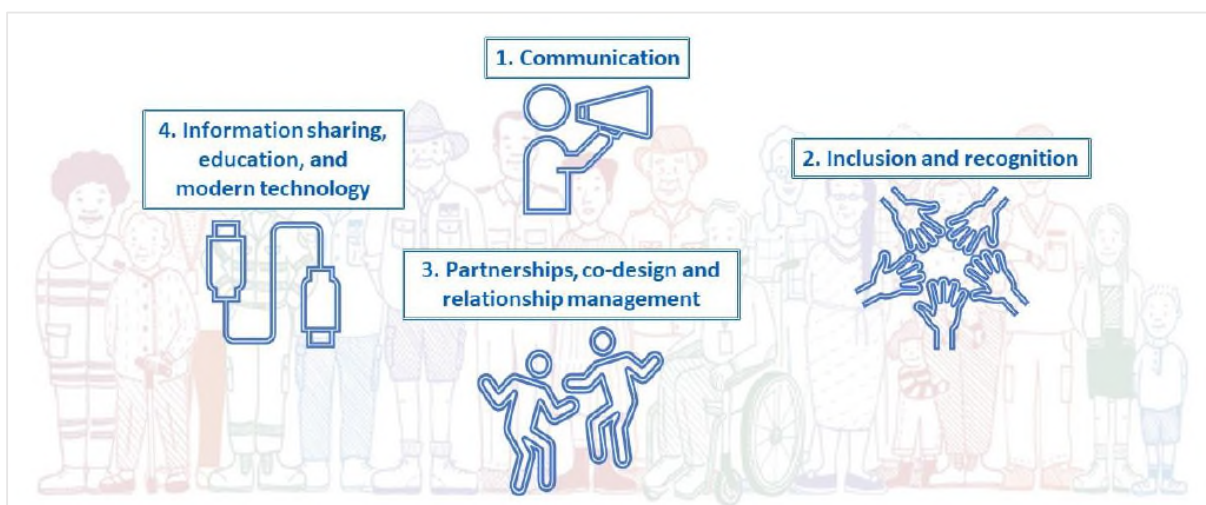


Figure 1: CDRS Guiding Principles (Pg.11)

Item 7.2 Community Disaster Resilience Strategy Submission

Attachment: WALGA Submission March 2023 - Community Disaster Resilience Strategy

Further information about the proposed revision to principles one and four is provided below.

1. Community engagement and education

This is a new section that focuses more clearly on community engagement and disaster preparedness education to support a long-term community-led approach to resilience. This approach would build risk awareness and understanding of what is required to be prepared and resilient to potential hazards within a community. Community champions, community resilience programs, and integration of disaster resilience education into the school curriculum are all aligned to this principle. The information on communication before, during and after an emergency that is currently under principle one could be moved to the section on communication and modern technology.

4. Communication and modern technology

This section combines principles 1 and 4 with revisions to include the importance of communication and technology in getting the right information to people in a timely manner, as well as the importance of clear and effective communication before, during and after an emergency, and the systems and processes that are required to support effective communication.

Additionally, the strategy should consider developing campaign type communication at the State level to support resilience messaging, that Local Governments could then tailor to their local area, if required, and share. It should also consider including approaches to profiling local communities (e.g. based on the Census, Australian Disaster Resilience Index and local knowledge) to streamline the process of understanding the local community and what is required to facilitate resilience within that community.

Key Objectives

The intent of the Strategy's objectives, outlined in *Figure 2*, would be clearer if the objectives made a direct reference to disaster resilience. The objectives in the outcomes framework from the [Discussion Paper](#), depicted in *Figure 3*, were clear and well explained and would inform monitoring and evaluation activities. These could be used to inform a revision of the objectives outlined in the current draft Strategy, including clearer links to the opportunities and initiatives.

WALGA requests the objectives are revised and provides the following as an example of how this could be done;

1. We are a capable community **that is well placed to cope with and adapt to disasters**
2. **If a disaster happens**, we return to an accepted normal state as quickly as possible
3. We feel safe, supported and informed **about local emergency management**
4. We **understand our risk** and feel empowered **to take action**

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Figure 2: CDRS Key Objectives (pg.16)

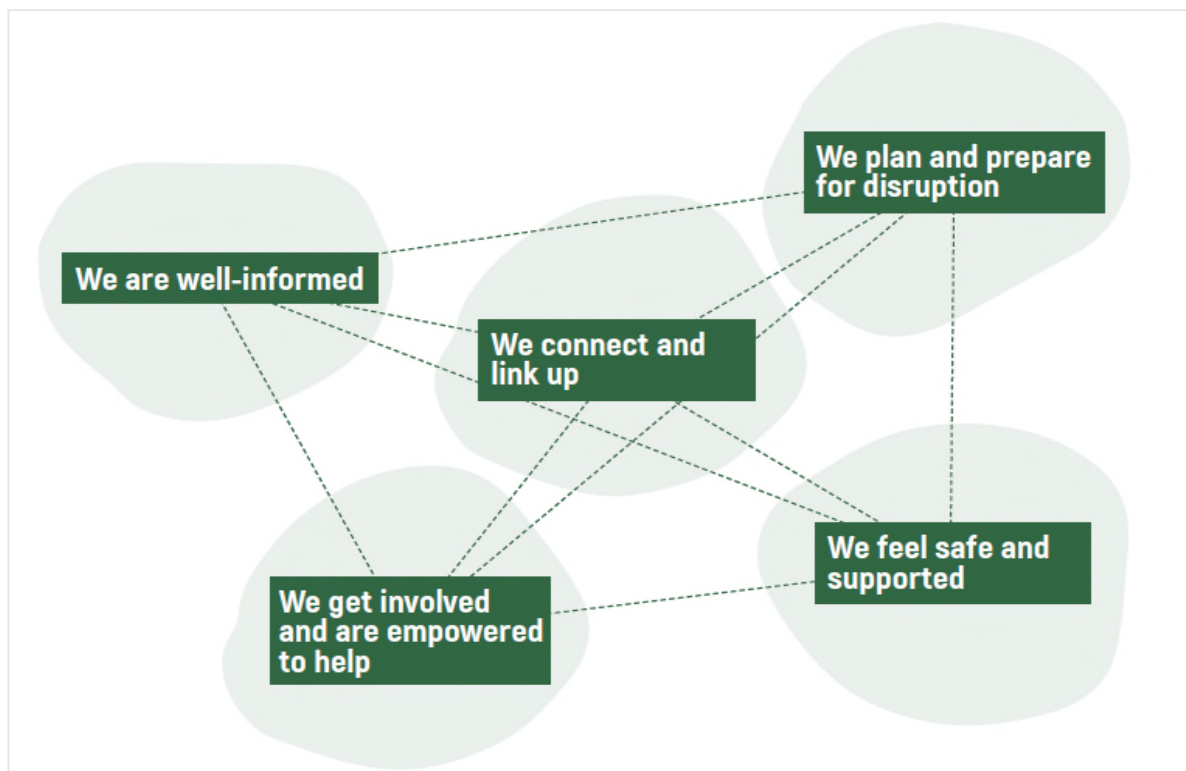


Figure 3: CDRS Discussion Paper October 2021 outcomes framework (pg. 17-28)

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Monitoring and evaluation

WALGA emphasises the need for adopting a State coordinated approach to monitoring and evaluation. A coordinated approach will help drive improvements in the support and direction provided for resilience. Currently, this section outlines a breadth of tasks for project managers, but does not provide guidance on how to undertake monitoring and evaluation under the CDRS, or how objectives, initiatives and outcomes are linked. To better support monitoring and evaluation, the Strategy should provide specific guidance on program logic models, and indicators for community resilience.

This would set out:

- How the key initiatives are aligned to the strategy objectives
- How the key initiatives will lead to the achievement of the strategy outcomes, and
- What types of measures will be required to track progress of initiatives towards outcomes, and what will signify that they have contributed to the achievement on a strategy outcome?

The CDRS provides an un-resourced, 'opt-in' model to be supported by grant funding. Grant funds will include their own structured requirements for reporting / monitoring and evaluation. Initiative 4.1.3 outlines that grant program funders should include monitoring and evaluation components in their plans. Any monitoring and evaluation requested of Local Governments should be aligned to and not additional to the monitoring and evaluation requirement of Grant programs that support projects aligned to the CDRS.

Initiatives and Opportunities

WALGA supports several of the initiatives and opportunities identified in the CDRS and notes that the focus on grants funding, and the lack of specific funding and allocation of responsibility for implementation reduces the likelihood that the CDRS will be implemented effectively.

WALGA's previous submission highlighted that the project deliverables outlined in 2019, including an implementation and engagement framework, change management road map and evaluation and monitoring framework, were crucial to the success of the CDRS. Specifically, an implementation plan would enable clarity on where these projects are already occurring, such as through other aligned State level projects, and identify opportunities for collaboration in implementing the initiatives and opportunities. The submission also requested consideration for clear identification of roles, mechanisms and accountabilities in the implementation plan – WALGA would like to emphasise the importance of this again in the preparation of the CDRS.

- 2. WALGA welcomes initiative 4.1 *Improved access to Financial Support* and strongly supports the proposed establishment of a State Disaster Risk Reduction Fund. This has the potential to make a significant and positive impact on the disaster resilience of local communities across the State.**
- 3. The opt-in model for the CDRS, suggests there are no resources committed, nor responsibility allocated to implementation. This reduces the likelihood that the Strategy will drive improvements in resilience across Western Australian communities. WALGA recommends that this is addressed by:**
 - a. Inclusion of a clear implementation plan with roles, responsibilities and accountabilities at the State level and links to a range of related State level initiatives, such as those identified in Appendix A of the Strategy.**
 - b. Exploring options to bring the CDRS into effect, including through allocating funds to support a state-wide network of experienced advisors to work with Local Governments and Communities to implement initiatives under the Community Disaster Resilience Strategy.**

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WALGA also notes that the SEMC Annual Report 2021-22 outlines that an implementation plan will be released in early 2023 and this has not been delivered. Further to previous comments on monitoring and evaluation, an implementation plan would provide a basis for monitoring delivery of the strategy and guide Local Governments and other users of the Strategy to support its purpose.

Table One: Summary of WALGA’s comments on the proposed initiatives and opportunities

Initiatives and opportunities	WALGA Comment
<p>4.1 Improve access to financial support</p>	
<p>WALGA welcomes initiatives that improve access to financial support for Local Governments in emergency management. See also Advocacy Position 8.3 <i>Sustainable Grant Funding Model for Emergency Management</i> (Appendix One).</p>	
4.1.1 Establish a State Disaster Risk Reduction Fund	WALGA strongly supports the proposed establishment of a State Disaster Risk Reduction Fund. This has the potential to make a significant and positive impact on the resilience of local communities across the State to disasters.
4.1.3 Improve grant funding processes	WALGA supports and encourages the improvement of grant funding processes. Key issues for LGs include:
4.1.4 Consider available funding to support initiatives	<ul style="list-style-type: none"> • The need for set funding rounds year-to-year, and certainty around timeframes so that LGs can undertake forward planning. • Reduction of co-contribution requirements. • Streamlined application processes with support available. <p>Improved coordination of current funding should include:</p> <ul style="list-style-type: none"> • Mapping of funding that is not ‘branded’ as for emergency management or disaster resilience but may be available for disaster resilience activities. • Supporting LGs to apply for funding when this is required.
<p>4.2 Update the emergency management framework in the State Emergency Management Policy</p>	
4.2.1 Include the Strategy in the State Emergency Management Policy	WALGA supports consideration of including the CDRS in the State Emergency Management Framework. Without a framework and support mechanisms to put Resilience policy into place, the strategy will struggle to gain traction.
4.2.2 Review and clarify roles and responsibilities	<p>WALGA’s Advocacy Position 8.2 <i>State Emergency Management Framework</i> (Appendix One) highlights the importance of a simple and streamlined EM framework with clear guidance on roles and responsibilities. In keeping with WALGA’s advocacy position 8.1 <i>Emergency Management Principles</i>, WALGA does not support any increase or expansion of the responsibilities of LGs in emergency management without consultation and provision of adequate resources.</p> <p>Feedback received from Local Governments in the LEMA Review Project, as outlined in the Issues Paper Local Emergency Management Arrangements (LEMA) Review, is that the State Emergency Management Framework is complex and difficult to navigate and the roles and responsibilities of Local Government are not clear or found in one place.</p>
4.2.3 Include the objectives of the Strategy on agendas	<p>The current objectives are general in nature and may not gain much traction as meeting agenda items. They should be revised to be more targeted toward disaster resilience.</p> <p>WALGA is currently working with the SEMC Business Unit to develop a LEMA improvement plan. Feedback has been provided that that LEMCs are not actively engaged in LEMA. WALGA requests that integration of the CDRS is considered in the LEMA improvement plan and the LEMC</p>

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	<p>and DEMC review, potentially through the development of a LEMA maturity model that includes community resilience planning as an option to develop EM maturity. Revised and more targeted objectives for community resilience should be included in a revised LEMC meeting template.</p> <p>There is an opportunity to work with LGs to integrate resilience within the existing Integrated Planning and Reporting Framework, which includes Local Government Strategic Community Plans and other key strategic documents. This was recommended in WALGA's previous submission to the <i>Discussion Paper</i>.</p>
4.2.4 Consider the membership of emergency management committees	<p>WALGA requests that this action is integrated into the proposed review of LEMCs and DEMCs. Membership of LEMCs and DEMCs has been on ongoing issues for some LGs, with concerns that some agency representatives get meeting fatigue if they are responsible for a region/district, and there are also challenges navigating community representation on these committees.</p>
4.2.5 Make introductory emergency management training available	<p>WALGA supports training being provided to new non-core members of emergency management committees. Any changes or additions to training should be informed by an understanding of the current offerings for emergency management, across the sector and not duplicate effort. WALGA's Emergency management training is outlined at:</p> <p>https://walga.asn.au/training/book-a-course/officer-courses/emergency-management-courses</p>
<p>4.3 Improve public information and communication</p> <p>Public education campaigns work best when they are integrated at the community level, which requires investment in bottom-up community engagement. WALGA requests that the State funds a network of experienced advisors to work with Local Governments and Communities to support the improvement of public information and communication.</p>	
4.3.2 Identify options for improve alignment of information provision with processes	<p>WALGA is supportive of identifying options for improved alignment of information provision. Currently, Local Governments provide hazard preparedness and prevention information in the annual Firebreak / Hazard Reduction notices alongside their rates notices around May to July, as well as public information through community newsletters, media releases, websites and community workshops and programs throughout the year.</p>
4.3.4 Emergency management agencies to broaden the audience for pre-season briefings	<p>WALGA is supportive of expanding the audience for pre-season briefings. It may be appropriate for WALGA to host a pre-season briefing webinar for two-way information sharing between DFES and the Local Government Sector.</p>
4.3.5 Incorporate yarning circles as a communication tool	<p>WALGA is supportive of incorporation of yarning circles, however, notes that this is the only reference to Aboriginal and Torres Strait Islander communities in the Strategy. The <i>Discussion Paper</i> included greater consideration of disaster resilience and Aboriginal communities, including the initiative to partner with Aboriginal rangers for emergency response.</p> <p>The National Close the Gap Agreement and Western Australian Close the Gap Implementation Plan's focus on the inclusion of Aboriginal people in emergency management</p> <p>WALGA requests that the CDRS ensures adequate consideration of and engagement with Aboriginal communities.</p>
<p>4.4 Improve support for vulnerable people</p>	

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<p>WALGA requests that improvement of support for vulnerable people is considered as part of the SEMC's planned review of LEMCs and DEMCs, and consideration for WALGA's recommendation to establish a network of experienced advisors to work with Local Governments and communities to improve support for vulnerable people. WALGA notes that the National Disability Strategy 2020-2030, the Western Australian State Disability Strategy 2020-2030's have commitments to include people with disabilities in emergency planning. This strategic link should be considered in the CDRS.</p>	
<p>4.4.1 Establish a working group to develop a process for the co-design of personal safety plans</p>	<p>WALGA is supportive of the establishment of a working group to develop a process for the co-design of personal safety plans.</p> <p>This work should build upon existing work undertaken by DFES on vulnerable communities, and the At-Risk Communities program. Allocation of resources will be essential to enable the co-design of personal safety plans. Publication of resources on websites is not sufficient to support uptake.</p>
<p>4.4.2 Develop lifelines and safe pathways for people experiencing homelessness.</p>	<p>WALGA is supportive of developing lifelines and safe pathways for people experiencing homelessness. Local Governments may collaborate on this initiative; however service providers should work with State Government through the Office of Homelessness in the first instance (not Local Governments, as stated). WALGA's Advocacy Position 3.11 <i>Homelessness</i> is included in Appendix One.</p>
<p>4.4.4 Review appropriateness of evacuation centre facilities</p>	<p>WALGA agrees that evacuation centres should be able to host a diverse range of people. Local Government should be made aware of any funding or resources available to support this, potentially a technical advisor working with Department of Communities and LGs to ensure that all facilities earmarked for Evacuation centres are compliant. WALGA also notes the current review of the State Support Plan (Emergency Welfare) and requests that this initiative is considered through the review</p>
<p>4.5 Encourage greater community engagement.</p> <p>WALGA requests that the State funds a network of experienced advisors to work with Local Governments and Communities to undertake community engagement. Please also see comments throughout this submission relating to greater recognition of community engagement as a guiding principle of the Strategy.</p>	
<p>4.5.1 Identify opportunities to better utilise community hubs</p>	<p>Community hubs, community mapping and network mapping are all positive mechanisms to encourage community engagement and build resilience. However, greater community engagement can only occur if there are resources invested in people to undertake this important work across the state.</p>
<p>4.5.2 Undertake a feasibility study for interactive community network mapping</p>	
<p>4.6 Support for improved recovery</p> <p>An important part of recovery is recognising the needs of the community and facilitating and creating space for a community-led recovery. This should be clearly recognised in the CDRS. WALGA notes that SEMC is intending to review the State Recovery Policy Framework, and requests that the review considers community resilience generally, in addition to the CDRS recovery initiatives in this Strategy</p>	
<p>4.6.1 Develop guidance to manage triggers</p>	<p>WALGA is supportive of the development of guidance to manage triggers affecting, or that are likely to adversely affect community recovery, and requests this guidance is clear, up to date and provided to all State, Local and non-government agencies and staff working in communities that are recovering from a natural disaster.</p>

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4.6.2 Review options for improved social recovery	<p>WALGA requests that the review of options for improved social recovery is incorporated into the State Recovery Policy Framework review.</p> <p>WALGA's advocacy position 8.2 highlights the need for clarity in roles and responsibilities, and scalability and adaptability to support Local Governments of varied capacity and capability. Whilst recovery is the responsibility of Local Governments in Western Australia, recent experience has shown that some Local Governments do not have the capacity or capability for a protracted recovery effort, and require greater State support.</p> <p>Options for improved social recovery must include provision of adequate resources to Local Governments to meet recovery needs in their communities.</p>
4.6.3 Create a streamlined process for people to register their needs and apply for support	<p>Feedback from experiences in disasters in WA recently has been that data and case management needs to be improved to reduce the retell of disaster experiences, and complexity of funding and support opportunities available. Streamlining these processes will also help with the management of triggers.</p>
<p>4.7 Support for education and training</p> <p>WALGA offers a suite of training for Local Government staff and elected members across PPRR. Feedback WALGA has received indicates that there is a need for certified and formal qualifications, like those previously provided through the Mount Macedon emergency management training academy.</p> <p>Any changes or additions to training should be informed by an understanding of the current offerings for emergency management, across the sector and not duplicate effort.</p>	
4.7.4 Develop an emergency management and resilience training module	<p>WALGA notes that many Local Governments would not have the capacity to provide training in their communities without additional resources.</p> <p>Elsewhere in this submission, WALGA has recommended that a network of experienced advisors that support community resilience across the state is resourced. This is a better approach to support the delivery of community resilience training, rather than expecting that Local Governments can roll this training out, as suggested in the CDRS. This role cannot be just added to an existing role such as the DEMAs and must be drawn from individuals with a suite of experience and qualification that LGs have agreed to.</p>
4.7.5 Pathway to qualifications for trainers	<p>WALGA is aware that these opportunities already exist through DFES and TAFE courses and are an eligible cost under the LGGs for VBFs. Can this item clarify what, in addition to the status quo, is to be initiated.</p>
<p>4.8 Develop a Spontaneous Volunteer Management Framework</p> <p>WALGA notes SEMC's planned work on a Philanthropic Framework to guide engagement of philanthropic organisations in disasters, which may be relevant to this initiative.</p>	

Conclusion

WALGA thanks you for the opportunity to provide comment on the CDRS and looks forward to continuing to work with SEMC to ensure the CDRS incorporates our feedback, including the preparation of an implementation, funding and evaluation plan to support the effectiveness of the CDRS.

For more information on this submission, please contact WALGA's Resilient Communities Policy Manager, Susie Moir on 9213 2058 or smoir@walga.asn.au.

APPENDIX ONE: Relevant WALGA Advocacy Positions

3.1.1 Service Delivery to Aboriginal Communities

Western Australian Local Governments with Aboriginal communities are supportive of efforts to improve the living conditions and governance in communities that currently receive municipal and essential services such as power and water, to a level that is similar to other Australians, living in towns and cities.

3.11 Homelessness

WALGA recognises that Local Government through its planning, health, community development and regulatory powers can facilitate positive local and regional responses to end homelessness, however does not see that it has a lead role. Rather, Local Government's role is one of a stakeholder that requires early engagement in the understanding of collaborative approaches that improve the quality of life for people experiencing homelessness in all of its manifestations.

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.*

5.4.3 Betterment (resilience)

The Local Government sector supports increased funding for the replacement or restoration of damaged assets to a more resilient standard following an event.

WALGA's State Council endorsed the following emergency management positions in September 2022 that capture key principles relevant to the preparation of a Community Disaster Resilience Strategy.

8.1 Emergency Management Principles

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

8.2 State Emergency Management Framework

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

- 1. Protecting people, the economy, and the natural environment from disasters;*
- 2. Supporting communities in preventing, preparing for, responding to and recovering from emergencies;*

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3. *Clearly outlining roles, responsibilities and accountabilities for Local Government and other emergency management stakeholders;*
4. *Scalability and adaptability that supports Local Governments of varied capacity and capability; and*
5. *Supporting agency interoperability through common systems and approaches to key activities including data management, communications, and hazard management.*

8.3 Sustainable Grant Funding Model for Emergency Management

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

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

APPENDIX TWO: WALGA's Feedback to the CDRS Discussion Paper October 2021 sent via letter on Monday, 4 April 2022



04 April 2022

Our Ref: 05-024-02-0067

Via email: resilience@dfes.wa.gov.au

Dr Ron Edwards
Chair
State Emergency Management Committee
20 Stockton Bend
COCKBURN CENTRAL WA 6164

Dear Dr Edwards

WALGA feedback on Community Disaster Resilience Strategy Discussion Paper

WALGA appreciates the opportunity to provide feedback on the *Community Disaster Resilience Strategy Discussion Paper* (Discussion Paper).

As the peak body for the 139 Local Governments in Western Australia and member of the State Emergency Management Committee (SEMC), WALGA is committed to supporting Local Governments in their roles and responsibilities in emergency management.

Local Government plays a critical role in supporting the community in preventing, preparing for, responding to, and recovering from emergencies. Beyond emergency management, Local Governments also build community resilience as part of their everyday business, enhancing health and wellbeing and supporting vulnerable communities including children and young people, the homeless, Aboriginal communities, people with disabilities, multicultural communities and seniors.

WALGA supports the preparation of a Community Disaster Resilience Strategy (CDRS) to strengthen community resilience to natural disasters and hazards in Western Australia. The proposed CDRS will be a significant strategic milestone in emergency management in our State.

Many of the actions and initiatives contemplated in the CDRS will have resource implications for the Local Government sector and will require revisions to their strategic and operational documentation. WALGA therefore considers it important that a draft of the CDRS be released for public comment and circulated for a formal consultation process, prior to its adoption by SEMC and the State Government, to ensure that the implementation actions proposed are reasonable and achievable.

Such an approach would be consistent with the intent of the *Partners in Government Agreement between Local and State Government*, which is guided by the following principles:

Strategic Alignment

State and Local Government will aim to align strategic local, regional and state-wide plans to ensure efficient and effective use of resources.

ONE70
LV1, 170 Railway Parade, West Leederville, WA 6007
PO Box 1544, West Perth, WA 6872
T: (08) 9213 2000 F: (08) 9213 2077 info@walga.asn.au
www.walga.asn.au

Working Together

The aim of working together is to achieve positive outcomes for WA communities. For instance, consultation should be undertaken with the Local Government sector for a legislative or policy proposal that will have an impact on Local Governments. Ideally, Local Government will have opportunity to consider the proposal's impacts and provide input for consideration.

WALGA broadly supports the outcomes, initiatives, ideas and principles in the Discussion Paper and offers the following general comments.

When this project was first initiated in 2019 there were five deliverables identified:

1. a strategy document including principles, outcomes and priorities;
2. an implementation framework of projects and actions to deliver the strategies and disseminate information, supported by a funding strategy;
3. an engagement framework and principles to support the strategy;
4. a road-map identifying change required across all sectors for a more resilient WA; and
5. an evaluation and monitoring framework informed by a Theory of Change model.

While the Discussion Paper addresses the first, it is silent on the remaining deliverables. WALGA considers all are crucial to the success of the CDRS and that as such should be addressed in the CDRS.

In addition, consideration of the following will better enable the Local Government sector to be involved in implementation of the initiatives and actions outlined in the Discussion Paper:

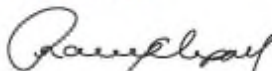
- A clearer outline of where the CDRS sits within the State Emergency Management Framework.
- The clear identification of roles, mechanisms and accountabilities in the implementation plan for the CDRS.
- Consideration of the possible interactions with existing Local Government business, specifically within the existing Integrated Planning and Reporting Framework, which includes Local Government Strategic Community Plans and other key strategic documents.
- Acknowledgement of the differing capacity, capability and experience of Local Governments in WA to implement actions, and the need for actions to be scalable and flexible to accommodate this.
- The provision of partnerships, funding programs, and training opportunities, where appropriate, to support Local Government in implementing actions from the CDRS.
- Using a strength-based approach; whereby innovative Local Governments are encouraged to test new initiatives so that others can learn from their experience.
- Continued strategic guidance and coordination from SEMC.
- For the upcoming Local Emergency Management Arrangements review project, consideration of how the CDRS can be captured in the arrangements and embedded into existing Local Government strategic frameworks.

Detailed comments on the Discussion Paper are attached.

WALGA looks forward to continuing to work with SEMC in the preparation of the draft CDRS and to further State and Local Government hazard resilience through supporting community safety.

For more information on this letter, please contact WALGA's Resilient Communities Policy Manager, Susie Moir on 9213 2058 or smoir@walga.asn.au.

Yours sincerely



President Cr Karen Chappel JP
President

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Detailed comments on the Discussion Paper

Page	Section	Comment
All	All	<p>In 2019 when this project was initiated, it was anticipated that the Strategy would deliver the following outcomes</p> <ol style="list-style-type: none"> 1. a strategy document including principles, outcomes and priorities; 2. an implementation framework of projects and actions to deliver the strategies and disseminate information, supported by a funding strategy; 3. an engagement framework and principles to support the strategy; 4. a road-map identifying change required across all sectors for a more resilient WA; 5. an evaluation and monitoring framework informed by a Theory of Change model; <p>Upon review it is evident that the Discussion Paper only addresses the first of the five deliverables identified when this project was initiated.</p> <p>Many of the actions and initiatives contemplated in the CDRS will have resource implications for the Local Government sector and will require revisions to their strategic and operational documents.</p> <p>WALGA therefore considers it important that a draft of the CDRS be released for public comment and circulated for a formal consultation process, prior to its adoption by SEMC and the State Government, to ensure that the implementation actions proposed are reasonable and achievable.</p> <p>Such an approach would be consistent with the intent of the Partners in Government Agreement between Local and State Government.</p>
All	All	<p>Throughout the document there are numerous references to COVID-19 and the varying response to the pandemic. Reference to a number of the 27 prescribed hazards would have resulted in a more balanced discussion paper.</p>
7	Disasters will Happen	<p>The fifth paragraph states:</p> <p><i>The Western Australian and Commonwealth Governments are investing significantly in projects to reduce the risk posed by natural hazards.</i></p> <p>The Local Government sector is also investing in mitigation treatments to reduce natural hazard risks. Further, the proportional contribution by the sector compared to its overall budget is significantly more than the proportion of expenditure within the State and Commonwealth's budgets.</p>
21	We are well-informed	<p>The 6th paragraph discusses the range of COVID-19 updates provided by the State Government to keep the community informed and the positive effect of this on the resilience of the community. There does need to be some recognition of communication fatigue, particularly in areas where the emergency can be an annual occurrence, ie cyclone season. Ensuring that the community isn't complacent to the messaging is also a challenge.</p>
24	We plan and prepare for disruption	<p>The final 'Idea' is for an increase in school-based education. While providing resources for school aged children is important, the current education curriculum is already very busy, so it would need to be tailored as online resources, rather than being incorporated into the curriculum.</p>

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26	We get involved and are empowered to help	Page 26 starts the discussion about volunteering and the benefits it provides and use of templates and resources to assist. However, Volunteering WA is only mentioned from Page 36, which already has a wealth of resources and information to assist in encouraging new volunteers and managing the existing networks.
64	Change initiative 4.3	The final dot point on this page outlines an initiative for the provision of low document, small grant programs for community groups and local networks to convene community gatherings. Will this grant process allow Local Governments to apply? Throughout the recovery process a Local Government will convene numerous community-based sessions, both formal and informal.
70	Preliminary implementation roadmap	1.1 Consider the membership and agenda of emergency management committees. The review of existing DEMA and LEMA memberships is supported. It may be appropriate to provide guidance in the first dot point 'Promote expanded membership' rather than after the process has been completed, so provide these committees with an indication of how additional members could be sourced and the expectations and benefits in expanding membership. The review should also consider those DEMA or LEMA that are either too large and unwieldy, or those that end up with similar membership due to the region that is being represented.
70	Preliminary implementation roadmap	1.4 Improve access to information about risk and emergencies <ul style="list-style-type: none"> • Reflect risk data spatially in local government planning schemes <p>This action is not outlined within the main document (Page 37), other than stating that Local Governments already provide some information about risks on their websites. This initiative fails to understand that the mapping information included in a local planning scheme, is drawn from the existing information provided by the State in mapping the existing range of spatial risks (ie bushfire and flooding). When the data set changes or a new risk is mapped, generally at a State or Regional level, then a local government will undertake a review and update the local planning scheme map. This is not a quick process, and still requires the approval of the Minister for Planning. For coastal planning, mapping is undertaken at the local level, but still requires the Minister for Planning's approval before inclusion in the maps. It would be beneficial for this information to be contained in one location at the State level.</p> <p>Therefore, it may be more appropriate to review the existing platforms that contain risk data as part of the initiative 'Consolidate information on Emergency WA website', as the Local Government sector already includes any existing risk data approved by the State.</p>
70	Preliminary implementation roadmap	2.2 Enable interactive community mapping for risk reduction <ul style="list-style-type: none"> • Provide small grants to encourage uptake by local governments <p>It is not clear what the small grants to Local Government aim to achieve? The outline of this initiative on Page 44 and 45 is very high level and broad and mentions the State initiating and maintaining interactive community mapping, not Local Government. Clarity on this proposed grant program would be needed before support could be provided for this initiative.</p>
70	Preliminary implementation roadmap	2.4 Reach out to young families, young adults and Youth <ul style="list-style-type: none"> • Create engagement toolkit to assist LGAs • Tailored / targeted preparedness messaging and programs

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Attachment: *WALGA Submission March 2023 - Community Disaster Resilience Strategy*

		<p>It is unclear how this initiative has been derived from the discussions on Page 47. Is this for State wide messaging or specific programs?</p> <p>Many Local Governments already have engagement processes that they undertake, specifically for youth, CALD and other targeted social groups. Clarity on this engagement toolkit would be needed before support could be provided for this initiative.</p>
70	Preliminary implementation roadmap	<p>4.1 Reduce the barriers to accessing mental health support</p> <ul style="list-style-type: none"> Establish arrangements for rapid activation of mental health support <p>The commentary on Page 61 revolved around the need for mental health support several months after the event, as the community is very busy in the restoration/clean up and only after things have settled down, do they then look for support. It is therefore unclear where the 'Rapid activation' initiative has come from.</p>
70	Preliminary implementation roadmap	<p>4.1 Reduce the barriers to accessing mental health support</p> <ul style="list-style-type: none"> Develop and roll-out peer support training initiatives <p>This initiative is supported, however it is unclear whether these existing training packages already exist. Rather than developing a whole new set of training, it may be better to investigate the existing peer support training and determine if it can be rolled out as part of the Strategy.</p>
71	Preliminary implementation roadmap	<p>4.3 Improve support for local leaders of social recovery</p> <ul style="list-style-type: none"> Engage impacted communities to co-design supports and arrangements that will benefit other communities in the future <p>Page 64 has 5 different initiatives, however, only this action has been identified. It is also vague, making it difficult to comment on whether it is an initiative that will assist the local community in its recovery. This initiative should be reviewed to make its intended outcomes clearer.</p>
72	Preliminary implementation roadmap	<p>2.3 Engage community in planning for recovery</p> <ul style="list-style-type: none"> Identify LGAs and trial community engagement model Evaluate and create a toolkit for LGAs <p>The concept of both of these initiatives is supported, however, as many Local Governments already have engagement toolkits it is unclear what a LG toolkit would encompass. Clarity on this toolkit would be needed before support could be provided for this initiative.</p>

7.3 Child Safeguarding Advocacy Position

By Vikki Barlow, Senior Policy Advisor Community

WALGA RECOMMENDATION

That the Child Safeguarding Advocacy Position as follows be endorsed:

Child Safeguarding

1. **Local Government supports:**
 - a. ***the recommendations from the Royal Commission into Institutional Responses to Child Sexual Abuse 2017, in particular Recommendation 6.12 which can be achieved by Local Government implementing and embedding child safeguarding across its functions with support from Governments at the national, state and territory levels; and***
 - b. ***the ten National Principles for Child Safe Organisations (Australian Humans Rights Commission).***
2. **The State Government through an Independent Oversight Body should provide financial, resourcing and capacity building support to Local Governments to implement and embed child safeguarding across its functions, through the provision of:**
 - a. ***supporting materials such as template policies, procedures and guidelines;***
 - b. ***consistent key messaging and resources to promote and share in venues and facilities and online;***
 - c. ***examples of best practice, including case studies;***
 - d. ***self-assessment tools to assist Local Government;***
 - e. ***ongoing training and skills development for Local Government staff, including online training options;***
 - f. ***funding for the delivery of the child safeguarding function within smaller, less well resourced (Band 3 and Band 4) Local Governments; and***
 - g. ***expert officers within each region to provide support and guidance to Local Government on child safeguarding.***
3. **The Local Government sector supports Local Government participation in the State's National Redress Scheme, with full financial coverage by the State.**

Executive Summary

- Since 2018 WALGA has consulted extensively with Local Government in relation to the response to the recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse (the Royal Commission) including the National Redress Scheme, Reportable Conduct and Child Safety Officers.
- WALGA has developed a Child Safeguarding Advocacy Position which will be used to guide policy development, advocacy, and capacity building activities for Local Government within the State framework.
- The new Advocacy Position has been developed based on submissions previously endorsed by State Council and extensive consultation with Local Government, and is supported by the Local Government Child Safety Communities of Practice network and the Community Industry Reference Group (CIRG).

Attachment

- [Draft Child Safeguarding Advocacy Position Background Paper](#)

Policy Implications

WALGA's existing [Advocacy Position](#):

3.10.2 National Redress Scheme

The Local Government sector supports Local Government participation in the State's National Redress Scheme, with full financial coverage by the State.

(March 2020 – Resolution 14.1/2020)

This Advocacy Position is now included at point 3 of the new Position. The proposed new Advocacy Position provides:

Child Safeguarding

1. *Local Government supports:*
 - a. *the recommendations from the Royal Commission into Institutional Responses to Child Sexual Abuse 2017, in particular Recommendation 6.12 which can be achieved by Local Government implementing and embedding child safeguarding across its functions with support from Governments at the national, state and territory levels; and*
 - b. *the ten National Principles for Child Safe Organisations (Australian Humans Rights Commission).*
2. *The State Government through an Independent Oversight Body should provide financial, resourcing and capacity building support to Local Governments to implement and embed child safeguarding across its functions, through the provision of:*
 - a. *supporting materials such as template policies, procedures and guidelines;*
 - b. *consistent key messaging and resources to promote and share in venues and facilities and online;*
 - c. *examples of best practice, including case studies;*
 - d. *self-assessment tools to assist Local Government;*
 - e. *ongoing training and skills development for Local Government staff, including online training options;*
 - f. *funding for the delivery of the child safeguarding function within smaller, less well resourced (Band 3 and Band 4) Local Governments; and*
 - g. *expert officers within each region to provide support and guidance to Local Government on child safeguarding.*
3. *The Local Government sector supports Local Government participation in the State's National Redress Scheme, with full financial coverage by the State.*

Background

Since 2018 WALGA has consulted extensively with Local Government in relation to the response to [recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse \(the Royal Commission\)](#) relevant to the sector, including:

- State Government's Child Safety Implementation Plan
- National Redress Scheme
- Reportable Conduct Scheme
- Child Safety Officers
- Independent Oversight System
- Child Safe Awareness Policy (draft)

An overview of previous consultation and State Council resolutions relating to the Royal Commission recommendations is provided in the *Background Paper – Child Safeguarding Advocacy Positions* (attached).

The centerpiece of the State's Child Safety Implementation Plan is the establishment of an Independent Oversight Body that will oversee a statutory framework for the implementation of the National Principles for Child Safe Organisations.

In December 2022, the Department of Premier and Cabinet (DPC) briefed peak bodies, including WALGA, on the progress of the Independent Oversight system. An announcement is expected in early 2023 with draft policy proposals on the regulatory model.

In 2022, the State Government, via the Department of Communities (DoC) in collaboration with Department Local Government Sport and Cultural Industries (DLGSC), commenced the development of a Child Safe Awareness Policy (the Policy) for Local Government aligned with recommendation 6.12, Child Safety Officers. The draft Policy was developed via a co-design process with Local Government, involving 35 Local Government officers, WALGA and the Commissioner for Children and Young People (CCYP).

DLGSC will be providing an update on the draft Policy at February Zone meetings with a view for the draft Policy to be presented to State Council in May 2023.

Comment

WALGA continues to advocate to the State Government that the Child Safe Awareness Policy needs to be considered in the context of a broader implementation plan for all the Royal Commission's recommendations relevant to Local Government. WALGA also considers that the establishment of an Independent Oversight Body is a critical step in laying the foundation for an integrated child safeguarding system and is seeking more detailed information on who will be taking on the role of Independent Oversight, and the framework for the capability building approach specifically for Local Government. A formal child safeguarding advocacy position will enable WALGA to continue to advocate strongly on behalf of the sector on these issues.

The new Advocacy Position has been developed based on submissions previously endorsed by State Council and extensive consultation with Local Government, and is supported by the Local Government Child Safety Communities of Practice network and the Community Industry Reference Group (CIRG).

The draft *Child Safeguarding Advocacy Position* was endorsed by the People and Place Policy Team on Wednesday, 25 January.

Zone Consideration	
Avon Midland Country Zone	WALGA recommendation supported
Central Metropolitan Zone	WALGA recommendation supported
East Metropolitan Zone	WALGA recommendation supported
Goldfields Esperance Country Zone	WALGA recommendation noted
Great Eastern Country Zone	WALGA recommendation supported
Great Southern Country Zone	WALGA recommendation supported
Kimberley Country Zone	WALGA recommendation supported
Murchison Country Zone	No meeting held
North Metropolitan Zone	WALGA recommendation supported
Northern Country Zone	WALGA recommendation supported
Peel Country Zone	WALGA recommendation supported
Pilbara Country Zone	WALGA recommendation supported
South East Metropolitan Zone	WALGA recommendation supported
South Metropolitan Zone	WALGA recommendation supported
South West Country Zone	WALGA recommendation supported

CENTRAL COUNTRY ZONE

That the Central Country Zone acknowledges the work carried out by the Department of Local Government, Sport and Cultural Industries through the Child Safety feedback and consultation process, and reaffirms that Local Governments should not be listed as a Reporting Agency.

GASCOYNE COUNTRY ZONE

1. That the Zone does not support an advocacy position until further information is made available regarding all potential implications for Local Governments, i.e., the extent of Local Government responsibilities and costs.
2. The Zone will request a presentation from the Department of Communities.

SECRETARIAT COMMENT

The Central Country Zone comment is noted. Royal assent was given to the Parliamentary Commissioner Amendment (Reportable Conduct) Bill 2021 (PCA Bill) in August 2022 and it was proclaimed on 1 January 2023. The PCA Bill contains provisions to establish a Reportable Conduct Scheme for Western Australia that requires relevant organisations (including Local Governments) to investigate and report employee misconduct involving children.

The types of organisations covered by the Scheme in the first year include:

- child protection and out-of-home care services;
- childcare services;
- education services;
- health services; and
- justice and detention services.

The Scheme will **not** apply to organisations that do not exercise care, supervision or authority over children as part of its primary functions. However, many Local Governments provide services that **do** exercise care and supervision over children such as creche services, youth and children's programs at Council owned and managed facilities such as Leisure centres, Libraries and Youth Centres.

The Gascoyne Country Zone resolution is noted. Up to 25,000 organisations across Western Australia, including Local Government, will be impacted by changes in legislation, regulation, and policy as part of the implementation of the Royal Commission recommendations through the National Principles for Child Safe Organisations.

The WALGA Child Safeguarding advocacy position seeks clarity on the implementation of the various legislative and policy initiatives and additional resourcing, particularly for smaller Local Governments. Its timing is important to guide advocacy to key state government agencies on behalf of Local Government as the initiatives continue to be developed and implemented. The Secretariat will connect the Gascoyne Zone with representatives of the DLGSC Child Safeguarding Unit who can provide a presentation.

WALGA RECOMMENDATION

Moved: Cr Chris Mitchell JP
Seconded: Cr David Lagan

That the Child Safeguarding Advocacy Position as follows be endorsed:

Child Safeguarding

1. **Local Government supports:**
 - a. *the recommendations from the Royal Commission into Institutional Responses to Child Sexual Abuse 2017, in particular Recommendation 6.12 which can be achieved by Local Government implementing and embedding child safeguarding across its functions with support from Governments at the national, state and territory levels; and*
 - b. *the ten National Principles for Child Safe Organisations (Australian Humans Rights Commission).*
2. **The State Government through an Independent Oversight Body should provide financial, resourcing and capacity building support to Local Governments to implement and embed child safeguarding across its functions, through the provision of:**
 - a. *supporting materials such as template policies, procedures and guidelines;*
 - b. *consistent key messaging and resources to promote and share in venues and facilities and online;*
 - c. *examples of best practice, including case studies;*
 - d. *self-assessment tools to assist Local Government;*
 - e. *ongoing training and skills development for Local Government staff, including online training options;*
 - f. *funding for the delivery of the child safeguarding function within smaller, less well resourced (Band 3 and Band 4) Local Governments; and*
 - g. *expert officers within each region to provide support and guidance to Local Government on child safeguarding.*
3. **The Local Government sector supports Local Government participation in the State's National Redress Scheme, with full financial coverage by the State.**

RESOLUTION 420.1/2023

CARRIED

7.4 Submission on Draft Guideline Minimising Noise Impact from Outdoor Community Basketball Facilities

By Rebecca Brown, Manager, Environment and Waste

WALGA RECOMMENDATION

That the submission on the *Draft Guideline: Minimising noise impact from outdoor community basketball facilities* be endorsed.

Executive Summary

- The Department of Water and Environmental Regulation released the *Draft Guideline: Minimising noise impact from outdoor community basketball facilities* on 23 December 2022 for a 10 week consultation period.
- The Draft Guideline includes options for how noise, from new community basketball facilities can be mitigated. This includes separation distances between the facility and residents in different circumstances, engineering and facility management controls.
- A draft Submission was circulated to Local Government for feedback and the final Submission has been updated based on the information provided.
- The WALGA Submission provides feedback on the costs and practicality of the various interventions suggested.

Attachment

- Submission on Draft Guideline: Minimising noise impact from outdoor community basketball facilities

Policy Implications

This submission broadly aligns with WALGA's existing [Advocacy Position](#):

6.11 Public Open Space

As public open space is fundamental to lifestyle wellbeing, mental and physical health, Local Government supports the development of new subdivisions that are characterised by a combination of public open space for recreational, sporting or natural purposes, and are distributed for neighbourhood, district and regional use.

Background

Noise from community basketball facilities has been raised as an issue by some Local Governments, with community complaints in some cases leading to the closure of facilities. These facilities are regulated under [Environmental Protection \(Noise\) Regulations 1997](#).

The Department of Water and Environmental Regulation (DWER), responded to this issue by undertaking a detailed technical assessment of the various approaches to how noise from facilities could be mitigated. This work has culminated in the Draft Guideline, which outlines a range of mitigation options for different basketball court types and locations. DWER provided a copy of the Draft Guideline to Local Government CEO's, WALGA and other organisations including Basketball WA and SportWest on Friday 23 December for feedback by Friday 3 March 2023.

WALGA developed, and distributed, a draft Submission to Local Governments for comment. The draft Submission was also provided to Basketball WA and SportWest for information.

Comments on the draft Submission were received from the Cities of Swan, Wanneroo, Canning, Stirling, Joondalup and Gosnells and the Town of Victoria Park.

Comment

The Guideline is intended to present options to reduce noise to meet regulatory requirements for organisations developing new, or refurbishing existing, basketball facilities. Local Governments are not required to undertake the measures identified in the Guideline.

The submission notes that Local Governments across the State are committed to providing services and facilities that enable their diverse communities to engage in activities which have health and social benefits. It also notes that it can sometimes be difficult to accommodate differing perspectives regarding the appropriate use of public open space (POS), including in relation to noise. With increasing urban infill and density, including State Government targets for Perth and Peel @ 3.5 Million, the pressures on public open space will increase.

The WALGA Submission outlines the concerns that Local Governments have raised about the costs of some of the mitigation measures, practicality of the separation distances and mitigation measures recommended and the implications this may have for the provision of basketball and other similar facilities.

WALGA acknowledges the intention of the Guideline but has a broader concern that as metropolitan Perth continues to densify, land use conflicts such as those arising from basketball courts are likely to increase. The WALGA Submission notes that the provision of sufficient public open space is essential and that the Department of Water and Environmental Regulation may need to re-examine noise regulation requirements as urban density increases.

The Environment Policy Team considered and endorsed the Submission on 30 January 2023.

Zone Consideration	
Avon Midland Country Zone	WALGA recommendation supported
Central Country Zone	WALGA recommendation supported
Central Metropolitan Zone	WALGA recommendation supported
East Metropolitan Zone	WALGA recommendation supported
Gascoyne Country Zone	WALGA recommendation supported
Goldfields Esperance Country Zone	WALGA recommendation noted
Great Eastern Country Zone	WALGA recommendation supported
Great Southern Country Zone	WALGA recommendation supported
Kimberley Country Zone	WALGA recommendation supported
Murchison Country Zone	No meeting held
Northern Country Zone	WALGA recommendation supported
Peel Country Zone	WALGA recommendation supported
Pilbara Country Zone	WALGA recommendation supported
South West Country Zone	WALGA recommendation supported

NORTH METROPOLITAN ZONE

That the submission on the Draft Guideline: Minimising noise impact from outdoor community basketball facilities be endorsed subject to Schedule 2 of the *Environmental Noise Management Regulations 1997* being amended to include basketball facilities installed in accordance with the Basketball Guidelines.

SOUTH EAST METROPOLITAN ZONE

That the submission on the Draft Guideline be amended to specifically seek changes to the Environment Protection (Noise) Regulations to enable basketball to be played in public open spaces subject to a separation distance of 40 metres between a backboard and a residence.

SOUTH METROPOLITAN ZONE

That the South Metropolitan Zone does not support submission in item 7.4 of the State Council Agenda.

SECRETARIAT COMMENT

[Hon. Reece Whitby](#), Minister for Environment, has withdrawn the Draft Guideline: Minimising noise impact from outdoor community basketball facilities. As the Draft Guidelines have been rescinded, the Submission is no longer relevant.

WALGA notes that the intent of the Draft Guidelines, developed by the Department of Water and Environmental Regulation, was to assist Local Government and other providers to meet regulatory requirements. However, it is important, particularly with increasing urban infill and density, that Local Governments are able to provide amenities for their communities, such as outdoor basketball facilities, that facilitate physical activity and social connectedness.

In this context the provision of sufficient Public Open Space (POS) to ensure a range of community activities with health and social benefits can be undertaken is essential. Pressure on POS use and associated concerns such as noise are likely to rise as urban density and infill increase. While basketball courts are one potential source of noise, with increasing urban density and increasing pressure on new and existing POS, there may be a need to re-examine the noise regulations and consideration given to exemptions for certain facility types, time periods or other approaches to ensure important community amenities can continue to be provided appropriately.

COMPOSITE RECOMMENDATION

That WALGA note that the Environment Minister has withdrawn the Draft Guideline: Minimising noise impact from outdoor community basketball facilities.

ALTERNATE MOTION

Moved: President Cr Michelle Rich
Seconded: Mayor Ruth Butterfield

That WALGA:

- 1. Note that:**
 - a. The Environment Minister has withdrawn the Draft Guideline: Minimising noise impact from outdoor community basketball.**
 - b. The strategic issue is how to balance increasing urban density and infill, and consequent need for public recreation, with management of noise from active recreation in public spaces.**
 - c. To address this issue requires a whole of Government approach as these considerations intersect with Local Government, Sport, Planning and Environmental Regulation.**
 - d. Without a whole of Government approach, to ensure the appropriate framework and support is in place, individual Local Governments will continue to have to deal with this issue on a case by case basis.**
- 2. 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.**

AMENDMENT

Moved: Mayor Patrick Hall
Seconded: Mayor Carol Adams OAM

That points b, c and d be removed.

RESOLUTION 421.1/2023

THE AMENDMENT WAS PUT AND CARRIED

THE SUBSTANTIVE MOTION NOW READS

That WALGA:

1. Note that the Environment Minister has withdrawn the Draft Guideline: Minimising noise impact from outdoor community basketball.
2. 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.

RESOLUTION 422.1/2023

CARRIED

Item 7.4: Submission on Draft Guideline Minimising Noise Impact from Outdoor Community Basketball Facilities

Attachment – Submission on Draft Guideline: Minimising noise impact from outdoor community basketball facilities

Draft Guideline: **Minimising noise impact from outdoor community basketball facilities**

WALGA Submission

January 2023

Item 7.4: Submission on Draft Guideline Minimising Noise Impact from Outdoor Community Basketball Facilities

Attachment – Submission on Draft Guideline: Minimising noise impact from outdoor community basketball facilities

Submission on Draft Guideline: Minimising noise impact from outdoor community basketball facilities

1. About WALGA

The Western Australian Local Government Association (WALGA) is the peak industry body for Local Government in Western Australia. WALGA is an independent, membership-based organisation representing and supporting the work and interests of 137 mainland Local Governments in Western Australia plus the Indian Ocean Territories of Christmas Island and Cocos (Keeling) Islands.

WALGA provides an essential voice for approximately 1,222 Elected Members, 23,000 Local Government employees and the 2.6 million constituents that they serve and represent. WALGA also provides professional advice and services to Local Governments.

WALGA vision is for agile and inclusive Local Governments that enhance community wellbeing and enable economic prosperity.

2. Background

WALGA appreciates the opportunity to provide feedback on the Department of Water and Environmental Regulation (DWER) *Draft Guideline: Minimising noise impact from outdoor community basketball facilities*.

Local Governments across the State are committed to providing services and facilities that enable their diverse communities to engage in activities which have health and social benefits. In doing so it can sometimes be difficult to accommodate differing perspectives regarding the appropriate use of public open space (POS), including in relation to noise. With increasing urban infill and density, including State Government targets for [Perth and Peel @ 3.5 Million](#), the pressures on public open space will increase. WALGA's Public Open Space [Position Statement](#) (6.11) identifies that:

Public open space is fundamental to lifestyle wellbeing, mental and physical health, Local Government supports the development of new subdivisions that are characterised by a combination of public open space for recreational, sporting or natural purposes, and are distributed for neighbourhood, district and regional use.

Local Governments acknowledge that there can be community concern and complaints associated with basketball facilities in smaller parks. This can be due to the percussive noise associated with the ball and from those using the facility, particularly at night. Equally, increasing urban density is leading to more requests for facilities located conveniently for the community to access in smaller local parks. Basketball courts are only one source of noise complaints received by Local Governments, with other community facilities such as skateparks and music from exercise classes also undertaken in local parks.

DWER has developed a Draft Guideline, which is based on technical information, to provide information for the development of new facilities and the refurbishment of existing facilities. Facilities are required to meet all relevant regulatory requirements; in relation to basketball courts this includes the [Environmental Protection \(Noise\) Regulations 1997](#). The Guideline is intended to provide information on how proponents, such as Local Governments, developing outdoor basketball courts in public open spaces can minimise potential noise impacts. The Guideline states that it “applies to new outdoor community small pads or half court-style facilities in public open spaces, therefore does not apply retrospectively to existing facilities”.

The Draft Guideline identifies two types of facilities, small pads and half courts, their respective characteristics and potential noise profile. It provides information on potential siting of these facilities to minimise noise, a range of engineering controls and facility management options. The engineering

Item 7.4: Submission on Draft Guideline Minimising Noise Impact from Outdoor Community Basketball Facilities

Attachment – Submission on Draft Guideline: Minimising noise impact from outdoor community basketball facilities

controls include perforated backboards, alternative surfaces such as synthetic turf, and resilient connections between the hoop and backboard. Facility management options include limiting access to the facility, hoop locking mechanisms and signage.

3. General Comments

DWER has undertaken significant technical work and noise modelling to inform the development of the Draft Guideline. A *Technical Report: Noise emissions and impacts associated with outdoor community basketball facilities* is available but is not part of the current consultation. This Report outlines the various approaches and testing undertaken and is the basis for the recommended approach put forward in the Draft Guideline.

WALGA considers the options presented may be of use to Local Governments developing new facilities. There are, however, other guidance materials which are relevant to the development of new facilities and these should also be referenced in the document, for example the [Facility Planning Guide](#). It would also be useful to include in the Guideline that noise from these facilities is regulated by the *Environmental Protection Act 1986*.

There is potential that the community will perceive that the Guideline applies to existing facilities, however the Department has clearly articulated it is for new facilities. There is some inconsistency in the 'Scope' and 'Who is it for' sections, as the latter indicates the Guideline is also applicable to refurbishment of existing facilities. Feedback from the sector has also questioned why the scope of the Guideline does not include full courts, only small pads and half courts.

Facility Siting

The separation distances suggested, if no mitigation measures are in place, will inhibit provision of small pads and half courts in many areas, as they would require the public open space to be significant in size. For example, for a small court a separation distance of 90m from residents would mean the public open space would have to be in excess of 180m wide (more than the length of an AFL football field). This requirement would also mean the courts would need to be located in the centre of the public open space, potentially limiting the utility of the site for other sporting activities, such as football, cricket and soccer.

Feedback questioned if the definitions/classification of 'major road' and 'local park' aligned with Main Road and Department of Local Government, Sport and Cultural Industries definitions.

Example 1: Local Park, small pad

Liveable Neighbourhoods 2009, indicates a Local Park can be up to 3,000m². Using this size as an example, that is a 50m x 60m shape. If the small pad were located in a corner away from any residence and was near a major road, therefore requiring 30 – 50m separation, the separation distance would be achievable. Although this would meet the noise requirements there could be a negative public safety outcome due to location near a road. If a Local Park was not near a major road, requiring a 60 – 90m separation distance, the separation distance would not be achievable. A half court type facility would be unlikely in a smaller park.

Example 2: Neighbourhood Park, half court

As per Liveable Neighbourhoods 2009, a Neighbourhood Park is usually 3,000m² to 5,000m², although can be more. Using 5,000m² as an example, that is a 70m x 70m shape. If the half court were located in a corner away from residence, and was near a major road, therefore requiring 60 – 90m separation, the separation distance would possibly be achievable. Although this would meet the noise requirements there could be a negative public safety outcome due to location near a road. If the Neighbourhood Park was not located near a major road, requiring 100 – 150m separation distance, the separation distance would not be achievable.

One Local Government identified that, to address noise considerations, they have placed their facilities closer to a shopping centre and a major road. Fencing was required to ensure potential public safety issues were addressed. This location also provided adequate parking, which is often not available at small local parks.

Item 7.4: Submission on Draft Guideline Minimising Noise Impact from Outdoor Community Basketball Facilities

Attachment – Submission on Draft Guideline: Minimising noise impact from outdoor community basketball facilities

Local Government has requested feedback as to whether the orientation of the back board, in relation to residents, makes a significant difference to the noise distribution.

In relation to the sound barriers suggested, Local Government comments included:

- Further information is required on the height of barriers
- Concern regarding the potential for hard barriers, such as walls, to cause unanticipated noise amplification, be the focus on graffiti, reduce passive surveillance and amenity
- Additional information about natural barriers, such as earth mounds and vegetation, would be useful.

Engineering Controls

Local Governments have identified that alternative surfaces to hard ground that reduce ball impact noise are more expensive than traditional surfaces and will significantly increase the cost of providing small pads and half courts. This may reduce the uptake of this option for noise minimisation and may even deter Local Governments from providing these small pads and half court facilities where affordable minimisation options are unworkable.

Feedback on the perforated back board option, from one Local Government, was that based on their trials it was minimally effective in reducing noise. Another Local Government commented that user preference was for solid back boards.

Facility management options

Feedback from the sector indicated that lockable facilities can be circumvented by users, despite fence heights, and compliance in these instances is difficult for the Local Government to undertake as it frequently occurs outside of work hours.

The hoop fitted with a locking mechanism, was not seen as practical for Local Government, as it would require a staff member to attend the site, mount a ladder, attach and remove the lock. This presents substantial potential cost and Work Health and Safety risk. Local Government suggested automated systems, such as Bsquared could be utilised instead.

Signage was seen as an ineffective control measure, as it is frequently removed by users.

4. Conclusion

WALGA appreciates the work the Department has undertaken on the technical aspects of noise from these types of facilities and the development of the Guideline to assist Local Government and other providers in meeting regulatory requirements. However, it is important, particularly with increasing urban infill and density, that Local Governments are able to provide amenities for their communities, such as outdoor basketball facilities, that facilitate physical activity and social connectedness.

In this context the provision of sufficient POS to ensure a range of community activities with health and social benefits can be undertaken is essential. Pressure on POS use and associated concerns such as noise are likely to rise as urban density and infill increase. While basketball courts are one potential source of noise, with increasing urban density and increasing pressure on new and existing POS, there may be a need to re-examine the noise regulations and consideration given to exemptions for certain facility types, time periods or other approaches to ensure important community amenities can continue to be provided appropriately.

7.5 Main Roads Draft Roadside Advertising Policy and Application Guidelines

By Max Bushell, Policy Officer Road Safety and Infrastructure

WALGA RECOMMENDATION

That the submission to Main Roads on its Draft Roadside Advertising Policy and Application Guidelines be endorsed.

Executive Summary

- Main Roads is seeking feedback on their Draft Roadside Advertising Policy and Application Guidelines.
- This policy could be used to significantly curtail the deployment of roadside advertising devices, which are currently used by Local Governments as a source of public realm amenity, support funding bus shelter improvements and are a source of revenue for Local Government in some cases.
- As drafted, these guidelines would apply to most of the public road network, including Local Government roads, and signs on private property that are visible from the road. The draft guidelines would cover advertiser-funded bus shelters and information or decorative banners.
- There is no demonstrated road safety problem resulting from roadside advertising devices, as currently deployed in Western Australia. Road safety is the stated rationale for developing this policy.
- WALGA has prepared a submission to Main Roads on the guidelines, requesting:
 - Greater delegation of authority in assessing small format static signs and small format digital signs.
 - Guaranteed processing times for classes of signs for which Main Roads retains the assessment function. This includes requesting a schedule of approval time frames, and a “deemed approved” clause in the event of these timeframes not being met.

Attachment

- *WALGA submission to Main Roads on the Draft Roadside Advertising Policy and Application Guidelines.*

Policy Implications

The draft Guidelines risk prohibiting roadside advertising devices, including advertiser-funded bus shelters, Illuminated Street Name Signs, and Local Government community decorative banners in many locations. This could result in the loss of community amenity and Local Government revenue.

Background

Main Roads has sought comment from WALGA on its draft Roadside Advertising Policy and Application Guidelines on behalf of the Local Government sector. These Guidelines would determine the location where roadside advertising devices may be approved.

The Guidelines classify signs into four groups: (1) small format static signs; (2) small format digital signs; (3) large format static signs; and (4) large format digital signs. Large format is defined as an area greater than 4 square metres.

WALGA attended an information session at Main Roads offices, which was also attended by members of the outdoor media advertising industry.

WALGA conducted a webinar, which presented information on the draft policy and sought feedback from Local Government officers. The key issues raised by participants during this session included:

- There was general support for being mindful of the road safety implications of different types of signs.
- There was some support for restricting advertising signs for aesthetic reasons.
- Concerns were raised regarding the potential curtailment of Local Governments' use of decorative banners, for example along the main streets of towns.
- Concerns were raised regarding the potential curtailment of the advertiser-funded bus shelters.
- Concerns were raised regarding the likely processing time of Main Roads approvals, given the likely high volume of applications.

WALGA also received individual feedback from the Shire of Mundaring. This submission expressed support for the intent of the Guidelines, citing concerns regarding the proliferation of advertising signs, the effect of advertising signs on road safety, and consequent effects on visual amenity.

The Guidelines apply to Local Government decorative and information banners, Illuminated Street Name Signs, and advertiser-funded bus shelters. It does not only apply to commercial advertising signs.

Comment

The Guidelines may significantly reduce the range of locations where roadside advertising devices may be placed. The Guidelines' scope includes parts of the road network in the vicinity of traffic control devices (which include regulatory signs, not just signals) and near intersections and pedestrian crossings, on both State and Local Roads. This has the effect of applying the Guidelines to a significant part of the public road network.

The Guidelines are written from the basis of improving road safety, and do not consider the competing objectives of Local Governments. These include funding bus shelters and other community infrastructure, hanging of decorative banners by Local Governments, and Local Government revenue. WALGA does not have information on the financial impact of roadside advertising signs being curtailed.

The rationale for increasing the stringency of the regulations over roadside advertising signs is to address road safety. However, the road safety evidence base does not link specific crashes with the presence of advertising signs in Western Australia. It was instead based on cognitive science theory related to the brain's ability to process information, and national engineering studies of different types of road design conditions. No evidence was provided, that there is a road safety problem in Western Australia as a result of roadside advertising devices as they are currently deployed.

Views vary between and within Local Governments on issues of road safety, aesthetics, community amenity and financial considerations. WALGA's submission therefore requests the delegation of authority to Local Governments to self-assess and approve small format signs on Local Government roads. It is considered appropriate for Main Roads to retain oversight of large format static signs and large format digital signs.

Zone Consideration	
Avon Midland Country Zone	WALGA recommendation supported
Central Country Zone	WALGA recommendation supported
Central Metropolitan Zone	WALGA recommendation supported
East Metropolitan Zone	WALGA recommendation supported
Gascoyne Country Zone	WALGA recommendation supported
Goldfields Esperance Country Zone	WALGA recommendation supported
Great Eastern Country Zone	WALGA recommendation supported
Great Southern Country Zone	WALGA recommendation supported
Kimberley Country Zone	WALGA recommendation supported
Murchison Country Zone	No meeting held
North Metropolitan Zone	WALGA recommendation supported
Northern Country Zone	WALGA recommendation supported
Peel Country Zone	WALGA recommendation supported
Pilbara Country Zone	WALGA recommendation supported
South West Country Zone	WALGA recommendation supported

SOUTH EAST METROPOLITAN ZONE

That the submission on the Roadside Advertising Policy and Guidelines be amended to make it clear that the Policy and Guidelines are not supported because of the lack of empirical evidence to justify the change and the red tape approval process it will create. However, the submission should also note that, if the Policy and Guidelines are to be implemented, then the improvements suggested in the current draft submission should be adopted.

SOUTH METROPOLITAN ZONE

That the submission to Main Roads on its Draft Roadside Advertising Policy and Application Guidelines be endorsed and include an additional point as follows:

WALGA to pursue independent legal advice around the head of power to enforce the policy.

SECRETARIAT COMMENT

In the draft policy Main Roads WA advise that the *Main Roads Act 1930* and *Main Roads (Control of Advertisements) Regulations 1996* provide the head of power to enforce the policy. While Local Governments will continue to have responsibility for enforcing decisions made in relation to signage under their Planning Schemes and policies they have no responsibility to enforce decisions made by Main Roads WA under their current or proposed policy.

Consultation with Local Governments did not suggest that members were strongly opposed to the proposed changes, with some arguing the limitations on signage should be stronger. Local Governments articulated concerns about the capacity for Main Roads WA to process applications in a timely way. The proposed submission reflects these composite views. The covering letter will clarify that the suggested improvements be adopted should Main Roads WA implement a revised policy.

WALGA RECOMMENDATION

That the submission to Main Roads on its Draft Roadside Advertising Policy and Application Guidelines be endorsed.

ALTERNATE MOTION

Moved: Cr Helen Sadler

Seconded: Cr Chris Mitchell JP

- 1. That WALGA endorse the Main Roads Draft Roadside Advertising Policy and Applications Guidelines in full; and**
- 2. That the WALGA administration draft a submission to reflect its support.**

RESOLUTION 423.1/2023

CARRIED

Item 7.5 Main Roads Draft Roadside Advertising Policy and Application Guidelines
Attachment: WALGA submission to Main Roads on the Draft Roadside Advertising Policy and Application

Roadside Advertising Devices Policy and Guidelines

WALGA Submission

Item 7.5 Main Roads Draft Roadside Advertising Policy and Application Guidelines

Attachment: WALGA submission to Main Roads on the Draft Roadside Advertising Policy and Application

Contact:

Ian Duncan

Executive Manager Infrastructure and Roads

WALGA

ONE70, LV 1, 170 Railway Parade West Leederville

Phone: (08) 9213 2031

Fax: (08) 9213 2077

Mobile: 0439 947 716

Email: iduncan@walga.asn.au

Website: www.walga.asn.au

Max Bushell

Policy Officer, Road Safety and Infrastructure

WALGA

ONE70, LV 1, 170 Railway Parade West Leederville

Phone: (08) 9213 2068

Fax: (08) 9213 2077

Mobile: 0431 449 188

Email: mbushell@walga.asn.au

Website: www.walga.asn.au

Item 7.5 Main Roads Draft Roadside Advertising Policy and Application Guidelines

Attachment: WALGA submission to Main Roads on the Draft Roadside Advertising Policy and Application

WALGA Comments on the Draft Roadside Advertising Devices Policy and Application Guidelines

Following a consultation session with Local Governments held on 5 December 2022 on the proposed policy changes to the Roadside Advertising Devices Policy and an extensive internal review of the documents, the Western Australian Local Government Association makes the following submission in relation to this policy.

WALGA requests the inclusion of a schedule of approval timeframes.

WALGA requests the inclusion of a “Deemed Approved” clause for certain categories of low impact signage where no response is received within the approval timeframe. This would allow applications that are not addressed to be deemed approved.

- Local Governments have raised concerns about the capacity and resourcing of Main Roads to review and provide feedback on the likely substantial increase in applications for roadside advertising signage that will result from this policy. Processing times were raised as a potential issue in this regard.

WALGA requests the delegation of authority to Local Governments to self-assess and approve Small Format Static signs and Small Format Digital Signs on Local Government roads (including in relation to Traffic Control Devices).

- Due to the volume of requests for Small Format Static Signs and to simplify the process, WALGA requests the delegation of authority to Local Governments to self-assess and approve these signs on Local Government roads (including in relation to Traffic Control Devices).
 - Preferable to apply in **all** cases, but otherwise upon request by the Local Government.
 - One particular case that was mentioned was decorative banners, hung by the Local Government itself. Concern was raised that such banners are an important source of cultural amenity to the community, particularly along main streets. Further, there is not considered to be a strong road safety argument for restricting the use of decorative banners in low speed, main street environments.
- WALGA is mindful of the imperative to ensure safe travel on all parts of the public road network. However, there is a concern that the policy tends to include blanket prohibitions of advertising signage in certain areas, and concerns have been raised that the draft policies are quite prohibitive in general. WALGA suggests including criteria whereby signage can be implemented, rather than prohibiting signage in all cases.
- Local Governments have a delegated authority under the Metropolitan Region Scheme and Planning and Development Act 2005 to approve developments within the regional road reserves, subject to a requirement to seek comment from Main Roads. With the additional new requirement to refer certain applications to Main Roads, various questions arise:
 - What happens in the case of a disagreement? Is approval required under both the Planning and Development Act 2005 and under the Road Traffic Administration Act 2008? If so, this needs to be explicitly stated in the policy and guidelines.
 - Resourcing at Local Governments and at Main Roads will also need to be considered.

WALGA requests clarification of the proposed approval pathways under which head of power for each specific type of sign. Including this information and information on the process for rejections in the Policy Statement document would be very helpful.

- The draft policy will have an effect on Local Government budgets, both in relation to bus shelter and Illuminated Street Name Signs. WALGA requests that Main Roads be mindful of the financial impact on Local Governments of this policy.

WALGA requests that the Policy Statement and Guidelines include an appeals process in case of dispute by a proponent.

- Additional comments are included in the annotated policy documents, attached to this submission.

MATTERS FOR CONSIDERATION BY STATE COUNCILLORS (UNDER SEPARATE COVER)

7.6 Best Practice Governance Review Final Report

By Tony Brown, Executive Director Member Services, and Tim Lane, Manager Corporate and Association Governance

WALGA RECOMMENDATION

That:

- 1. The Best Practice Governance Review Stage 3 Final Report be received;**
- 2. The proposed changes to WALGA's governance structure as per the revised Model 1, detailed in the Stage 3 Final Report, be endorsed;**
- 3. Members be engaged on the detail of the model; and**
- 4. Constitutional changes be developed for consideration at the July 2023 State Council meeting.**

Executive Summary

- The Best Practice Governance Review, commissioned by State Council in March 2022, has reached a significant milestone with the finalisation of the Stage 3 Final Report.
- The Report details the background work and consultation process undertaken by the Steering Committee during 2022.
- Through the formal consultation process, 99 Council endorsed submissions were received from WALGA's members in response to the Consultation Paper that put forward five governance models for consideration including the Current Model.
- The formal consultation process, and the independent research conducted by Ipsos, found that there is an appetite for change among WALGA's members.
- The Current Model is highly polarising: it received the most first preferences from Councils, as well as the majority of fifth preferences.
- Analysis of Council submissions utilising mean ranking and two-option preferred approaches demonstrate support for Model 1.
- Consequently, the Steering Committee recommends to State Council that WALGA's governance arrangements be amended in accordance with the revised Model 1 detailed in the Final Report, and that Members be engaged in the interim, prior to Constitutional amendments being presented to State Council in July 2023.

Attachment

- Best Practice Governance Review Stage 3 Final Report

Background

In March 2022, State Council commissioned the Best Practice Governance Review ("the Review" or "the Project") to undertake a significant project of reviewing WALGA's existing governance structure to ensure the organisation is governed by a contemporary, sound, and agile governance model.

To undertake the Review, State Council appointed a Steering Committee led by the WALGA President, and comprising State Council and Local Government sector representatives. The Steering Committee has overseen the Project through Stages 2 and 3. The Final Report (attached) represents a significant milestone in Stage 3 of the five-stage Project.

The Steering Committee undertook significant background work including:

- A review of the governance arrangements of other Local Government Associations in Australia and New Zealand;
- A comparison with five membership-based peak body advocacy organisations; and
- The development of overarching Principles within the categories of *Representative, Responsive and Results Oriented* to guide the development and assessment of a possible alternative governance model for WALGA.

The Principles were endorsed by State Council in August 2022, and then received almost universal endorsement by WALGA's members at the 2022 Annual General Meeting.

Following the endorsement of the Principles, the Steering Committee put forward five model options (including the Current Model) as part of a Consultation Paper for feedback from WALGA's Members. The Consultation Paper was distributed to all Local Governments on 24 October 2022 with feedback requested by 23 December 2022.

A total of 99 Council-endorsed submissions were received, representing 71 percent of WALGA's Members.

Concurrently, Ipsos was commissioned to undertake independent quantitative and qualitative research to collect feedback from Local Government Elected Members and Chief Executive Officers on the governance review, establish a perception benchmark, and collect comprehensive feedback on the proposed model options, and determine a preference.

The results of the consultation process, and Ipsos' research, are contained in the Steering Committee's Stage 3 Final Report which is provided as an attachment to this report.

Comment

Council endorsed submissions put forward to WALGA demonstrated an appetite for change. Overall, 62 percent of submissions expressed a preference for one of the four alternatives other than the Current Model.

The Current Model received 35 first preferences, representing 38 percent of submissions, and was closely followed by Model 1 which received 33 (36 percent) of first preferences.

Models 2, 3 and 4 received limited support from WALGA's members through the consultation process in terms of first preferences.

Responses from Councils were highly polarised in relation to the Current Model, as the Current Model received the most first preferences as well as a majority of fifth preferences. As a result, the Current Model is ranked third utilising a mean ranking method of analysis. Model 1 is ranked first utilising this approach as it received strong support in terms of first preferences and did not receive any fifth preferences.

Support for Model 1 from Council endorsed submissions is also demonstrated by considering submissions in terms of their preference between Model 1 and the Current Model. Using this approach, 43 percent of respondents support Model 1 compared to 40 percent indicating support for the Current Model, with 16 percent providing no preference between the two models, including several Local Governments in favour of change.

Strong support for Model 1 is confirmed by the research undertaken by Ipsos, who found Model 1 to be the most preferred utilising three of four voting analysis techniques: instant run-off voting, mean ranking, and ranked pairs.

The Steering Committee considered the Final Report and the findings of the Ipsos research project, and developed a recommendation for State Council consideration.

The Steering Committee recommends that WALGA's governance model be amended in line with a revised Model 1, as detailed in the Final Report.

Broadly, under this proposal, Zones and State Council would continue to meet to influence and shape policy and advocacy. State Council, at their December meeting following Local Government elections, would meet and elect the President, Deputy President and six additional board members, with three from the metropolitan constituency and three from the country constituency.

The Board would have the ability to appoint up to three independent members and would have overarching responsibility for governance of WALGA.

The recommended amendments to the governance model aim to balance concerns regarding representation with a desire for change evident in Council endorsed submissions and in the research undertaken by Ipsos. Ultimately, the overarching goal of the Best Practice Governance Review is to ensure WALGA is well placed to deliver strong, clear, focused, and consistent policy positions, drive advocacy impact on behalf of the Local Government sector and embed agility and responsiveness.

As per the recommendation, amendments to the [Constitution](#) will require further consideration and endorsement by a special majority of State Council at its July meeting as well as a special majority of Members at the 2023 Annual General Meeting.

Significant member engagement will be undertaken with the membership, including distribution of the Final Report, correspondence, and presentations to members on the proposed changes.

WALGA RECOMMENDATION

That:

1. **The Best Practice Governance Review Stage 3 Final Report be received;**
2. **The proposed changes to WALGA's governance structure as per the revised Model 1, detailed in the Stage 3 Final Report, be endorsed;**
3. **Members be engaged on the detail of the model; and**
4. **Constitutional changes be developed for consideration at the July 2023 State Council meeting.**

ALTERNATE MOTION

Moved: Cr Les Price
Seconded: Cr Frank Cvitan JP

That:

1. **The Best Practice Governance Review Stage 3 Final Report be received;**
2. **The proposed changes to WALGA's governance structure as per the revised Model 1, detailed in the Stage 3 Final Report, be noted;**
3. **Members be engaged on the detail of the model and a Final Report be presented to the May 2023 State Council meeting for consideration;**
4. **Any recommendation to the 2023 AGM include Option 5 as the Current Model and Option 1 as an alternative to the Current Model; and**
5. **Subject to points 1, 2, 3 and 4 above, constitutional changes be developed for consideration by State Council.**

RESOLUTION 424.1/2023

CARRIED

**7.7 Finance and Services Committee Minutes – 15 February 2023 –
CONFIDENTIAL**

By Tony Brown, Executive Director Member Services

WALGA RECOMMENDATION

**Moved: Cr Chris Mitchell JP
Seconded: Mayor Logan Howlett**

That the Minutes of the Finance and Services Committee meeting held on 15 February 2023 be endorsed.

RESOLUTION 425.1/2023

CARRIED

7.8 Selection Committee Minutes – 23 February 2023 – CONFIDENTIAL

By Tim Lane, Manager Association and Corporate Governance and Chantelle O'Brien, Governance Support Officer

WALGA RECOMMENDATION

**Moved: Cr Paul Kelly
Seconded: President Cr Moira Girando JP**

That the recommendations contained in the 23 February 2023 Selection Committee Minutes be endorsed.

RESOLUTION 426.1/2023

CARRIED

7.9 LGIS Board Minutes – 1 December 2022 – CONFIDENTIAL

By Craig Hansom, LGIS Contract Manager

WALGA RECOMMENDATION

**Moved: President Cr Chris Pavlovich
Seconded: Mayor Logan Howlett JP**

That State Council note the minutes of the LGISWA Scheme Board meeting held on 1 December 2022.

RESOLUTION 427.1/2023

CARRIED

7.10 LGIS Board Tenure – CONFIDENTIAL

By Craig Hansom, LGIS Contract Manager

Cr Paul Kelly declared an interest in this item and left the meeting at 5:53pm.

WALGA RECOMMENDATION

Moved: Mayor Logan Howlett JP
Seconded: Cr Chris Mitchell JP

That State Council endorse the reappointment of Cr Paul Kelly as a Director of the LGIS Board for a three-year term upon the expiry of his current term.

RESOLUTION 428.1/2023

CARRIED

Cr Paul Kelly returned to the meeting at 5:56pm.

7.11 Local Government House Trust Board of Management Minutes – 23 February 2023 – CONFIDENTIAL

By Tony Brown, Executive Director Member Services

WALGA RECOMMENDATION

Moved: Cr Catherine Ehrhardt
Seconded: President Cr Moira Girando JP

That the Minutes of the Local Government House Trust Board of Management meeting held on 23 February 2023 be noted.

RESOLUTION 429.1/2023

CARRIED

Cr Helen Sadler left the meeting at 6:01pm and did not return.

7.12 Appointments to State Council Policy Teams and Committees

By Nick Sloan, Chief Executive Officer

WALGA RECOMMENDATION

That:

1. **Cr David Lagan be appointed to the Governance and Organisational Services Policy Team;**
2. **Mayor Patrick Hall be appointed to the Finance and Services Committee;**
3. **Mayor Mark Irwin be appointed to the Metropolitan Representative position on the Local Government House Trust; and**
4. **Mayor Patrick Hall be appointed to the Metropolitan State Councillor position on the Local Government House Trust.**

Executive Summary

- The resignations of Mayor Mark Irwin and Cr Carl Celedin from State Council in December last year have resulted in vacant positions on the Governance and Organisational Services Policy Team, the Local Government House Trust and the Finance and Services Committee.
- These vacant positions include a State Councillor position on each of the Governance and Organisational Services Policy Team and the Finance and Services Committee, a Metropolitan State Councillor position on the Local Government House Trust (LGHT) and a Metropolitan Representative position on the LGHT.
- New State Councillors from the North Metropolitan Zone and the South East Metropolitan Zone were elected at the most recent round of Zone meetings, being Cr David Lagan and Mayor Patrick Hall, respectively. Both have indicated a preference as to which of the State Councillor Committee and Policy Team positions they would prefer.
- Nominations were called from State Councillors for the Metropolitan State Councillor position on the Local Government House Trust, and one nomination, from Mayor Patrick Hall, was received.
- Mayor Mark Irwin has indicated he would be interested in filling the Metropolitan Representative position on the LGHT.

Background

In December 2022, both Mayor Mark Irwin and Cr Carl Celedin resigned from their positions as North Metropolitan and South East Metropolitan Zone State Council representatives respectively.

This has left four positions vacant:

- a State Councillor position on the Governance and Organisational Services Policy Team (formerly held by Mayor Irwin);
- a State Councillor position on the Finance and Services Committee (formerly held by Cr Celedin);
- a Metropolitan State Councillor position on the Local Government House Trust Board of Management (formerly held by Mayor Irwin); and
- a Metropolitan Representative position on the Local Government House Trust Board of Management (formerly held by Cr Celedin).

The [Corporate Governance Charter](#) outlines the membership requirements for each of the Policy Teams and Delegated Committees. With respect to the above vacancies, the following clauses of the Charter apply:

- clause 19(vi) requires each State Councillor to be appointed to one of the four Policy Teams or the Finance and Services Committee;
- clause 18(ii) lists the membership of the Local Government House Trust, which includes the two vacant positions of “a State Councillor representative from the Metropolitan Constituency” and “a representative from the beneficiaries in the Metropolitan Constituency”.

Comment

At the February round of Zone meetings, Cr David Lagan, City of Stirling and Mayor Patrick Hall, City of Canning were elected as the new State Council representatives from the North Metropolitan and South East Metropolitan Zones respectively. Cr Lagan has indicated a preference to be appointed to the Governance and Organisational Services Policy Team, and Mayor Hall has indicated a preference for the Finance and Services Committee.

Mayor Mark Irwin has indicated that he would be interested in being appointed to the Metropolitan Representative position on the Local Government House Trust (LGHT) Board of Management. Mayor Irwin's continued service on the LGHT Board of Management would provide membership continuity during an important time, with the Trust intending to buy out QUBE's share of the Joint Venture at the expiration of the Joint Venture in January 2024.

Nominations for the Metropolitan State Councillor position on the LGHT Board of Management were called from State Councillors on Monday, 20 February. Nominations closed at 12:00pm noon on Monday, 27 February. One written nominations was received for the Metropolitan State Councillor position on the LGHT:

Mayor Patrick Hall, South East Metropolitan Zone

I am genuinely interested in joining the Local Government House Trust (LGHT) Board of Management because I recognise the importance that the Board plays in considering and defining the future use and governance model for Local Government House and I would look forward to assisting the Board to undertake those responsibilities.

My background is in audit and risk management and I believe that my experience in these fields will be of benefit to the Board and will allow me to demonstrate my financial management capabilities. I hold the Advanced Diploma of Integrated Risk Management, have been a key member of the City of Canning Audit and Risk Committee since 2015 (and Chair since 2019) and I have worked in the Audit and Risk Directorates of the department of Education, the Department of Justice and the Department of Health.

My previous employment includes Chief Executive Officer of a highly respected not-for-profit organisation, Executive Risk Manager for David Jones Limited, and I consider myself an experienced executive-level manager with a number of key attributes which I believe may be beneficial to the Board and these include critical thinking, policy development, and sound financial management.

Finally, I enjoy working in a team environment where collaboration and cooperation are valued, and where differing views are respected, and I believe that my interpersonal skills will place me in good stead to become a valued and effective member of the Local Government House Trust Board.

Further nominations will be accepted prior to the State Council meeting.

If more than one nomination is received, an election will be conducted by way of secret ballot. Candidates will be afforded the opportunity to make a two minute election bid prior to the secret ballot being taken.

WALGA RECOMMENDATION

Moved: Cr Frank Cvitan JP
Seconded: President Cr Chris Pavlovich

That:

- 1. Cr David Lagan be appointed to the Governance and Organisational Services Policy Team;**
- 2. Mayor Patrick Hall be appointed to the Finance and Services Committee;**
- 3. Mayor Mark Irwin be appointed to the Metropolitan Representative position on the Local Government House Trust; and**
- 4. Mayor Patrick Hall be appointed to the Metropolitan State Councillor position on the Local Government House Trust.**

RESOLUTION 430.1/2023

CARRIED

8. POLICY TEAM REPORTS

8.1 Environment and Waste Policy Team Report

By Nicole Matthews, Executive Manager Policy

WALGA RECOMMENDATION

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

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

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

This Report provides an update on matters considered, since the last State Council meeting, by the Environment and Waste Policy Team at its meetings held on 7 December 2022 and 30 January 2023.

1. Matters for State Council Decision

The Submission on the Department of Water and Environmental Regulation draft Guideline *Minimising noise impact from outdoor community basketball facilities* was considered and endorsed for State Council decision at the March 2023 meeting (see [Agenda item 7.4](#)).

2. Matters for State Council Noting

The following updates were noted by the Policy Team:

- New Urban Forest promotional videos – available on the WALGA website [here](#).
- Varroa mite and backyard beekeepers – WALGA continues to engage with DPIRD on this issue.
- In relation to Foot and Mouth Disease (FMD) and Lumpy Skin Disease (LSD):
 - Release of a [National LSD Action Plan](#);
 - A Northern Australian Coordination Network has been [established](#) and funded to assist in managing the threat of LSD and FMD;
 - The Western Australian taskforce continues to meet, this group includes DPIRD, industry groups, livestock agents and processors; and
 - The National FMD Biosecurity Response Zone extended to 30 June 2023 to ensure Australia's strong protections against FMD remain in place.

Zone Consideration	
Avon Midland Country Zone	WALGA recommendation supported
Central Country Zone	WALGA recommendation supported
Central Metropolitan Zone	WALGA recommendation supported
East Metropolitan Zone	WALGA recommendation supported
Gascoyne Country Zone	WALGA recommendation supported
Goldfields Esperance Country Zone	WALGA recommendation supported
Great Eastern Country Zone	WALGA recommendation supported
Great Southern Country Zone	WALGA recommendation supported
Kimberley Country Zone	WALGA recommendation supported
Murchison Country Zone	No meeting held
North Metropolitan Zone	WALGA recommendation supported

Northern Country Zone	WALGA recommendation supported
Peel Country Zone	WALGA recommendation supported
Pilbara Country Zone	WALGA recommendation supported
South East Metropolitan Zone	WALGA recommendation supported
South Metropolitan Zone	WALGA recommendation supported
South West Country Zone	WALGA recommendation supported

WALGA RECOMMENDATION

Moved: Mayor Logan Howlett JP
Seconded: President Cr Moira Girando JP

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

RESOLUTION 431.1/2023

CARRIED

8.2 Governance and Organisational Services Policy Team Report

By Tony Brown, Executive Director Member Services

WALGA RECOMMENDATION

That the Governance and Organisational Services Policy Team Report be noted.

The Governance and Organisational Services Policy Team includes the following subject areas:

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

The Governance and Organisational Services (GOS) Policy Team have not had a meeting since the last State Council meeting in December 2022.

A meeting of the GOS Policy Team is scheduled for Friday, 3 February.

A Report providing an update on matters considered at that meeting will be included in the next State Council Agenda.

Zone Consideration	
Avon Midland Country Zone	WALGA recommendation supported
Central Country Zone	WALGA recommendation supported
Central Metropolitan Zone	WALGA recommendation supported
East Metropolitan Zone	WALGA recommendation supported
Gascoyne Country Zone	WALGA recommendation supported
Goldfields Esperance Country Zone	WALGA recommendation supported
Great Eastern Country Zone	WALGA recommendation supported
Great Southern Country Zone	WALGA recommendation supported
Kimberley Country Zone	WALGA recommendation supported
Murchison Country Zone	No meeting held
North Metropolitan Zone	WALGA recommendation supported
Northern Country Zone	WALGA recommendation supported
Peel Country Zone	WALGA recommendation supported
Pilbara Country Zone	WALGA recommendation supported
South East Metropolitan Zone	WALGA recommendation supported
South Metropolitan Zone	WALGA recommendation supported
South West Country Zone	WALGA recommendation supported

WALGA RECOMMENDATION

Moved: Cr Russ Fishwick JP
 Seconded: Cr Chris Mitchell JP

That the Governance and Organisational Services Policy Team Report be noted.

RESOLUTION 432.1/2023

CARRIED

8.3 Infrastructure Policy Team Report

By Ian Duncan, Executive Manager Infrastructure

WALGA RECOMMENDATION

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

The Infrastructure Policy Team includes the following subject areas:

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

This Report provides an update on matters considered, since the last State Council meeting, by the Infrastructure Policy Team at its meetings held on 7 December 2022 and 11 January 2023.

1. Matters for State Council Decision

Nil.

2. Matters for State Council Noting

2.1 Policy Team meeting on 7 December 2022

At the meeting on 7 December, the Infrastructure Policy Team considered matters related to:

Road Traffic Issues

This matter was deferred for consideration after the development and endorsement of a clear Local Government advocacy position on speed management.

Car Parking and Traffic Congestion Around Schools

The Policy Team requested WALGA use its role at the Safe Active Travel to School Working Group to advocate for desired outcomes and to provide advice back to the Local Government sector.

Proposal for Regional Road Maintenance Contracts with Main Roads

The Policy Team requested WALGA explore, in discussion with Main Roads WA, opportunities and interest in contracting Local Governments to undertake maintenance and minor works on the State road network.

Northern Australian Beef Roads Program

The Policy Team requested that WALGA engage with the Goldfields-Esperance Regional Road Group regarding the matter of Northern Australian Beef Roads Program.

2.2 Policy Team meeting on 11 January 2023

Western Power Access Arrangement 5

At the meeting on 11 January, the Infrastructure Policy Team endorsed the draft submission, consistent with the policy positions endorsed by State Council in April 2022, concerning Western Power Access Arrangement 5 (2022 – 2027) for lodgement with the Economic Regulation Authority.

Zone Consideration	
Avon Midland Country Zone	WALGA recommendation supported
Central Country Zone	WALGA recommendation supported
Central Metropolitan Zone	WALGA recommendation supported
East Metropolitan Zone	WALGA recommendation supported
Gascoyne Country Zone	WALGA recommendation supported
Goldfields Esperance Country Zone	WALGA recommendation supported
Great Eastern Country Zone	WALGA recommendation supported
Great Southern Country Zone	WALGA recommendation supported
Kimberley Country Zone	WALGA recommendation supported
Murchison Country Zone	No meeting held
North Metropolitan Zone	WALGA recommendation supported
Northern Country Zone	WALGA recommendation supported
Peel Country Zone	WALGA recommendation supported
Pilbara Country Zone	WALGA recommendation supported
South East Metropolitan Zone	WALGA recommendation supported
South Metropolitan Zone	WALGA recommendation supported
South West Country Zone	WALGA recommendation supported

WALGA RECOMMENDATION

Moved: Mayor Logan Howlett JP
Seconded: President Cr Laurene Bonza

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

RESOLUTION 433.1/2023

CARRIED

8.4 People and Place Policy Team Report

By Nicole Matthews, Executive Manager Policy

WALGA RECOMMENDATION

That the matters considered by the People and Place Policy Team be noted.

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

- Community
- Emergency Management
- Planning and Building

This Report provides an update on matters considered, since the last State Council meeting, by the People and Place Policy Team at its meetings held on 14 December 2022 and 25 January 2023.

1. Matters for State Council Decision

The Aboriginal Cultural Heritage Act Stage 3 Co-Design Submission was considered and endorsed for State Council decision by Flying Minute (see [Agenda item 9.5](#)).

The following items were considered and endorsed for State Council decision at the March 2023 meeting:

- A submission on the draft Western Australian Disaster Resilience Strategy (see [Agenda item 7.2](#)); and
- An updated Child Safeguarding Advocacy Position (see [Agenda item 7.3](#)).

2. Matters for State Council Noting

The following noting items were considered:

- The consultation response to the Draft Position Statement: Child Care Premises prior to submission to the DPLH (see [Agenda item 9.6](#)); and
- The Local Development Plan Background Paper (see [Agenda item 9.3](#)).

Zone Consideration	
Avon Midland Country Zone	WALGA recommendation supported
Central Country Zone	WALGA recommendation supported
Central Metropolitan Zone	WALGA recommendation supported
East Metropolitan Zone	WALGA recommendation supported
Gascoyne Country Zone	WALGA recommendation supported
Goldfields Esperance Country Zone	WALGA recommendation supported
Great Eastern Country Zone	WALGA recommendation supported
Great Southern Country Zone	WALGA recommendation supported
Kimberley Country Zone	WALGA recommendation supported
Murchison Country Zone	No meeting held
North Metropolitan Zone	WALGA recommendation supported
Northern Country Zone	WALGA recommendation supported
Peel Country Zone	WALGA recommendation supported
Pilbara Country Zone	WALGA recommendation supported
South East Metropolitan Zone	WALGA recommendation supported
South Metropolitan Zone	WALGA recommendation supported
South West Country Zone	WALGA recommendation supported

WALGA RECOMMENDATION

Moved: President Cr Tony Dean
Seconded: Mayor Logan Howlett JP

That the matters considered by the People and Place Policy Team be noted.

RESOLUTION 434.1/2023

CARRIED

9. MATTERS FOR NOTING / INFORMATION

9.1 Animal Welfare in Emergencies Grant Program Overview

By Cassandra Mora, Policy Officer, Emergency Management

WALGA RECOMMENDATION

That the update on the Animal Welfare in Emergencies Grant Program be noted.

Executive Summary

- The Animal Welfare in Emergencies Grant Program was established in 2020 between the Department of Primary Industries and Regional Development (DPIRD) and WALGA to improve the capacity of Local Governments, and their communities, to manage the impacts of emergency situations on animal welfare.
- At the conclusion of the Program in June 2022, 40 Local Governments shared in a total of \$414,066.06 funding through project grants and reimbursement of costs to attend a tailored three-day training course at the Muresk Institute.

Background

The Animal Welfare in Emergencies Grant Program was established in 2020 to provide funding to Local Governments for the development and implementation of projects to improve the preparation and response of Local Governments to animal welfare during emergencies. WALGA administered the program, with funding provided by the Department of Primary Industries and Regional Development (DPIRD).

The Animal Welfare in Emergencies Grant Program aimed to improve the capacity of Local Governments, and their communities, to manage the impacts of emergency situations on animal welfare. The program worked towards achieving the following outcomes:

- Local Government and their communities are prepared for and can respond to emergency situations that impact animal welfare;
- Enhanced capacity for Local Governments and their communities to prepare for, respond to and recover from the impacts of emergency situations on animal welfare;
- Roles and responsibilities of Local Government and community stakeholders are clear regarding animal welfare during and after emergency situations; and
- Emergency management principles of shared responsibility and building resilience are promoted.

The initial project focus of the Program was later expanded to fund Local Government officers, in particular rangers and officers working in emergency management and community safety, to attend a tailored three-day training course in partnership with the Muresk Institute. This training provided the opportunity for officers to enhance their skills and knowledge in safely dealing with animals during an emergency. Presentation and workshop topics included livestock health and welfare, the State Support Plan, fauna handling, containment and transport, a workshop on Local Plans and an exercise activity.

Comment

Overall, 40 WA Local Governments shared in a total of \$414,066.06 funding to enhance their capability and capacity to prepare for, respond to and recovery from the impacts of emergency situations on animal welfare. A total of 30 Local Governments were awarded grants to support 24 individual and two joint projects. Projects ranged from the preparation of Animal Welfare in Emergencies Plans, acquiring materials to support community engagement and communications, and building local and regional capacity through investment in resources to support response activities including the transportation and storage of animals during an evacuation. Additionally, a total of 65 Local Government officers from 22 Local Governments attended a three-day training course at the

Muresk Institute to enhance their capability and knowledge in planning for and responding to animal welfare in emergencies.

WALGA is continuing to work with DPIRD as the WA Local Government sector representative on the State Government's Committee for Animal Welfare in Emergencies, as dictated in the State Support Plan for Animal Welfare in Emergencies. WALGA expects that the training course developed through the grant program will continue to be offered to Local Governments in 2023.

Zone Consideration	
Avon Midland Country Zone	WALGA recommendation supported
Central Country Zone	WALGA recommendation supported
Central Metropolitan Zone	WALGA recommendation supported
East Metropolitan Zone	WALGA recommendation supported
Gascoyne Country Zone	WALGA recommendation supported
Goldfields Esperance Country Zone	WALGA recommendation supported
Great Eastern Country Zone	WALGA recommendation supported
Great Southern Country Zone	WALGA recommendation supported
Kimberley Country Zone	WALGA recommendation supported
Murchison Country Zone	No meeting held
North Metropolitan Zone	WALGA recommendation supported
Northern Country Zone	WALGA recommendation supported
Peel Country Zone	WALGA recommendation supported
Pilbara Country Zone	WALGA recommendation supported
South East Metropolitan Zone	WALGA recommendation supported
South Metropolitan Zone	WALGA recommendation supported
South West Country Zone	WALGA recommendation supported

WALGA RECOMMENDATION

Moved: President Cr Phil Blight
Seconded: Cr Frank Cvitan JP

That the update on the Animal Welfare in Emergencies Grant Program be noted.

RESOLUTION 435.1/2023

CARRIED

9.2 Emergency Management Update

By Rachel Armstrong, Senior Policy Advisor, Emergency Management

WALGA RECOMMENDATION

That State Council note this Emergency Management update.

Executive Summary

- The Department of Fire and Emergency Services (DFES) has revised the timing of the Consultation Exposure Draft Bill for the proposed Emergency Services Act, which is now expected to be released for a three-month consultation period in mid-2023.
- The Auditor General has released Report 13: 2022-23 Funding of Volunteer Emergency and Fire Services, which includes recommendations for DFES and for Local Government.
- The Minister for Emergency Services has written to the WALGA President in response to the WALGA 2023-24 State Budget Submission, including advice that DFES is considering a review of the Local Government Grants Scheme (LGGS).
- WALGA was recently contacted by DFES regarding the legality of Bush Fire Brigades established by Local Governments in the absence of an associated Bush Fire Brigades Local Law, and has sought its own legal advice and contacted impacted LGs.
- WALGA is maintaining a watching brief on the Kimberly Floods emergency, is in communication with the Shire of Broome and Shire of Derby – West Kimberley and will provide support as required to the response and recovery effort.

Attachment

- [DFES Presentation - Consultation Bill: Emergency Services Bill 2022](#)
- [Minister Emergency Services to WALGA President - WALGA 2023-24 State Budget Submission](#)
- [Bush Fire Brigades Local Laws Information Sheet](#)

Background

A number of emergency management items of interest to Local Governments have emerged and/or progressed since December State Council meeting. Comment on each of these is provided below.

Comment

Consultation Exposure Draft Bill - Emergency Services Act

The Department of Fire and Emergency Services (DFES) has provided updated timing for the release of the Consultation Exposure Draft Bill for the proposed Emergency Services Act, which is now expected to be released for a three-month consultation period in mid-2023. WALGA is committed to collaborative involvement in the preparation of the Consultation Exposure Draft Bill and is remaining informed of its progress. WALGA will support consultation with the Local Government sector when the Exposure Draft Bill is released for consultation and will develop a submission on behalf of the sector. In 2022, WALGA conducted a review of its [Emergency Management Advocacy Positions](#) and prepared a suite of comprehensive policy positions. Positions 8.4 Consolidated Emergency Services Act and 8.10 Management of Bush Fire Brigades are informing our engagement with DFES on the proposed legislation.

Auditor General Report 13 Funding of Volunteer Emergency and Fire Services

The Auditor General has released [Report 13: 2022-23 Funding of Volunteer Emergency and Fire Services](#), including recommendations for DFES and for Local Government. The audit assessed DFES and three Local Governments' administration of funding for their land-based volunteer emergency and fire services. Administrative recommendations were made for DFES and Local Governments

including that DFES work with the LG sector to adopt a State-wide strategic approach to Local Government Grant Scheme (LGGS) funding based on a more comprehensive understanding of Local Government entities' longer term operating and capital costs.

The LGGS review is also mentioned in the Minister for Emergency Services response to WALGA's State Budget Submission (see below).

Minister for Emergency Services Response to the WALGA 2023-24 State Budget Submission

The Minister for Emergency Services has written to the WALGA President responding to the emergency management proposals in the [WALGA 2023-24 State Budget Submission](#):

- increased LGGS funding;
- expansion of the Community Emergency Services Manager (CESM) Program; and
- increased funding for the Mitigation Activity Fund (MAF) Grant Program.

The Minister has indicated that DFES is considering a review of LGGS funding with a Statewide strategic approach, based on a comprehensive understanding of Local Government entities longer-term operating and capital costs and to ensure funding allocations are targeted to areas most in need, which is consistent with the Auditor General's recommendation above. The remaining requests relating the CESM Program and the MAF Grant Program were acknowledged by the Minister and he advised that DFES is considering undertaking a trial to determine the benefits and practicalities of longer-term mitigation funding.

Communication from DFES to WALGA regarding Bushfire Brigade Local Laws

WALGA was recently contacted by DFES, following advice from the State Solicitor's Office on the legality of Bush Fire Brigades established by Local Governments in the absence of an associated Bush Fire Brigades Local Law. WALGA obtained its own independent legal advice that confirmed that having established a Bush Fire Brigade, it is a requirement that the Local Government also adopt an associated Bush Fire Brigades Local Law.

Although not having adopted a BFB Local Law will mean that Brigades are not properly constituted, we have been advised that the appointment of Bush Fire Control Officers will mean that Local Governments can effectively ensure the conduct of normal brigade activities, including responding to bush fires and directing firefighting assets and volunteers. Our legal advice provides further reassurances that volunteers will be covered for compensation and protected from liability if conducting normal brigade activities under the direction of a BFCO. WALGA has communicated with Local Governments that may be impacted and provided advice on short and intermediate term arrangements that can be implemented in response to this advice. In the short term, Local Governments should ensure that a sufficient number of bush fire control officers (BFCO) are appointed under s.38(1) of the BF Act. In the medium-term Local Governments should look to adopt a BFB Local Law to ensure its Bush Fire Brigades are properly established and Brigade officers are properly registered and empowered.

Subsequently WALGA became aware that many Local Governments have made Bush Fire Brigade Local Laws prior to or following the commencement of the *Bush Fires Act 1954*. WALGA obtained additional legal advice which confirms that, despite the date of adoption and the lack of review of a Local Law, it remains valid until such time as it is repealed. WALGA advised approximately 50 affected Local Governments that while their Bush Fire Brigade Local Law is technically valid, it may be practically obsolete from a contemporary Bush Fire Brigade management perspective.

WALGA has developed a template BFB Local Law addressing the BF Act local law-making requirements. This can be made freely available upon request.

DFES is undertaking an audit of Bushfire Local Laws and WALGA will continue to work with DFES and Local Governments to help resolve this issue.

Kimberley Floods Emergency

WALGA is maintaining a watching brief on the Kimberley Floods emergency, including through attendance at the All Hazards Liaison Group (AHLG), State Emergency Coordination Group (SECG) and the State Welfare Emergency Coordination (SWEC) Operations Committee. WALGA is in communication with the Shires of Broome and Shire of Derby–West Kimberley and will provide support as required to the response and recovery effort.

Communities in the Kimberley are experiencing a one-in-100-year flood event, with the clean-up expected to be long, costly and complex. Individuals and businesses can now donate to the Kimberley Floods Appeal through the [Lord Mayor's Distress Relief Fund](#). Information about where assistance is available and how the public can help is available on the [DFES Kimberley Floods Webpage](#). Volunteering WA has also set up a [registration point](#) for those wishing to provide support. [GIVIT](#) has also launched an appeal to support the management of donations during recovery.

Zone Consideration	
Avon Midland Country Zone	WALGA recommendation supported
Central Country Zone	WALGA recommendation supported
Central Metropolitan Zone	WALGA recommendation supported
East Metropolitan Zone	WALGA recommendation supported
Gascoyne Country Zone	WALGA recommendation supported
Goldfields Esperance Country Zone	WALGA recommendation supported
Great Eastern Country Zone	WALGA recommendation supported
Great Southern Country Zone	WALGA recommendation supported
Kimberley Country Zone	WALGA recommendation supported
Murchison Country Zone	No meeting held
North Metropolitan Zone	WALGA recommendation supported
Northern Country Zone	WALGA recommendation supported
Peel Country Zone	WALGA recommendation supported
Pilbara Country Zone	WALGA recommendation supported
South East Metropolitan Zone	WALGA recommendation supported
South Metropolitan Zone	WALGA recommendation supported
South West Country Zone	WALGA recommendation supported

WALGA RECOMMENDATION

Moved: President Cr Phil Blight
Seconded: Cr Frank Cvitan JP

That State Council note this Emergency Management update.

RESOLUTION 435.1/2023

CARRIED

9.3 Local Development Plan Background Paper

By Coralie Claudio, Senior Policy Advisor Planning

WALGA RECOMMENDATION

That State Council note the Local Development Plan Background Paper.

Executive Summary

- Local Development Plans (LDPs) are planning instruments used to facilitate and coordinate development and assist in achieving built form outcomes.
- WALGA established a Local Government LDP Working Group, including members of the Department of Planning, Lands and Heritage (DPLH) Planning Reform team, following multiple Local Governments raising concerns with LDPs.
- The LDP Background paper identifies four key challenges associated with LDPs and provides recommended solutions that will inform DPLH's formal review of LDPs.

Attachment

- [Local Development Plan Background Paper](#)

Background

A Local Development Plan (LDP) is a planning instrument used to facilitate and coordinate development. There are approximately 4000 LDPs currently in effect across Western Australia. The deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) sets out how a LDP should be prepared and operate.

Under these Regulations, LDPs can set site and development standards and exempt certain types of development from the requirement to seek development approval. Site and development standards can include setback, open space, dwelling orientation, and vehicle access requirements. This may require amending or supplementing development standards contained within a local planning scheme (LPS) or the Residential Design Codes (R-Codes) to achieve a specific built form outcome on a specific lot or for a precinct or estate.

In 2022, following a decision by the State Administrative Tribunal (SAT) that considered one particular LDP in the City of Cockburn³⁶, a number of Local Governments raised specific concerns with WALGA about LDPs. Consequently, WALGA established a Local Government reference group to prepare a background paper outlining the current challenges with LDPs and recommendations for overcoming these challenges. WALGA and the reference group also engaged the Department of Planning, Lands and Heritage (DPLH) planning reform team. The DPLH advised it would include a review of LDPs in the current planning reform process to address the concerns raised by Local Governments.

To assist with this process, the DPLH undertook a preliminary audit of 526 LDPs (approximately 15% of all LDPs currently in effect). The audit and input from the reference group has been used to prepare a background paper which will help inform the DPLH planning reform LDP review process.

Comment

The DPLH LDP review process aims to investigate the consistency and legibility of LDPs, rationalise the scope and consistency of LDPs, provide contemporary and usable guidance, and address implementation challenges.

³⁶ *Mastaglia and City of Cockburn* [2021] WASAT 154

The LDP Reference group and DPLH’s internal audit identified key challenges experienced by Local Government in preparing, assessing, and implementing LDPs. The background paper discusses these challenges and provides recommendations to:

1. Re-establish LDPs as a development control instrument within the Regulations
2. Rationalise the scope and use of LDPs by determining the most effective and efficient instrument to achieve each current LDP function
3. Prepare clear guidance on the acceptable manner and form of LDPs
4. Prepare clear guidance on the preferred process for normalising LDP provisions into local planning schemes

The DPLH reform process is likely to commence in early 2023. The background paper will be a key background document that informs this review and the Local Government reference group and WALGA will continue to be engaged throughout the DPLH LDP review process along with other key stakeholders.

The background paper has been prepared as an item for noting given that:

- The DPLH intends to commence the review process in the first quarter of 2023 to address Local Government concerns;
- LDPs are a technical planning instrument used to achieve idiosyncratic site objectives. The recommendations in the paper aim to enhance a Local Government’s ability to set and achieve those site objectives;
- The Local Governments who raised concerns about LDPs with WALGA have been thoroughly engaged in the development of the background paper;
- The Local Government reference group is open for interested Local Governments to participate; and,
- Further opportunities will exist for Local Governments and WALGA to provide input into the LDP review process

The Background Paper was noted by the People and Place Policy Team on 25 January and has been provided to the DPLH Planning Reform Team.

Zone Consideration	
Avon Midland Country Zone	WALGA recommendation supported
Central Country Zone	WALGA recommendation supported
Central Metropolitan Zone	WALGA recommendation supported
East Metropolitan Zone	WALGA recommendation supported
Gascoyne Country Zone	WALGA recommendation supported
Goldfields Esperance Country Zone	WALGA recommendation supported
Great Eastern Country Zone	WALGA recommendation supported
Great Southern Country Zone	WALGA recommendation supported
Kimberley Country Zone	WALGA recommendation supported
Murchison Country Zone	No meeting held
North Metropolitan Zone	WALGA recommendation supported
Northern Country Zone	WALGA recommendation supported
Peel Country Zone	WALGA recommendation supported
Pilbara Country Zone	WALGA recommendation supported
South East Metropolitan Zone	WALGA recommendation supported
South Metropolitan Zone	WALGA recommendation supported
South West Country Zone	WALGA recommendation supported

WALGA RECOMMENDATION

Moved: President Cr Phil Blight
Seconded: Cr Frank Cvitan JP

That State Council note the Local Development Plan Background Paper.

RESOLUTION 435.1/2023

CARRIED

9.4 2023-24 WALGA Federal Budget Submission

By Daniel Thomson, Economist

WALGA RECOMMENDATION

That WALGA's letter in support of the Australian Local Government Association's 2023-24 Federal Budget Submission be noted.

Executive Summary

- WALGA recently wrote to the Federal Treasurer in support of the Australian Local Government Association's (ALGA) 2023-24 Federal Budget Submission.
- WALGA's letter supports the priority areas identified in ALGA's submission.
- It also highlights several initiatives of particular importance to Western Australia, given the State's unique geographic and economic circumstances including addressing climate change (notably funding support to reduce emissions and for coastal hazard planning); continuation of key infrastructure programs including the Local Roads and Community Infrastructure Program, Roads of Strategic Importance and Roads to Recovery; and addressing the shortage of building surveyors.
- In coming weeks WALGA will be writing to Western Australian members of Federal Parliament to draw their attention to the spending priorities for Western Australian Local Governments in the 2023-24 Budget.

Attachments

- [2023-24 ALGA Federal Budget Submission](#)
- [WALGA Letter to the Treasurer: 2023-24 Federal Budget Submission](#)

Policy Implications

Priorities identified in WALGA's Federal Budget Submission are consistent with WALGA existing advocacy positions and previous submissions.

Background

In December 2022, the Federal Government called for submissions in advance of the 2023-24 Budget.

ALGA has prepared a detailed submission which identifies priority areas of spending for Local Governments in the 2023-24 Budget:

- Fair Financial Assistance Grants
- Roads to Recovery
- Local Roads and Community Infrastructure Program
- Regional Infrastructure Recovery Program
- Freight Productivity
- Local Government Cybersecurity Support Program
- Local Government Indigenous Partnership Network
- Local Jobs, Skills and Training Program
- Local Governments Addressing the Housing Crisis
- Waste and Recycling

WALGA and other Local Government Associations provided input to ALGA's submission.

WALGA has written to the Federal Treasurer in support of ALGA's submission. WALGA's letter also highlights several initiatives of particular importance for WA, given the State's unique geographic and economic circumstances:

- Funding support to assist Local Governments to scale up local projects to reduce emissions and address climate change;
- A sustainable, equitable and efficient funding model to enable the implementation of coastal hazard risk planning;
- Continuation of key infrastructure programs including the Local Roads and Community Infrastructure Program, Roads of Strategic Importance and Roads to Recovery; and
- Funding for a Building Surveyor Training Program to encourage uptake of the building surveyor profession and address skills shortages in this area.

Comment

The May 2023 Budget will be set against a backdrop of challenging international and domestic economic conditions. The Australian economy is facing significant headwinds from the global economy, inflationary pressures and rising interest rates which may see the economy enter a recession during 2023. It will be difficult for the Government to deliver its economic and social policy agenda and support the domestic economy without further stoking inflation or exacerbating the nation's fiscal challenges.

In this environment it is even more important that expenditure is targeted at programs and infrastructure in areas of greatest need and that provide the highest possible benefit to communities. This provides an important opportunity for Local Governments to work constructively with the Federal Government to ensure funding is directed to the areas of greatest need and impact.

In coming weeks WALGA will be writing to Western Australian members of Federal Parliament to draw their attention to the spending priorities for Western Australian Local Governments in the 2023-24 Budget.

Zone Consideration	
Avon Midland Country Zone	WALGA recommendation supported
Central Country Zone	WALGA recommendation supported
Central Metropolitan Zone	WALGA recommendation supported
East Metropolitan Zone	WALGA recommendation supported
Gascoyne Country Zone	WALGA recommendation supported
Goldfields Esperance Country Zone	WALGA recommendation supported
Great Eastern Country Zone	WALGA recommendation supported
Great Southern Country Zone	WALGA recommendation supported
Kimberley Country Zone	WALGA recommendation supported
Murchison Country Zone	No meeting held
North Metropolitan Zone	WALGA recommendation supported
Northern Country Zone	WALGA recommendation supported
Peel Country Zone	WALGA recommendation supported
Pilbara Country Zone	WALGA recommendation supported
South East Metropolitan Zone	WALGA recommendation supported
South Metropolitan Zone	WALGA recommendation supported
South West Country Zone	WALGA recommendation supported

WALGA RECOMMENDATION

Moved: President Cr Phil Blight
Seconded: Cr Frank Cvitan JP

That WALGA's letter in support of the Australian Local Government Association's 2023-24 Federal Budget Submission be noted.

RESOLUTION 435.1/2023

CARRIED

9.5 WALGA Submission on Phase Three of the Aboriginal Cultural Heritage Act 2021 Co-Design Process

By Alina Hobson, Policy Officer, Resilient Communities

WALGA RECOMMENDATION

That the submission on Phase Three of the *Aboriginal Cultural Heritage Act 2021* Co-design Process, endorsed via Flying Minute on 23 December 2022, be noted.

Executive Summary

- The *Aboriginal Cultural Heritage Act 2021* (ACH Act) is expected to commence in July 2023.
- During 2022, the Department of Planning, Lands and Heritage (DPLH) facilitated a three-phase co-design process to develop the regulations, statutory guidelines and operational policies that will support the ACH Act.
- WALGA provided a submission at each stage including in response to Phase Three.
- WALGA's Phase Three submission was endorsed by State Council by way of Flying Minute on 23 December 2022.
- This completes the consultation process for the ACH Act, with DPLH now moving into a document finalisation and implementation phase.
- Since 2018, WALGA has undertaken the following advocacy and capacity building activities to in relation to the development of the new ACH Act:
 - filed five State Council endorsed submissions;
 - provided formal feedback twice via letter and survey;
 - co-delivered 10 place-based online workshops to contribute to the preliminary work in developing the activity categories in 2021;
 - convened the Local Government Aboriginal Heritage Reference Group which has included representation from 26 Local Governments; and
 - co-delivered 5 Infosessions and webinars with DPLH to facilitate consultation with, and provide information to, Local Governments; and
 - included a request for funding for the establishment and ongoing functioning of the new Aboriginal heritage system, with respect to the ACH Council, Local ACH Services (LACHS) and Local Governments in the [2023-24 WALGA Budget Submission](#).
- WALGA will continue to support the Local Government sector with ongoing implementation and capacity building support.

Attachment

- [Flying Minute: WALGA Submission Aboriginal Cultural Heritage Act 2021 Co-design Process, Phase Three](#)

Policy Implications

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

3.1.3 *Aboriginal Cultural Heritage Act 2021* and South West Native Title Settlement

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

*WALGA supports the introduction of the *Aboriginal Cultural Heritage Act 2021* which will provide a modern framework for the recognition, protection, conservation and preservation of Aboriginal cultural heritage and recognises the fundamental importance of Aboriginal cultural heritage to Aboriginal people. The State Government must ensure that:*

1. *The legislation balances the need to protect Aboriginal cultural heritage with the requirement for Local Government to undertake activities in a timely and affordable manner;*
2. *The implementation and ongoing operation of the legislative system for the protection of Aboriginal cultural heritage is adequately resourced to ensure that all parties have the capacity, capability and resources to discharge their statutory obligations;*
3. *Support is provided to Local Governments to ensure that they have the resources, capacity and capability to comply with a complex legislative framework; and*
4. *Local Governments have the ability to deliver essential infrastructure works and emergency activities efficiently and effectively in order to maintain public safety.*
5. *WALGA advocate for and support the recognition of regional local Aboriginal people to be actively engaged in the Local Aboriginal Cultural Heritage Services (LACHS) groups; and*
6. *the various Prescribed Body Corporates (PBCs) be required to actively seek out local regional members to be included in the consultation and decision-making process.*

(State Council Resolution December 2022 – 399.8/2022)

Previous WALGA submissions:

- *Aboriginal Heritage Act 1972 - 2018 Review Submission* endorsed by State Council in July 2018;
- AHA Review Consultation Phase Two, submission endorsed by State Council in July 2019;
- WALGA's 2020 response to survey during Phase 3 consultation based on previous submissions and member feedback (including the Aboriginal Heritage Reference Group);
- *Aboriginal Cultural Heritage Act 2021 – Co-design Phase One Submission* endorsed by State Council in May 2022.
- *Aboriginal Cultural Heritage Act 2021 – Co-design Phase Two Submission* endorsed by State Council in August 2022.

Background

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

During 2022 DPLH undertook a three-stage co-design process to develop the regulations, statutory guidelines and operational policies that will support the ACH Act. WALGA provided a submission at each stage including Phase Three.

The People and Place Policy Team endorsed the draft submission on Wednesday, 14 December 2022.

Comment

Throughout the ACH Co-Design process, WALGA has undertaken comprehensive consultation with the Local Government sector on the guidance materials being developed to support the legislation. Sector consultation highlighted the need for the ACH Act to balance the protection of Aboriginal cultural heritage with the requirements for Local Government to deliver essential infrastructure works and emergency management activities efficiently and effectively to maintain public safety and comply with other legislative responsibilities.

WALGA's submissions have influenced positive policy change during the co-design process, with significant progress in the refinement of the activity categories including recognition of the infrastructure maintenance activities undertaken by Local Government, which are now exempt activities unless specifically categorised in another tier. Other improvements include further refinement of definitions around 'new and additional ground disturbance' and the addition of the 'like for like or less' activity category.

Key themes from WALGA's Phase Three submission included:

- The need for further refinement of some activity categories and re-classification of some emergency management activities to the exempt activity category;
- The requirement for adequate resourcing to support the establishment, implementation and ongoing functioning of the ACH legislation including for the Aboriginal Cultural Heritage Council (ACHC), Local Aboriginal Cultural Heritage Services (LACHS) and Local Governments; and
- The need for support for the Local Government sector with the transition to the new legislative system, with education and capacity building resources including further advice and guidance materials, training, digital resources, and funding support.

The *Aboriginal Cultural Heritage Act 2021* is a significant legislative reform and as such features as a priority in WALGA's [2023-24 State Budget Submission](#) which seeks resourcing support for:

- Detailed consultation and engagement with Local Governments and other relevant stakeholders;
- Training and assistance for Local Governments to fulfil their obligations under the new legislative framework; and
- The establishment and ongoing functioning of the new Aboriginal heritage system, with respect to Aboriginal Cultural Heritage Council (ACHC), Local Aboriginal Cultural Heritage Services (LACHS) and Local Governments.

This investment will enhance the performance and efficiency of the Local Government sector, ensure equitable levels of service across the State, and maximise the benefits of reform.

Phase Three was the final opportunity to provide feedback on the draft regulations, guidelines and operational policies. DPLH now moves into a phase of document finalisation and implementation. WALGA will continue to liaise with DPLH to ensure that the sector is kept informed of progress, and provide support with capacity building and the implementation.

Since 2018, WALGA has undertaken the following advocacy and capacity building activities to support the Local Government sector:

- filed five State Council endorsed submissions;
- provided formal feedback twice via letter and survey;
- co-delivered 10 place-based online workshops to contribute to the preliminary work in developing the activity categories in 2021;
- convened the Local Government Aboriginal Heritage Reference Group which has included representation from 26 Local Governments; and
- co-delivered 6 webinars with DPLH to facilitate consultation with, and provide information to, Local Governments; and
- included a request for funding for the establishment and ongoing functioning of the new Aboriginal heritage system, with respect to the ACH Council, Local ACH Services (LACHS) and Local Governments in the 2023-24 WALGA Budget Submission.

Zone Consideration	
Avon Midland Country Zone	WALGA recommendation supported
Central Country Zone	WALGA recommendation supported
Central Metropolitan Zone	WALGA recommendation supported
East Metropolitan Zone	WALGA recommendation supported
Gascoyne Country Zone	WALGA recommendation supported
Goldfields Esperance Country Zone	WALGA recommendation supported
Great Eastern Country Zone	WALGA recommendation supported
Great Southern Country Zone	WALGA recommendation supported
Kimberley Country Zone	WALGA recommendation supported
Murchison Country Zone	No meeting held
North Metropolitan Zone	WALGA recommendation supported
Northern Country Zone	WALGA recommendation supported
Peel Country Zone	WALGA recommendation supported
Pilbara Country Zone	WALGA recommendation supported
South East Metropolitan Zone	WALGA recommendation supported
South Metropolitan Zone	WALGA recommendation supported
South West Country Zone	WALGA recommendation supported

Cr Helen Sadler had declared an interest in this item, however had already left the meeting.

WALGA RECOMMENDATION

Moved: President Cr Phil Blight
Seconded: Cr Frank Cvitan JP

That the submission on Phase Three of the *Aboriginal Cultural Heritage Act 2021* Co-design Process, endorsed via Flying Minute on 23 December 2022, be noted.

RESOLUTION 435.1/2023

CARRIED

9.6 Child Care Premises Position Statement: Consultation Response

By Ruby Pettit, Policy Officer Planning

WALGA RECOMMENDATION

That State Council note the consultation response to the Child Care Premises Position Statement.

Executive Summary

- The Department of Planning, Lands and Heritage (DPLH) released a draft Position Statement: Child Care Premises in November 2022 which outlines the DPLH position and key considerations for proponents, decision-makers and the community in the development and assessment of child care premises.
- The WALGA consultation response provides comment on minor matters of a technical nature and supports the continued status of the Position Statement as providing guidance to Local Governments while retaining flexibility needed to develop local planning scheme and policy provisions that respond to local context.

Attachment

- [Consultation Response on Child Care Premises Position Statement](#)

Background

In November 2022, the Department of Planning, Lands and Heritage (DPLH) released the Draft Position Statement: Child Care Premises for public consultation. The Draft Position Statement is a revision of Planning Bulletin 72 Child Care Centres (2009). Position Statements provide a statement setting out the policy position of the WAPC with respect to a given matter, and have subsumed the function of Planning Bulletins since 2018. The statement outlines key considerations for proponents, decision-makers and the community in the development and assessment of child care premises.

Child care premises provide an important service to communities, by enabling families to participate in full and part time work and study, directly supporting local jobs and boosting local economies. While a critical community service that support child development and parent/caregiver workforce participation, child care premises can generate detrimental amenity and other impacts for the communities in which they are located such as noise and traffic.

Local Governments take different pathways to influence the development of new child care premises, including:

- Preparing scheme provisions that give consideration to land use permissibility in various zones;
- Preparing local planning policies that give consideration to land use compatibility, siting and design, amenity, traffic and noise considerations;
- Assessing development applications for child care premises proposals; and
- Providing comment as the responsible authority where applications are assessed by Development Assessment Panels (DAPs).

The draft Position Statement aims to provide comprehensive guidance to Local Governments in the preparation of scheme provisions and local planning policies and assist with the assessment of proposals for child care premises where Local Governments may not have relevant policies or scheme provisions. Key matters covered by the statement include suitable and unsuitable site characteristics, facility design requirements, and traffic and noise considerations.

Comment

The draft Position Statement and the process taken by DPLH to seek input from Local Governments aligns with WALGA's current advocacy position 6.1 Planning Principles:

- 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; and
- Be amended only with WALGA involvement and/or consultation/involvement with Local Government.

WALGA’s Planning and Building Team took the following approach to prepare a consultation response:

- Hosting an online information session for members in collaboration with the DPLH, which was attended by over 50 Local Government attendees from 19 metropolitan and 9 regional Local Governments on 14 December 2022.
- Consulting with Local Governments who had recently adopted or revised local planning policies related to these facilities, others who had been involved in recent State Administrative Tribunal decisions and others who were known to have strong views on the development of these facilities.
- Seeking comment through WALGA’s Planning and Building News bulletin.

Feedback received has been largely supportive of the draft Position Statement.

The flexible nature of the position statement, which seeks to guide, as opposed to prescribe, development assessment and policy development, provides Local Governments with the flexibility needed to establish local planning schemes and policies that reflect community needs and values. This flexibility allows Local Governments to continue to take various approaches to address concerns regarding the development of child care premises, to suit local community needs and values, which is most recently demonstrated by new local planning policies adopted by the cities of Joondalup, Stirling and Melville.

WALGA’s proposed consultation response provides comment on minor matters of a technical nature and supports the continued status of the Position Statement as providing guidance to Local Governments while retaining flexibility needed to develop local planning scheme and policy provisions that respond to local context.

The Consultation Response was noted by the People and Place Policy Team on 25 January and will be lodged with the Department of Planning, Lands and Heritage on 10 February.

Zone Consideration	
Avon Midland Country Zone	WALGA recommendation supported
Central Country Zone	WALGA recommendation supported
Central Metropolitan Zone	WALGA recommendation supported
East Metropolitan Zone	WALGA recommendation supported
Gascoyne Country Zone	WALGA recommendation supported
Goldfields Esperance Country Zone	WALGA recommendation supported
Great Eastern Country Zone	WALGA recommendation supported
Great Southern Country Zone	WALGA recommendation supported
Kimberley Country Zone	WALGA recommendation supported
Murchison Country Zone	No meeting held
North Metropolitan Zone	WALGA recommendation supported
Northern Country Zone	WALGA recommendation supported
Peel Country Zone	WALGA recommendation supported
Pilbara Country Zone	WALGA recommendation supported
South East Metropolitan Zone	WALGA recommendation supported
South Metropolitan Zone	WALGA recommendation supported
South West Country Zone	WALGA recommendation supported

WALGA RECOMMENDATION

Moved: President Cr Phil Blight
Seconded: Cr Frank Cvitan JP

That State Council note the consultation response to the Child Care Premises Position Statement.

RESOLUTION 435.1/2023

CARRIED

9.7 Report Municipal Waste Advisory Council (MWAC)

By Rebecca Brown, Manager Waste and Environment

WALGA RECOMMENDATION

That the resolutions of the 14 December 2022 Municipal Waste Advisory Council meeting be noted.

Executive Summary

This item summaries the outcomes of the MWAC meeting held on Wednesday 14 December 2022.

Background

MWAC is seeking that State Council notes the resolutions from its 14 December 2022 meeting, consistent with the delegated authority granted to MWAC to deal with waste management issues. Copies of Agendas and Minutes are available from WALGA staff on request.

Comment

Key issues considered at the meeting held on 14 December 2022:

Expansion of the NSW Container Deposit Scheme Submission

A Submission was developed on the expansion of the NSW Container Deposit Scheme (CDS) as it is likely to impact on the future direction of the WA Scheme and the scope of containers included. The Submission focuses on supporting the expansion of the Scheme to cover a range of additional products including wine and spirits, fruit and vegetable juice, plain and flavoured milk and milk substitutes, concentrated fruit juice, cordial, flavoured alcoholic beverages with a wine base and registered health tonics.

WALGA engaged with the NSW Local Government Association (NSW LGA) regarding this Submission to ensure that the two Submissions aligned. NSW LGA were appreciative of the engagement and supportive of the direction of the WALGA Submission.

MUNICIPAL WASTE ADVISORY COUNCIL MOTION

That the Municipal Waste Advisory Council endorse the Draft Submission on *Driving NSW's Circular Economy Discussion Paper on Enhancing the NSW Container Deposit Scheme*.

Moved: Cr Abetz

Seconded: Cr Wheatland

CARRIED

Environmental Protection Act Discussion Paper

The DWER *Environmental Regulation Reform: A Strategic Review of Regulatory Delivery and Fees for Industry Regulation Discussion Paper* was released for comment. The Paper includes a range of regulatory reform concepts which will impact premises currently regulated under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) and concepts for, and design of, a new fees model. WALGA held several consultation sessions for the sector and sought feedback on the proposed reforms. The Submission was endorsed by State Council. Consultation closed 16 December 2022.

MUNICIPAL WASTE ADVISORY COUNCIL MOTION

That the Municipal Waste Advisory Council endorse the Submission on the *Environmental Regulation Reform Discussion Paper*.

Moved: Cr Abetz

Seconded: Cr Wheatland

CARRIED

Waste Priorities 2023

WALGA are working on a range of policy and advocacy priorities across the organisations, MWAC considered options for waste management. This approach to prioritisation will assist staff to focus on key outcomes for the coming year.

These priorities have been developed considering the impact on the sector, capacity to influence change and the State and Federal Government priorities. This approach also means that on some issues or in some areas MWAC may not prioritise making submissions or advocacy.

MUNICIPAL WASTE ADVISORY COUNCIL MOTION

That the Municipal Waste Advisory Council endorse priorities for 2023:

Regulatory Certainty

- **At least a 5-year trajectory for the Waste Avoidance and Resource Recovery Levy and increase the proportion of the Levy being provided to Local Government to assist the sector in meeting the State Waste Strategy targets**
- **Waste Derived Materials Framework in place**
- **Waste Infrastructure Plan in place**
- **New DWER Regulatory Framework, which takes a risk-based approach to regulation in place, including appropriate guidance for facilities.**

Effective Product Stewardship

- **Product Stewardship Schemes in place for Electronic Waste, Packaging, Tyres and Mattresses which address WALGA's 10 Principles for Product Stewardship**
- **The WA Container Deposit Scheme expanded to cover wine and spirit bottles, as a minimum.**

Moved: Cr Abetz

Seconded: Cr Wheatland

CARRIED

PFAS National Environmental Management Plan 3.0 Submission

Per- and poly-fluoroalkyl substances (PFAS) are manufactured chemicals that have been used for more than 50 years. PFAS make products non-stick, water repellent, and fire, weather and stain resistant. PFAS have been used in a range of consumer products, such as carpets, clothes and paper, and have also been used in firefighting foams, pesticides and stain repellents.

The Consultation Draft of the *PFAS National Environmental Management Plan 3.0* (PFAS NEMP 3.0) has been [released](#). The PFAS NEPM guides how State and Territory Government regulate this product. The Consultation Draft acknowledges that PFAS is omnipresent, to varying degrees, and is intended to provide guidance to support better practice management of PFAS risks.

The PFAS NEPM 3.0 includes additional guidance on resource recovery and waste, including the management of risks associated with PFAS in resource recovery products and landfill monitoring. Consultation closes 20 December 2022.

MUNICIPAL WASTE ADVISORY COUNCIL MOTION

That the Municipal Waste Advisory Council endorse the Submission on the *PFAS National Environmental Management Plan 3.0*.

Moved: Cr Abetz

Seconded: Cr Wheatland

CARRIED

Zone Consideration	
Avon Midland Country Zone	WALGA recommendation supported
Central Country Zone	WALGA recommendation supported
Central Metropolitan Zone	WALGA recommendation supported
East Metropolitan Zone	WALGA recommendation supported
Gascoyne Country Zone	WALGA recommendation supported
Goldfields Esperance Country Zone	WALGA recommendation supported
Great Eastern Country Zone	WALGA recommendation supported
Great Southern Country Zone	WALGA recommendation supported
Kimberley Country Zone	WALGA recommendation supported
Murchison Country Zone	No meeting held
North Metropolitan Zone	WALGA recommendation supported
Northern Country Zone	WALGA recommendation supported
Peel Country Zone	WALGA recommendation supported
Pilbara Country Zone	WALGA recommendation supported
South East Metropolitan Zone	WALGA recommendation supported
South Metropolitan Zone	WALGA recommendation supported
South West Country Zone	WALGA recommendation supported

WALGA RECOMMENDATION

Moved: President Cr Phil Blight

Seconded: Cr Frank Cvitan JP

That the resolutions of the 14 December 2022 Municipal Waste Advisory Council meeting be noted.

RESOLUTION 435.1/2023

CARRIED

10. ORGANISATIONAL REPORTS

10.1 Key Activity Reports

10.1.1 Report on Key Activities, Advocacy Portfolio

By Narelle Cant, Executive Manager Advocacy

WALGA RECOMMENDATION

Moved: Mayor Carol Adams OAM
Seconded: President Cr Moira Girando JP

That the Key Activities Report from the Advocacy Portfolio to the March 2023 State Council meeting be noted.

RESOLUTION 436.1/2023

CARRIED

The Advocacy Portfolio comprises the following work units:

- Marketing
- Communications
- Media
- Member Engagement
- Government Relations
- Events

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

2023 Urban Forest Conference – Valuing Canopy

WALGA will hold its second Urban Forest Conference on 17 February 2023 at Curtin University. Themed, “Valuing Canopy”, the conference will showcase innovative approaches to incorporating green space into the built environment, and planning and policy interventions from across Australia. It will also support WALGA’s advocacy to the State Government for \$20million over four years for the planting of 60,000 trees.

Speakers include: Hon Reece Whitby MLA, Minister for Environment, Climate Action; Hon Dr Brad Pettitt MLC, Member for South Metropolitan; WA Planning Commission Chairman David Caddy; and Manager Urban Forest at the City of Sydney, Karen Sweeney.

Professor Josh Byrne (who is also MCing the event), high-profile gardening presenter Sabrina Hahn, City of Victoria Park Mayor Karen Vernon and President Karen Chappel have been featured in videos produced by WALGA, for distribution across digital channels.

Attendance at the Conference is expected to be around 200, with representatives across Local Government, State Government, industry and academia.

Media

A front-page story in The West Australian on 27 January about the Shire of Quairading’s actions to attract a GP was followed up by WALGA with a [media statement](#) the same day, pointing out there were more than 30 regional Local Governments having to offer wide-ranging incentives to keep doctors in town.

President Cr Karen Chappel did a follow up interview with ABC Goldfields (5,500 listeners), which was used on the station’s breakfast program and news segment, and was duplicated for ABC Mid-West and Wheatbelt, and ABC Esperance (combined listening audience of 6,800).

The interview was also packaged up alongside a case study from the Shire of Dundas for ABC Online (reach of 593,000). A further case study emerged in the Shire Coolgardie, also via the ABC's coverage.

Following the ABC coverage, President Chappel conducted an interview for Triple M's state-wide regional news.

GWN7 News (45,000 viewers) used comments provided in the WALGA media statement.

Transport and Roads Forum

Planning is underway for the 2023 Transport and Roads Forum to be held at Crown Perth on 8 March. With concurrent sessions and an exciting line-up of keynote speakers, including State Government leaders and industry experts, the Forum will cover a range of topics across the transport and roads sector with a focus on the commitments proposed for the new State Road Funds to Local Government Agreement.

New WALGA Website

Since June 2022, WALGA's Advocacy team has been reviewing its digital marketing and communications, in line with the organisation's Corporate Strategy, which prioritises having simplified and digitised systems and processes. This has included a website review, which identified deficiencies in the design, content hierarchy and user experience of the WALGA website. As a result, the WALGA website will be redeveloped to make it is easier for Members and external stakeholders to navigate and find information, as well as ensure the website is optimised as a key external relations tool that promotes WALGA's advocacy and services.

Best Practice Governance Review Independent Research

To complement the feedback from Local Governments through Council-endorsed submissions on the Best Practice Governance Review (BPGR), WALGA engaged independent research agency Ipsos to undertake a research study with Local Government Elected Members and CEOs. The study included a survey and interviews, with 109 stakeholders responding to the survey and 11 participating in the interviews. The report of the study was presented by Ipsos to the BPGR Steering Committee in January.

Salary and Workforce Survey

To increase participation in the annual WALGA Salary and Workforce Survey, the Advocacy Team implemented a marketing and communications campaign, utilising tailored electronic communication and social media, as well as creating a campaign page on the WALGA website.

There was a 10 per cent increase in completion of the survey, resulting in more robust data on the Local Government workforce in WA. Participating Local Governments will receive comprehensive reporting relating to their workforce and the sector as a whole, and non-participating Local Governments will be provided with the Executive Summary, by early March.

Economic Briefing

WALGA's Quarterly Economic Briefing offers up to date information on the Local Government Costs Index, along with broader insights on the Western Australian economy.

The December edition was distributed on to all Elected Members and CEOs through a special edition of LG Direct on 16 December, as well as State Government and industry representatives. The Briefing was also promoted through LinkedIn with blogs from the WALGA Economics Team. The December edition can be found [here](#).

Local Government Directory

The annual Local Government Directory – the 'bible' of contacts in WA Local Governments – has been updated and will be distributed in February.

10.1.2 Report on Key Activities, Infrastructure Portfolio

By Ian Duncan, Executive Manager Infrastructure

WALGA RECOMMENDATION

Moved: Mayor Carol Adams OAM
Seconded: President Cr Moira Girando JP

That the Key Activities Report from the Infrastructure Portfolio to the March 2023 State Council meeting be noted.

RESOLUTION 436.1/2023

CARRIED

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 last State Council meeting.

Roads

Condition Assessment of Roads of Regional Significance

Through a contract with Australian Road Research Board (ARRB) a visual condition survey covering strategically significant roads (ROADS 2040) in the Wheatbelt Region is being undertaken. Field work is now complete and final data analysis and reporting is now underway. In addition to regional level reporting, the data will be uploaded to each Local Government's RAMM road asset management data base and video data provided. This project is funded through the State Road Funds to Local Government Agreement and builds on projects recently completed in the Mid West, Great Southern and Goldfields – Esperance regions.

Local Government Transport and Roads Research and Innovation Program

WALGA and Main Roads have recently commenced three major research projects in key areas of focus for Local Governments. The three projects are to develop 1) a Local Government guideline for sustainable road construction practices in WA, 2) a guideline for the selection and implementation of low-cost road safety improvements on rural roads, and 3) a practical guide to the timeliness of upgrading (sealing) for Local Government roads. The projects will support the uptake of best practice in these areas in the Local Government sector and are forecast to be completed by mid-2023.

Transport and Roads Forum 2023

WALGA's planning for the next Transport and Roads Forum, is continuing. Program development is progressing, and proposed speakers have been contacted. It is intended that the Forum take place Wednesday, 8 March 2023 at Crown Perth.

Funding

State Road Funds to Local Government Agreement

The current Agreement expires in June 2023 and negotiations for a new Agreement are proceeding. A framework has been prepared by Main Roads WA and WALGA. Arrangements for a meeting with the Minister for Transport are being developed.

Urban and Regional Transport

Local Government Cycling Reference Group

WALGA reconvened the Local Government Cycling Reference Group in September 2022, to seek feedback from Local Government officers on key matters for advocacy concerning cycling and eRideables. It was resolved at this meeting that the group would return to regular scheduled meetings, on a quarterly basis.

Utilities

Streetlighting

A second submission concerning the service definition and performance standards for streetlighting, consistent with the policy positions endorsed in April 2022, was made to the Economic Regulation Authority as part of their stakeholder engagement in determining the Western Power Access Arrangement 2023 – 2027. A decision by the Authority is anticipated in March 2023.

Underground Power

WALGA undertook a review of early draft guidelines for the Targeted Underground Power Program that was announced by the Minister for Energy in November and provided feedback to Energy Policy WA.

Road Safety

Road Safety Ratings for Local Government Roads Project

The WALGA and UWA Western Australian Centre for Road Safety Research project team has developed a new tool and prepared draft guidelines that will be tested during the pilot phase of this project. The Road Safety Ratings for Local Government Roads Assessment Guide and Reference Document were completed in early January in readiness for the pilot testing to commence in the first quarter of 2023. Six Local Governments have expressed interest in pilot testing the new tool. The pilot phase of the project will enable further refinements to the tool and assess the usability of the tool for Local Governments. The final tool is expected to be completed by mid-2023.

Road Safety Council Update

The Road Safety Council met on 8 and 15 December 2022 to consider their recommendations to the Road Safety Minister, for the allocation of Road Trauma Trust Account (RTTA) funds in 2023-24. Deliberations during the meetings focused on the following budget matters: variations to current programs, an updated forecast showing an increase in RTTA inflows, and new programs proposed by the Road Safety Commission. The Commission also provided an update on the Safety Camera Strategy.

The incoming Chair of the Road Safety Council, Ms Katie Hodson-Thomas, has proposed a new membership structure to the Minister for Road Safety. On that basis and with agreement from the Director Generals and Chief Executive Officers (CEO) of the other Road Safety Council member agencies and organisations Ms Hodson-Thomas has requested the WALGA CEO participate in Road Safety Council business from 2023 onwards. Cabinet endorsement is pending.

10.1.3 Report on Key Activities, Member Services Portfolio

By Tony Brown, Executive Director Member Services

WALGA RECOMMENDATION

Moved: Mayor Carol Adams OAM
Seconded: President Cr Moira Girando JP

That the Key Activities Report from the Member Services Portfolio to the March 2023 State Council meeting be noted.

RESOLUTION 436.1/2023

CARRIED

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 last State Council meeting.

Commercial

The Commercial team has scheduled seven ad-hoc tenders across the Preferred Supplier Program (PSP) to enhance the relevant panels during the first quarter of 2023. These tenders are primarily driven by Member requests and demand.

There are 28 new suppliers being contracted to the Construction and Built Environments Panel in the new category areas of Construction of New Buildings, Building Refurbishment and Remediation and Building Demolition, Earthworks and Site Remediation.

New PSP development activity will be undertaken in the areas of EV Charging Infrastructure and EV Vehicle supply, in support of grant application processes and strong Member demand.

A new category for Human Resource (HR) Management services will also be developed including services such as Employee Assistance Program services, CEO performance reviews, pre-employment screening (candidate vetting services), OHS assessments, migration agents and visa processing, change management, and workplace investigations.

Employee Relations

State Industrial Relations transition – commenced 1 January 2023

From 1 January 2023, all WA Local Governments (except the Shires of Christmas Island and Cocos (Keeling) Island) and Regional Councils are regulated by the State industrial relations system. The Western Australian Industrial Relations Commission has now published on its [website](#) a copy of the Federally registered enterprise agreements and the Federal Local Government Industry Award 2020 that have become transitional new State instruments on 1 January 2023. WALGA Employee Relations has been supporting Local Governments to transition through the extensive resources it has developed and the provision of phone and email advice to subscribers of the WALGA Employee Relations service.

WALGA Salary and Workforce Survey 2022

The annual WALGA Salary and Workforce Survey closed on 2 December 2022. A record 77 WA Local Governments completed the survey, which is an increase on the 68 WA Local Governments which completed the survey in 2021. The survey report and results will be available on the online portal in February 2023. The collective survey results can help guide a Local Government's recruitment and remuneration strategies, inform workforce plans, track the diversity and make-up of the workforce and help to measure performance across key HR metrics.

Governance and Procurement

Local Government Legislative Reform

WALGA is continuing discussions with the Office of the Minister for Local Government and the Department of Local Government, Sport and Cultural Industries on the progress of the legislative reform process. The Minister has advised that he will be introducing the legislative reform proposals in two tranches. The first to be introduced in March/April 2023 covering the following areas:

- Electoral Reform
 - Number of Elected Members – tiered limits
 - Optional Preferential voting
 - Public vote to elect the Mayor/President for Bands 1 and 2
 - No electoral wards for Bands 3 and 4
 - Filling extraordinary vacancy without extraordinary election
- Standardised Council meeting procedures,
- Live streaming of meetings for Bands 1 and 2
- Recording of meetings for Bands 3 and 4
- Caretaker period
- Publication of information relating to CEO's performance
- Community Engagement
- Council/CEO Communications agreements
- Fees paid and expenses reimbursed to committee members
- Audit Committees

The second tranche that will be introduced later in the year will cover the following:

- Office of the Local Government Inspector
- Monitors
- Conduct Panel
- Elected Member Superannuation
- WALGA's role in the *Local Government Act*
- Streamlining Regional Subsidiaries

Training

LGA30120 Certificate III in Local Government

WALGA Training is proud to launch its first student intake on 1 February 2023 for the Certificate III in Local Government. Since the last report we have been appointed by the Department of Training and Workforce Development onto their Preferred Panel. This allows us to offer funded training through the Jobs and Skills WA program. We have received lots of interests from Local Governments for both the Traineeship and our fast-tracked Existing Worker program.

Short Courses and General Overview

We have received lots of interest and enrolments for our short courses in 2023 for both Elected Members and Officers.

The Environment team have been working hard to finalise the last 2 modules for the Environment and Sustainability eLearning program and the Climate Risk workshop. The Employee Relations (ER) team is looking at developing new training programs for HR professionals. In addition with the Local Government Act legislative reform underway, there will be continued work to ensure all learning resources are kept up to date and to prepare for the next Council Member Essentials training.

10.1.4 Report on Key Activities, Policy Portfolio

By Nicole Matthews, Executive Manager Policy

WALGA RECOMMENDATION

Moved: Mayor Carol Adams OAM
Seconded: President Cr Moira Girando JP

That the Key Activities Report from the Policy Portfolio to the March 2023 State Council meeting be noted.

RESOLUTION 436.1/2023

CARRIED

The Policy Portfolio comprises the following work units:

- Economics
- Environment and Waste
- Planning and Building
- Resilient Communities (Emergency Management and Community Development)

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

Economics

Quarterly Economic Briefing

WALGA's latest quarterly Economic Briefing was released in December, containing updated forecasts for the Local Government Cost Index. This edition shows that while the Index is expected to remain above average in 2022-23 (4.1% growth), it will slow from the current record high levels as construction costs start to ease.

The March edition of the Economic Briefing is currently being prepared and will assist Local Governments with information and data to support their budgeting activities.

Federal Budget Submission

In January 2023, WALGA wrote to the Federal Treasurer to provide support for the initiatives outlined in ALGA's 2023-24 Budget Submission. WALGA's letter also seeks funding for several important initiatives for WA, including coastal hazard risk management and training for building surveyors. Further information is provided at [Agenda Item 9.4](#).

Strategic Policy Register

The Economics team has coordinated the development of WALGA's Strategic Policy Register, which will be presented to State Council at the March Strategic Forum. The team will commence working in coming weeks to review and refresh WALGA's policy prioritisation framework.

Environment and Waste

Natural Resource Management Grant

WALGA has been [awarded](#) a \$400,000 State Natural Resource Management Community Stewardship Grant aimed at enhancing the capacity of smaller Local Governments in the Southwest Ecoregion to incorporate biodiversity considerations in their land use planning, management and decision making. Devolved grants will be available for Local Governments to undertake roadside and reserve vegetation assessments and develop local biodiversity strategies and/or policies for native vegetation and biodiversity conservation. Best practice assessment methodology, templates and data for local biodiversity conservation planning, and a roadside vegetation management training package will also be developed. Further information will be provided in coming weeks.

Gascoyne Waste and Environment Summit

WALGA, in partnership with the Shire of Shark Bay, will be hosting a Waste and Environment Summit on Thursday, 11 May with tours on Friday, 12 May. The event will bring together high-profile speakers to the region as well as showcasing local initiatives and opportunities.

Biosecurity

WALGA has continued to provide input to the [Biosecurity and Agriculture Management Act Review](#) following State Council's endorsement of the new WALGA Biosecurity Advocacy Position in December 2022. Further consultation will be undertaken as part of Stage 3 of the review which is expected to commence soon. WALGA is also participating in the State Government's development of a Pest Parrot and Cockatoo Strategy.

Planning and Building

7 Star Homes Cost Investigation – South Coast Addendum

WALGA has released an addendum to the [7 Star Homes Cost Investigation Report](#) for South Coast climate zones. The addendum provides an accurate estimation of the costs associated with shifting from a 6 Star thermal performance standard to a 7 Star standard on the South Coast (approximately Manjimup to Albany) by using a baseline house design specifically for cooler climate zones and sourcing costs from local suppliers. This information is useful for Local Governments who are seeking to educate their communities about the material and design changes needed to achieve a 7 Star home thermal performance standard. The 7 Star standard will come into effect in WA in May 2025. The full report is available [here](#).

Coastal Hazard Risk Management Grants

Six Western Australian Local Governments were successful in receiving funding of over \$11 million from the Federal Government Coastal and Estuarine Risk Mitigation Program (CERMP). The funding will support critical coastal adaptation projects that will help protect Western Australia's coastline. Information on successful projects is available [here](#).

Additionally, round one of the Federal Government Disaster Ready Fund (DRF) is now open, until 6 March 2023. The DRF will provide up to \$200 million annually for disaster resilience and recovery projects, including those addressing coastal erosion and inundation. Further information on the DRF is available [here](#). WALGA has been advocating for Federal Government funding to address coastal hazards. The CERMP and DRF are a welcome and much needed response.

Urban Forest Conference

The [2023 Urban Forest Conference](#) will be held on 17 February 2023 at Curtin University. The Conference will showcase innovative approaches to incorporating green space into the built environment and planning and policy interventions from across Australia. Program highlights include a keynote address from the City of Sydney, a discussion panel featuring PIA, UDIA, the WAPC and the Town of Victoria Park, a masterclass for Elected Members, and seven concurrent sessions across planning, design, health, urban heat, and community engagement. A full report on the Conference will be provided in the next State Council Agenda.

Short-Term Rental Accommodation

An inter-agency working group has been established by the State Government to provide advice on the establishment of a state-wide short-term rental accommodation registration scheme and planning policy position statement. This work follows a public consultation period in early 2022 on a draft position statement. WALGA is a member of the inter-agency working group and has been working closely with Local Governments to understand and represent Local Government interests.

Planning Fees and Charges

The fees that Local Governments can charge for providing certain planning services such as the assessment or review of development proposals, local development plans, subdivision proposals and structure plans are set by the State Government in the Planning and Development Regulations 2009. These fees have not been amended since 2013 despite several advocacy attempts by WALGA.

WALGA is establishing a Local Government working group to inform renewed advocacy to pursue changes to these fees. Further information will be provided to State Council as this work progresses.

Temporary Buildings and Uses

Many Local Governments have programs that aim to support small business and activate unused buildings by enabling the use of temporary buildings for small events and unused buildings for temporary uses. However, regulatory barriers have made it difficult for applicants and building permit authorities. In December, WALGA facilitated a meeting of building surveyors, the Department of Health, DMIRS and DFES to discuss solutions for overcoming these barriers and identified that changes to the Health (Public Buildings) Regulations 1992 will address the concerns raised by building surveyors regarding the appropriate governing legislation. Interim strategies that Local Governments can implement until the Regulations are amended were also identified.

Performance Monitoring

34 Local Governments have submitted their performance monitoring data for 2021-2022. WALGA is currently analysing the data and populating a dashboard that will make this data available to demonstrate sector performance in meeting statutory development, subdivision and building permit assessment timeframes. This year is the project's sixth consecutive year. The project provides a critical data set for Local Governments and supports WALGA advocacy on behalf of the sector. A report on the results will be provided in an upcoming State Council Agenda.

Upcoming Public Consultations

WALGA expects public consultation will open in early 2023 for the following planning instruments:

- *State Planning Policy 3.7 Planning in Bushfire Prone Areas*;
- *Development Control Policy 2.3 Public Open Space in Residential Areas*; and
- new regulations for the referral of planning schemes and amendments for environmental assessment under the *Environmental Protection Act 1986*.

Resilient Communities

Child Safety

The Department of Premier and Cabinet (DPC) presented to peak organisations on the draft policy proposals for the Independent Oversight of the National Principles for Child Safe Organisations on 6 December 2022.

WALGA is seeking more detailed information on who will be taking on the lead role of Independent Oversight, the framework for the capability building approach and how the proposed co-regulatory model will work including alignment of standards, capacity, powers, and scope.

WALGA has developed a new Child Safeguarding Advocacy Position to guide policy development and capacity building for the Local Government sector (see [Agenda item 7.3](#)).

The Department of Local Government Sport and Cultural Industries (DLGSC), in collaboration with the Department of Communities (DoC), have developed a draft Child Safe Awareness Policy for Local Government aligned with Royal Commission Recommendation 6.12 / Child Safety Officers. Officers from the Child Safeguarding Unit will be providing an update on the Policy at the February Zone meetings with the view to provide the Draft Policy to State Council in May 2023.

Public Health Act 2016

The Department of Health has advised that the work program and schedule to implement the final stages of the *Public Health Act 2016* have been delayed due to the impacts of COVID-19. New regulations for both stage 4 and stage 5, including the requirement for Local Governments to have Public Health Plans, are now not expected to commence within the next 2 years.

Emergency Management

High-Threat Period Incidents

WALGA attended All Hazard Liaison Group (AHLG) and State Emergency Coordination Group (SECG) meetings over December and January which were called in response to the flooding event in the Kimberley from ex-Tropical Cyclone Ellie and fire conditions. DFES coordinates AHLG meetings to brief key stakeholders on emergencies as they escalate. WALGA maintains situational awareness during emergencies through its participation at AHLG and SECG meetings, liaising with affected Local Governments and escalating issues of concern as required.

Current Consultations

The State Government is seeking feedback from Local Governments on several emergency management plans and strategies:

- The State Emergency Management Committee (SEMC) is consulting on the draft *Community Disaster Resilience Strategy*. The aim of the Strategy is to increase capacity of communities to cope and recover from the impacts of hazards and disasters and identify opportunities for investment. WALGA has coordinated a submission on behalf of the Local Government sector (see [Agenda item 9.2](#)). Feedback to [SEMC](#) is due by 3 March 2023;
- The Department of Communities is reviewing the *State Support Plan: Emergency Welfare Interim* (now known as, State Support Plan - Emergency Relief and Support) and is seeking feedback from Local Governments via a survey. The existing framework, which was last reviewed in 2017, has become a foundation document in the assessment and development of the State's capability to manage emergencies. Feedback is required via the [survey](#) by 15 March 2023; and
- The Department of Fire and Emergency Services (DFES) State Capability Team has completed a comprehensive review of the current State Emergency Management Committee (SEMC) *Emergency Management Capability Framework* (the framework). Feedback is due via the [DFES consultation portal](#) by 15 March.

Local Emergency Management Arrangements (LEMA) Review Workshops Findings Webinar

On 6 December 2022 WALGA hosted a webinar to present the consultation outcomes of the LEMA Review Workshops and to provide an overview of the State Emergency Management Committee's (SEMC) current initiatives. The Webinar was attended by over 55 Local Government officers, including four Elected Members. WALGA will continue to work in partnership with SEMC to prepare a LEMA Review Improvement Plan than will inform the next steps to improve the current LEMA model.

LGIS Work Health and Safety Forum

WALGA attended LGIS' Local Government Forum on WHS and Volunteer Bushfire Fighters held on 28 November 2022. Mayors, Presidents and CEOs were invited to join WorkSafe, the Department of Fire and Emergency Services, and Local Government leaders to explore the implications of WHS in the management of volunteer bushfire fighters. A presentation was provided by WALGA CEO Nick Sloan, providing an overview of WALGA's advocacy and work to date, as well as areas of investment in the future to continue to support Local Governments in their bushfire responsibilities.

10.2 President's Report

WALGA RECOMMENDATION

Moved: Mayor Carol Adams OAM
Seconded: President Cr Moira Girando JP

That the President's Report for March 2023 be received.

RESOLUTION 436.1/2023

CARRIED

10.3 CEO's Report

WALGA RECOMMENDATION

Moved: Mayor Carol Adams OAM
Seconded: President Cr Moira Girando JP

That the CEO's Report for March 2023 be received.

RESOLUTION 436.1/2023

CARRIED

10.4 Ex-Officio Reports

10.4.1 City of Perth Report

The Rt. Hon. Lord Mayor Basil Zempilas is an apology for this meeting.

10.4.2 LG Professional's Report

Ms Annie Riordan, President, LG Professionals WA, will provide a report to the meeting.

11. ADDITIONAL ZONE RESOLUTIONS

WALGA RECOMMENDATION

Moved: Cr Ken Seymour
Seconded: President Cr Phil Blight

That the additional Zone Resolutions from the February 2023 round of Zones meetings as follows be referred to the appropriate policy area for consideration and appropriate action, noting that some may have already been referred.

RESOLUTION 437.1/2023

CARRIED

AVON MIDLAND COUNTRY ZONE (Governance and Organisational Services Policy Team)

Compulsory Superannuation for Elected Members

That the Avon-Midland Country Zone request WALGA to:

4. Investigate and identify perceived barriers against members of the public nominating for Council.
5. Identify potential opportunities and incentives to encourage more members of the public to nominate as elected members, both financial and non-financial and including the option of tax not being paid on elected member allowances.

GOLDFIELDS ESPERANCE COUNTRY ZONE (Governance and Organisational Services Policy Team)

Local Government Reform Regulations – Superannuation for Sitting Members

The GVROC State Councillor, Cr Laurene Bonza, to request WALGA and the State Council to advocate to the Minister for Local Government and the State Government for the Superannuation for Local Government Sitting Members to be included in Tranche One of the Local Government Act Regulation Reform process.

SOUTH EAST METROPOLITAN ZONE (Governance and Organisational Services Policy Team)

Local Government Act Reforms – Elected Member superannuation

The South East Metropolitan Zone request WALGA to advocate for Elected Member Superannuation to be included in the first tranche of Local Government Act reforms.

SOUTH METROPOLITAN ZONE (Governance and Organisational Services Policy Team)

Local Government Legislative Reform

That the South Metropolitan Zone request WALGA to advocate for Elected Member Superannuation to be included in the first tranche of Local Government Act reforms.

GREAT EASTERN COUNTRY ZONE (Governance and Organisational Services Policy Team)

Review of Audit Process by the Office of the Auditor General

That the Great Eastern Country Zone supports a comprehensive review, prioritised, and led by WALGA, of the audit process managed by the Office of the Auditor General.

NORTH METROPOLITAN ZONE (Governance and Organisational Services Policy Team)

Performance of the Office of the Auditor General

That the North Metropolitan Zone requests WALGA seek feedback from the Local Government sector regarding the performance of the Office of the Auditor General with regard the end of financial year audits, and to provide that feedback to the Premier and Minister for Local Government.

AVON MIDLAND COUNTRY ZONE (Infrastructure Policy Team)

Heavy Haulage Cost Recovery – Charge for Road Maintenance for Extractive Industries

That the Avon-Midland Country Zone support the South West Country Zone's resolution advocating that WALGA update the suite of User Guides and Technical Tools for Recovering the Cost of Road Wear from Heavy Haulage and investigate an extractive industry royalty for Local Government.

GOLDFIELDS ESPERANCE COUNTRY ZONE (Governance and Organisational Services Policy Team)

Proposed Changes to Gun Laws

That GVROC:

1. support inviting the Minister for Police, Hon Paul Papalia CSC MLA, to address the next scheduled GVROC meeting on 31 March 2023 to outline the proposed changes to gun laws.
2. GVROC Chair to write to the Premier, Minister for Police and the Police Commissioner requesting further consultation on these changes before they are implemented from 1 July 2023 to consider the following issues:
 - a. Need for exemptions as is what has happened when the Federal Government implemented a similar scheme after the Port Arthur Massacre to allow Pastoralists and farmers in the remote regions to manage the constant issue of feral pests including feral camels, wild horses, donkeys, pigs and dogs that threaten the livelihood of those operating.
 - b. Better understanding of the mental health checks required and how this will work given the shortages of qualified doctors etc in the region available to undertake these checks.
 - c. The level of funding towards the buy-back scheme, given the market costs for these guns and the numbers to be bought back outweigh the amount in the fund.
3. GVROC Chair and the GVROC State Councillor raise this issue with WALGA requesting them to advocate the above position on behalf of all regional LGAs to the State Government.

GOLDFIELDS ESPERANCE COUNTRY ZONE (Infrastructure Policy Team)

Proposal to Seal Goldfields Highway – Wiluna to Meekatharra Road

That the GVROC:

1. Support the Shire's of Wiluna and Meekatharra in sealing the remainder of the Goldfields Highway (Meekatharra Wiluna Rd) as a matter of priority.
2. Make representation to the State and Federal Government on behalf of the Shire's of Wiluna and Meekatharra to provide funding for the completion of the project as part of its requests for LGA Road Funding addressed at Agenda Item 10.7.
3. Include this motion and support in the next WALGA State Council Agenda.

GREAT SOUTHERN COUNTRY ZONE (Infrastructure Policy Team)

National Recovery and Resilience Agency

That the Great Southern Country Zone requests WALGA to survey Local Governments to quantify the impact to Local Government of Disaster Recovery Funding Arrangements WA reimbursement delays, including for each affected Local Government the \$ value and timeframe for which reimbursements have been outstanding / delayed, and for WALGA to advocate to the Department of Fire and Emergency Services expedite resolution of this issue.

NORTHERN COUNTRY ZONE (Infrastructure Policy Team)

Total Fire Ban Impacts on Road Management

That the Northern Country Zone of WALGA request WALGA to advocate to the State Government for a review of exemption conditions relevant to Road Work activities in relation to section 22C of the *Bushfires Act 1954* and Bush Fires Regulations 1954 – Reg. 24Y to 24ZG.

SOUTH EAST METROPOLITAN ZONE (Environment and Waste Policy Team)

Advocacy on Environmental Issues

1. That WALGA develops a strategy to identify private land holdings within a two-four hour proximity to the metropolitan area, that may be appropriate locations to rehome displaced macropod populations.
2. That WALGA advocate for a planning instrument to be developed by the State Government that ensures a holistic strategic approach to environmental issues where development is proposed in precincts that have multiple government landowners.

12. DATE OF NEXT MEETING

The next meeting of the WALGA State Council will be a Regional meeting hosted by the South East Metropolitan Zone at the City of Armadale on **Wednesday, 3 May 2023**.

13. CLOSURE

*There being no further business the Chair declared the meeting closed at **6:23pm**.*

STATUS REPORT ON STATE COUNCIL RESOLUTIONS To the March 2023 State Council Meeting

MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
7 December 2022 Item 5.1 2022 Annual General Meeting Resolutions	That: 1. the following resolutions from the 2022 WALGA Annual General Meeting be endorsed for action: 3.8 Review of the Rating Methodology used by the Valuer-General <i>Advocate for a full review of the rating methodology used by the Valuer-General to value all land in the State of Western Australia.</i> 3.10 Reform of the <i>Cat Act 2011</i> <i>That the WA Local Government sector requests the WA State Government prioritise reforms to the Cat Act 2011, in accordance with the Statutory Review undertaken and tabled in the State Parliament on 27 November 2019.</i> 2. the following resolutions from the 2022 WALGA Annual General Meeting be referred to the relevant Policy Team for further work to be undertaken: 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> 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</i>	In relation to item 3.8 Review of the Rating Methodology used by the Valuer-General, a letter has been sent to the Minister for Lands (with a copy also sent to the Minister for Local Government). In relation to item 3.10 Reform of the <i>Cat Act 2011</i> , a letter has been sent to the Minister for Local Government on this issue. In relation to item 3.1 Road Traffic Issues, the Infrastructure Policy Team resolved: <i>That efforts to increase the importance given to Local 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> In relation to item 3.2 Car Parking and Traffic Congestion Around Schools, 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> In relation to item 3.3 Proposal for Regional Road Maintenance Contracts with Main Roads WA, 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>	Ongoing	Tony Brown Executive Director Member Services

MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
	<p><i>traffic congestion around school sites including but not limited to:</i></p> <ol style="list-style-type: none"> 1. <i>Reviewing car parking standards for schools;</i> 2. <i>Ensuring sufficient land is set aside for the provision of parking on school sites;</i> 3. <i>Reviewing the co-location of schools to avoid issues being exacerbated;</i> 4. <i>Restricting school access from major roads;</i> 5. <i>Developing plans to enable schools to manage school traffic;</i> 6. <i>Develop programs to educate drivers; and</i> 7. <i>Develop options and implement initiatives to encourage alternative modes of transport to school.</i> <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>3.4 Northern Australia Beef Roads Program <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>3.5 3D House Printing Building Compliance <i>That WALGA requests:</i></p> <ol style="list-style-type: none"> 1. <i>Assistance from Minister for Industry and Science The Hon Ed Husic MP, Minister for Housing and Homelessness, Small Business The Hon Julie Collins MP,</i> 	<p>In relation to item 3.4 Northern Australia Beef Roads Program, the Infrastructure Policy Team resolved:</p> <p><i>That the Association write to the Goldfields Esperance Regional Road Group identifying the issue raised and invite them to consider whether they may partner with other organizations such as Meat and Livestock Australia, the Pastoral and Graziers Association and the Regional Development Commission and RDA to develop a business case to fund roads critical to the southern pastoral beef industry.</i></p> <p>In relation to item 3.6 South West Native Title Settlement, WALGA is preparing a formal letter to Anthony Kannis, Director General of Department of Planning, Lands and Heritage (DPLH) requesting:</p> <ul style="list-style-type: none"> • A full list of potential land parcels that will be eligible for transfer as part of the Southwest Native Title Settlement to enable Local Governments to undertake early due diligence on the identified land, • The consultation timeframe is increased for consideration of parcels of land for transfer from 40 days to 90 days (3 months) 		

MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
	<p><i>Minister for Infrastructure, Transport, Regional Development and Local Government The Hon Catherine King MP to work with Ministers from all State and Territory Governments who have Building and Construction in their portfolios, to collaborate and to consider removing impediments within the National Construction Code Series and associated Australian Standards, that dissuade industry from adopting 3D printing as a building method.</i></p> <p>2. <i>That the Government provide instruments to incentivise private industry to develop 3D printing and include this as an acceptable building practice.</i></p> <p>3.6 <i>South West Native Title Settlement That WALGA advocate to the State Government that Local Governments be provided with the full list of potential land to be requested for transfer as part of the South West Native Title Settlement and that a minimum of three months be provided for Council to provide feedback.</i></p> <p>3.7 <i>Land Offset Compensation to Local Governments That WALGA advocate to the State Government that the Developer requiring land offsets should be required to provide the offsets within the Local Government where the clearing occurs and where this is not possible, the Developer requiring land offsets within another Local Government be required to pay a fee to the Local Government for the loss of rates and ongoing maintenance of infrastructure to the Land.</i></p> <p>3.12.1 <i>Abandoned Shopping Trolleys That this meeting supports the recent petition to be tabled in the Legislative Council, Parliament of Western Australia, "Removal and Abandonment of Shopping Trolleys 22-0017" calling on the State Government to implement stringent and uniform shopping trolley</i></p>			

MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
	<p><i>containment laws for the whole state of Western Australia.</i></p> <p>3. the following resolutions from the 2022 WALGA Annual General Meeting be noted:</p> <p>3.11 WALGA Best Practice Governance Review – Principles</p> <p><i>That:</i></p> <ol style="list-style-type: none"> 1. <i>The update on the Best Practice Governance Review project be noted, and</i> 2. <i>The principles to inform WALGA’s future governance model, as follows and as per the attached Principles document, be endorsed:</i> <ol style="list-style-type: none"> a. <i>Representative – WALGA unites and represents the entire Local Government sector in WA and understands the diverse nature and needs of members, regional communities and economies.</i> b. <i>Responsive – WALGA is an agile association which acts quickly to respond to the needs of members and stakeholders.</i> c. <i>Results Oriented – WALGA dedicates resources and efforts to secure the best outcomes for Local Government and supports the delivery of high-quality projects, programs and services.</i> <p>3.12.2 Mandatory Superannuation for Elected Members in Band 1 and 2 Councils</p> <p><i>That this meeting supports requesting WALGA to advocate for the Local Government reforms to include mandatory superannuation for elected members of Band 1 and Band 2 Councils and supports the optional payment of superannuation for Band 3 and 4 Councils.</i></p> <p>RESOLUTION 394.8/2022</p>			

MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
<p>7 December 2022 Item 5.2 Elected Member Superannuation</p>	<p>That WALGA:</p> <ol style="list-style-type: none"> 1. advocates 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. <p>RESOLUTION 395.8/2022</p>	<p>Correspondence has been sent to the Minister for Local Government on this issue and the Advocacy Positions Manual has been updated.</p>	<p>Complete</p>	<p>Tony Brown Executive Director Member Services</p>
<p>7 December 2022 Item 5.3 Biosecurity Advocacy Position</p>	<p>That State Council endorse replacing Advocacy Position 4.5 <i>Post Border Biosecurity</i> with a new Biosecurity Advocacy Position as follows:</p> <p>4.5 Biosecurity <i>Western Australia's economy, environment and the community are facing increasing challenges posed by already established and new pests, weeds and diseases.</i></p> <p><i>Local Government has a significant role in biosecurity management, as land managers and regulators, and therefore has an interest in ensuring that Western Australia's biosecurity system, including control of declared pests, is effective and appropriately resourced.</i></p> <p><i>WALGA considers significant changes to the operation of the State's biosecurity system, including the Biosecurity and Agriculture Management Act 2007, are required to ensure these risks can be managed now and into the future.</i></p> <p><i>To be effective the Western Australian biosecurity system must:</i></p> <ol style="list-style-type: none"> 1. <i>Take a transparent approach to the notion of 'shared responsibility' by ensuring that:</i> <ol style="list-style-type: none"> a) <i>The respective roles and responsibilities of Commonwealth, State and Local Government, industry, landholders, community groups and</i> 	<p>The Advocacy Positions Manual has been updated.</p>	<p>Complete</p>	<p>Nicole Matthews Executive Manager Policy</p>

MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
	<p><i>individuals are agreed and clearly articulated; and</i></p> <p>b) <i>There is improved pest management on State Government managed land and a formalised structure for State Government agencies with responsibilities for biosecurity management to work together and coordinate their activities.</i></p> <p>2. <i>Be underpinned by a strategic framework, developed in collaboration with stakeholders, that:</i></p> <p>a) <i>Establishes priorities for biosecurity threats in geographically defined regions, sets measurable targets and guides investment in biosecurity activities; and</i></p> <p>b) <i>Is regularly evaluated and reported on.</i></p> <p>3. <i>Have a greater focus on environmental biosecurity, through the increased recognition and management of pest species that have significant ecological impacts.</i></p> <p>4. <i>Be adequately, sustainably and equitably funded:</i></p> <p>a) <i>The appropriateness and effectiveness of the Declared Pest Rate (DPR) and Recognised Biosecurity Group (RBG) model as key mechanisms for the management of widespread and established declared pests should be reviewed and alternate mechanisms considered;</i></p> <p>b) <i>Increased and more equitable distribution of funding for every step in the biosecurity continuum and adequate resourcing for all stakeholders, including Local Government; and</i></p> <p>c) <i>The provision of funding for declared pest management in metropolitan areas.</i></p>			

MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
	<p>5. <i>Ensure that the criteria and process for listing of declared pests is evidence-based, timely and transparent.</i></p> <p>6. <i>Have an increased emphasis on compliance through education and enforcement activity, to ensure land managers are aware of their legislative responsibilities and are supported to implement biosecurity actions.</i></p> <p>7. <i>Facilitate the use of new technologies, strategic monitoring, and the establishment of data management systems to inform biosecurity investment decisions and support adaptive management.</i></p> <p>8. <i>Improve the community's understanding, awareness and action in relation to biosecurity to assist with threat surveillance and timely response to incursions.</i></p> <p>RESOLUTION 396.8/2022</p>			
<p>7 December 2022 Item 5.5 Updated Aboriginal Cultural Heritage Advocacy Position</p>	<p>That State Council endorse the following updated Advocacy Position on Aboriginal Cultural Heritage:</p> <p>3.1.3 Aboriginal Cultural Heritage Act 2021 and South West Native Title Settlement</p> <p><i>WALGA acknowledges Noongar people as the traditional owners of the South West Region. Local Government is supportive of conserving and protecting the State's Aboriginal cultural heritage.</i></p> <p><i>WALGA supports the introduction of the Aboriginal Cultural Heritage Act 2021 which will provide a modern framework for the recognition, protection, conservation and preservation of Aboriginal cultural heritage and recognises the fundamental importance of Aboriginal cultural heritage to Aboriginal people. The State Government must ensure that:</i></p> <ol style="list-style-type: none"> <i>1. The legislation balances the need to protect Aboriginal cultural heritage with the requirement for Local Government to undertake activities in a timely and affordable manner;</i> <i>2. The implementation and ongoing operation of the legislative system for the protection of</i> 	<p>The Advocacy Positions Manual has been updated.</p>	<p>Complete</p>	<p>Nicole Matthews Executive Manager Policy</p>

MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
	<p><i>Aboriginal cultural heritage is adequately resourced to ensure that all parties have the capacity, capability and resources to discharge their statutory obligations;</i></p> <ol style="list-style-type: none"> 3. <i>Support is provided to Local Governments to ensure that they have the resources, capacity and capability to comply with a complex legislative framework; and</i> 4. <i>Local Governments have the ability to deliver essential infrastructure works and emergency activities efficiently and effectively in order to maintain public safety.</i> 5. <i>WALGA advocate for and support the recognition of regional local Aboriginal people to be actively engaged in the Local Aboriginal Cultural Heritage Services (LACHS) groups; and</i> 6. <i>the various Prescribed Body Corporates (PBCs) be required to actively seek out local regional members to be included in the consultation and decision making process.</i> <p>RESOLUTION 399.8/2022</p>			
<p>7 December 2022 Item 5.6 Review of Coastal Planning Policy Position</p>	<p>That State Council endorse replacing Advocacy Position 6.8 Coastal Planning with a new Coastal Planning Advocacy Position as follows:</p> <p>6.8 <i>Coastal Planning</i> WALGA calls for:</p> <ol style="list-style-type: none"> 1. <i>Equitable legislative, regulatory and policy changes that preserve public coastal access for current and future generations.</i> 2. <i>The provision of sustainable and adequate long-term funding for Local Governments to manage the impacts of coastal erosion and inundation.</i> <p>RESOLUTION 400.8/2022</p>	<p>The Advocacy Positions Manual has been updated.</p>	<p>Complete</p>	<p>Nicole Matthews Executive Manager Policy</p>

MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
7 December 2022 Item 5.7 Finance and Services Committee Minutes 23 November 2022	That the Minutes of the Finance and Services Committee meeting held on 23 November 2022, including the mid-year Budget revision, be endorsed. RESOLUTION 401.8/2022	All items in the Minutes of the Finance and Services Committee have been actioned. Of note, correspondence has been sent to the Minister for Industrial Relations requesting WALGA be able to represent the industrial interests of Local Government employers by being named in the <i>Industrial Relations Act</i> (IR Act) similar to the Western Australian Branch of the Australian Medical Association Incorporated (AMA) at section 72B of the IR Act. The Ministers Office and the Department (DMIRS) have arranged to meet with WALGA staff to discuss this matter. Further updates will be provided when information is available.	Complete	Tony Brown Executive Director Member Services
7 December 2022 Item 5.8 Selection Committee Minutes 16 November 2022 – CONFIDENTIAL	That the: 1. Recommendations contained in the 16 November 2022 Selection Committee Minutes be endorsed, subject to the Lord Mayor Basil Zempilas' name being removed from the list of panellists in recommendation 5.1; and 2. Resolutions contained in the 16 November 2022 Selection Committee Minutes be noted. RESOLUTION 403.8/2022	All items have been actioned.	Complete	Tony Brown Executive Director Member Services
7 December 2022 Item 5.10 LGIS Board Remuneration – CONFIDENTIAL	That State Council approve the remuneration for LGIS Board members is increased by 3% for the 2022/23 financial year as per the LGIS Corporate Governance Charter guidance. RESOLUTION 405.8/2022	This item has been actioned.	Complete	Tony Brown Executive Director Member Services
7 December 2022 Item 7.1.2 Governance and Organisational Services Policy Team Report	That State Council: 1. Retains Advocacy Positions: a. 2.5.10 Control of Certain Unvested Reserves 2. Deletes Advocacy Positions: a. 2.5.16 Disposal of Property and Commercial Enterprises b. 2.5.33 Revoking or Changing Decisions 3. Amends Advocacy Positions a. 2.5.34 Contents of Minutes to be retitled and amended to read as follows:	The Advocacy Positions Manual has been updated.	Complete	Tony Brown Executive Director Member Services

MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
	<p><i>Advocacy Position 2.5.34 Content of Agenda and Minutes (Transparency)</i></p> <ol style="list-style-type: none"> 1. <i>Amend Administration Regulation 11 to require information presented in, or attached to, a Council or Committee meeting agenda to be included in the minutes of that meeting.</i> 2. <i>Amend Section 5.95(3) and Administration Regulation 11 to enable confidential attachments to a report included in a Council or Committee meeting agenda and minutes to remain confidential at the discretion of Council, despite the meeting not having been closed to the public when deciding the relevant matter.</i> <p>b. 2.5.42 Dispositions of Property to be amended to read as follows:</p> <p><i>Amend Functions and General Regulation 30 to:</i></p> <ol style="list-style-type: none"> 1. <i>Remove the financial threshold limitation on a disposition where it is used exclusively to purchase other property – R.30(3).</i> 2. <i>Modify the disposal by sale (only) limitations prescribed in R.30(2), so that</i> <ol style="list-style-type: none"> a. <i>Local Government may dispose of land consistent with the s.3.58 definition of ‘disposal’, where the disposal terms are consistent with the nature of interest that the transferee has in the adjoining land; and</i> b. <i>The market value limitation of \$5000, set in 1996, is increased to reflect contemporary land values.</i> 3. <i>Insert an additional exemption for disposal of redundant plant and equipment to another Local Government, Regional Local Government, the government of the State or the Commonwealth or any of its agencies.</i> 			

MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
	<p>4. Requests the WALGA Secretariat write to the Minister for Local Government as the responsible Minister, reiterating the Sector's concerns regarding Cat Act local law limitations, requesting the Minister commit to a timeframe for progressing the Cat Act 2011 Review.</p> <p>5. Request the WALGA Secretariat to write to the Department of Premier and Cabinet, Cyber Security Unit and the Department of Local Government, Sport and Cultural Industries, requesting:</p> <ul style="list-style-type: none"> a. Details of the range of services, resources and support provided by the Cyber Security Unit to support the Local Government sector to improve the sector's cyber security profile. b. Consideration of State Government funding options for the Local Government sector, to further support improving the sector's cyber security profile, including: <ul style="list-style-type: none"> i. Providing access to State Government infrastructure and controls at no cost to Local Governments to ensure that the Local Government industry has the same level of protection as State Government departments. ii. Funded by State Government, in a similar approach to how State Government departments cyber security is funded. iii. Making a funding pool available for Local Governments to improve cyber security through purchasing of hardware and software infrastructure. <p>RESOLUTION 408.8/2022</p>			

MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
<p>7 December 2022 Item 8 Additional Zone Resolutions – Zone items relating to the Aboriginal and Torres Strait Islander Voice to Parliament</p>	<p>That State Council:</p> <ol style="list-style-type: none"> 1. Supports a robust and respectful national debate on constitutional recognition for Aboriginal and Torres Strait Islanders and requests the Commonwealth Government provide further details on the proposed Voice to Parliament. 2. Requests that the Commonwealth Government ensure that Local Governments and local communities across WA are meaningfully engaged with on this issue. 3. Requests WALGA prepare an advocacy position in support of constitutional recognition to be circulated to WALGA Zones for their next meeting for consideration and feedback. <p>RESOLUTION 415.8/2022</p>	<p>An item for decision on the Voice to Parliament and Referendum on constitutional recognition for Aboriginal and Torres Strait Islanders will be considered at the March 2023 State Council meeting.</p>	<p>March 2023</p>	<p>Nicole Matthews Executive Manager Policy</p>
<p>9 September 2022 Item 5.2 Proposed Advocacy Position on Management of Bush Fire Brigades</p>	<p>That the following Advocacy Position on Management of Bush Fire Brigades be endorsed.</p> <p><i>Management of Bush Fire Brigades</i></p> <ol style="list-style-type: none"> 1. <i>Bush Fire Brigade volunteers play a critical role in helping to protect their local communities. Local knowledge and skills are integral to bushfire management in Western Australia.</i> 2. <i>Future management and funding of volunteer Bush Fire Brigades must:</i> <ol style="list-style-type: none"> a) <i>Recognise the changing risk environment, including work health and safety requirements, and the increasing intensity and frequency of bushfires;</i> b) <i>Take account of the differing circumstances of Bush Fire Brigade units and regional variations in bush firefighting approaches; and</i> c) <i>Be adequately and equitably resourced through the Emergency Services Levy.</i> 3. <i>The State Government, through the Consolidated Emergency Services Act and/or other mechanism's must:</i> <ol style="list-style-type: none"> a) <i>Establish a clear framework to enable transfer of Bush Fire Brigades to the State Government if a Local Government decides to do;</i> 	<p>The Advocacy Positions Manual has been updated.</p>	<p>Complete</p>	<p>Nicole Matthews Executive Manager Policy</p>

MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
	<p>b) Consult on the process, timeline, and implications for transfer of responsibility for Bush Fire Brigades in accordance with 3(a) through the establishment of a working group comprising representatives of Local Government, Bush Fire Brigades, the Department of Local Government, Sport and Cultural Industries (DLGSC) and the Department of Fire and Emergency Services (DFES);</p> <p>c) Provide for mandatory and minimum training requirements and recognition of competency and prior learning for Bush Fire Brigade volunteers, supported by locally delivered fit-for-purpose and universally accessible training program, designed in consultation with Bush Fire Brigade representatives, Local Government and LGIS, and managed by DFES; and</p> <p>d) Develop a co-designed suite of relevant management guidelines and materials to assist in the management of Bush Fire Brigades.</p> <p>4. As a matter of priority within the emergency services Acts review, the State Government to consider the most appropriate operational model for management of Bush Fire Brigades, which may include the establishment of an independent Rural Fire Service, as recommended in the 2016 Ferguson Report.</p> <p>RESOLUTION 377.7/2022</p>			

MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
<p>1 December 2021 Item 5.3 2021 Annual General Meeting</p>	<p>That: 1. The following resolutions from the 2021 WALGA Annual General Meeting be endorsed for action:</p> <p><u>Cost of Regional Development</u> That WALGA makes urgent representation to the State Government to address the high cost of development in regional areas for both residential and industrial land, including the prohibitive cost of utilities headworks, which has led to market failure in many regional towns.</p> <p>...</p> <p>RESOLUTION 294.7/2021</p>	<p>The 2023-24 WALGA State Budget Submission includes a request for an additional \$5 million per year to a total of \$9 million per year for the Regional Development Assistance Program, particularly to meet the costs of headworks in residential and industrial land developments. The submission also requests that the program design be revised to separate projects in smaller towns from those in large regional centres.</p> <p>This submission has been presented to the Department of Primary Industries and Regional Development executive and the relevant Ministers.</p>	<p>Ongoing</p>	<p>Ian Duncan Executive Manager Infrastructure</p>
<p>3 September 2021 Item 6.1 Stop Puppy Farming Legislation</p>	<p>1. That the update on the Dog Amendment (Stop Puppy Farming) Bill 2021 be noted. 2. That: a. any additional costs incurred by a Local Government in administering the Dog Act be paid by the State Government; and b. the Fees and Charges set in Regulations are reviewed bi-annually and at minimum, be adjusted by the Local Government Cost Index.</p> <p>RESOLUTION 275.5/2021</p>	<p>Correspondence has been sent to the Minister for Local Government advising of resolution 2.</p>	<p>Ongoing</p>	<p>Tony Brown Executive Director Member Services</p>