



GVROC Council Meeting to consider WALGA State Council Agenda Items

Unconfirmed Minutes

Thursday 24 April 2025
Zoom Videoconference, commencing at 9.00am

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GOLDFIELDS VOLUNTARY REGIONAL ORGANISATION OF COUNCILS (GVROC)

**Videoconference meeting of the GVROC Council to consider WALGA State
Council Agenda Items was held Friday 24 April 2025 at 9.00am**

AGENDA

1. OPENING AND ANNOUNCEMENTS

The purpose of the meeting is to provide advice to the GVROC WALGA State Council Representative, on the Agenda for the WALGA State Council Meeting to be held on 7 May 2025.

2. DECLARATION OF INTEREST

Pursuant to the Code of Conduct, Councillors and CEOs must declare to the Chairman any potential conflict of interest they may have in a matter before the Goldfields Voluntary Regional Organisation of Councils as soon as they become aware of it. Councillors, CEOs and Deputies may be directly or indirectly associated with some recommendations of the Goldfields Voluntary Regional Organisation of Councils. If you are affected by these recommendations, please excuse yourself from the meeting and do not participate in deliberations.

Nil.

3. RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

3.1 Attendance

Cr Mal Cullen	President, Shire of Coolgardie (Chair)
Cr Tracey Rathbone	Councillor, Shire of Coolgardie
Cr Glenn Wilson	Mayor, City of Kalgoorlie-Boulder
Mr Lui Camporeale	A/CEO, City of Kalgoorlie Boulder
Cr Laurene Bonza	President, Shire of Dundas
Cr Sharon Warner	Councillor, Shire of Dundas
Mr Peter Fitchat	CEO, Shire of Dundas
Cr Ron Chambers	President Shire of Esperance
Mr Shane Burge	CEO, Shire of Esperance
Mr Ty Matson	CEO, Shire of Leonora
Mr Peter Bentley	A/CEO, Shire of Menzies
Mr Andrew Mann	Executive Officer, GVROC

3.2 Apologies

Mr Aaron Cook	A/CEO, Shire of Coolgardie
Cr Wayne Johnson	Councillor, City of Kalgoorlie Boulder
Mr Andrew Brien	CEO, City of Kalgoorlie Boulder
Cr Wes Graham	Councillor, Shire of Esperance
Cr Patrick Hill	President, Shire of Laverton
Mr Phil Marshall	CEO, Shire of Laverton
Cr Shaneane Weldon	Councillor, Shire of Laverton
Cr Peter Craig	President, Shire of Leonora
Cr Paul Warner	President, Shire of Menzies
Cr Sudhir Sudhir	Councillor, Shire of Menzies
Cr Peter Grundy	President, Shire of Wiluna
Mr Matt Macintyre	CEO, Shire of Wiluna
Mr David Mosel	CEO, Shire of Ngaanyatjaraku
Cr Damian McLean	President, Shire of Ngaanyatjaraku

3.3 Guests

Nil

3.4 WALGA Representatives

Daniel Thompson	Manager Economics
Max Bushell	Senior Policy Advisor Road Safety and Infrastructure

4. MINUTES OF MEETINGS

4.1 Minutes of a Meeting of GVROC to consider WALGA State Council Agenda Items held 21 February 2025

Minutes of the GVROC Council Meeting to consider WALGA State Council held Friday 21 February 2025 are presented for adoption (**Attachment 1**).

RECOMMENDATION:

That the Unconfirmed Minutes of the GVROC Council Meeting to consider WALGA State Council held Friday 21 February 2025 be confirmed as a true and correct record of proceedings.

RESOLUTION: **Moved: Cr Laurene Bonza, Shire of Dundas**
 Seconded: Mayor Glenn Wilson, City of Kalgoorlie Boulder

Carried

4.2 Action Sheet Report

An update on the actions based on the resolutions from the meeting held on 21 February 2025 meeting is presented for noting (**Attachment 2**).

RECOMMENDATION:

That the Action Sheet Report as listed for noting be received.

RESOLUTION: **Moved: Cr Laurene Bonza, Shire of Dundas**
 Seconded: Mayor Glenn Wilson, City of Kalgoorlie Boulder

Carried

4.3 Matters for Noting

The following matters were presented for noting.

1. Economic Development Australia (EDA) Training for Elected Members

EDA's Economic Development Essentials for Elected Members course is a one day online course that will be held on 21 May 2025. The Course aims to empowers new or experienced community leaders to drive and support inclusive, sustainable economic development.

The module also supports local government leaders to understand the key principles of economic recovery and how to build economic resilience within their communities. Suitable for all Mayors, Shire Presidents, community leaders, elected members and executives in local government.

Further details can be found at **Attachment 3** and if interested you can register at [Economic Development Australia](#).

RECOMMENDATION:

That the matters for noting as listed be received and noted.

RESOLUTION: **Moved: Mayor Glenn Wilson, City of Kalgoorlie Boulder**
 Seconded: Cr Laurene Bonza, Shire of Dundas

Carried

5. WALGA State Council Agenda

From: Chair GVROC

Background:

GVROC/Goldfields Esperance Zone Delegates are invited to read and consider the WALGA State Council Agenda for its meeting on 7 May 2025, which can be found at **Attachment 4** and can be found via the link [here](#).

The GVROC/Goldfields Esperance Zone can provide comment or submit an alternative recommendation on any of the items, including the items for noting. The GVROC/Goldfields Esperance Zone comment will then be presented to the State Council for consideration at their meeting.

The State Council Agenda items requiring a decision of State Council are extracted for GVROC/Goldfields Esperance Zone consideration in **Section 7**.

Section 8 also lists those State Council matters for noting plus any additional items from WALGA for the GVROC/Goldfields Esperance Zone to note.

6. Review of WALGA State Council Agenda - Matters for Decision

6.1 Regulations for CEO KPIs and Online Registers – WALGA Submission

WALGA Recommendation

That WALGA endorse the recommendations contained in the attached ‘Regulations for CEO KPIs and public registers submission’.

EXECUTIVE SUMMARY

- Consultation is open on the draft Local Government Regulations Amendment Regulations 2024 (the Draft Regulations), which give effect to reforms relating to the publication of online registers, publication of CEO performance criteria and performance reviews, and other CEO matters.
- The Local Government legislation reform platform from the State Government indicated that one of the reform outcomes was "Reducing red tape, increasing consistency and simplicity".
- The overwhelming sector feedback is that these reforms will not achieve this aim and will instead increase red tape without any clear public benefit.
- Sector feedback has been collated and identifies overarching concerns listed in this report.
- The attached submission, informed by this feedback, is recommended for endorsement.

ATTACHMENT

- Regulations for CEO KPIs and public registers Draft WALGA submission

POLICY IMPLICATIONS

WALGA's existing advocacy positions are based on the high-level reform proposals provided for public consultation in 2022.

The current [Advocacy Positions](#) are:

2.2.4 CEO Recruitment Panel

The Local Government sector supports the Department of Local Government, Sport and Cultural Industries establishing a panel of approved panel members to perform the role of the independent person on CEO recruitment panels.

2.5.27 Online Registers

The Local Government sector supports requiring Local Governments to report specific information in online registers on the Local Government's website, including registers for leases, community grants, interests disclosures, applicant contributions and contracts (excluding contracts of employment).

2.5.28 Publishing CEO Key Performance Indicators

1. *The Local Government sector conditionally supports the reporting of CEO Key Performance Indicators (KPIs) that are consistent with the strategic direction and operational function of the Local Government, subject to exemptions for publishing KPIs of a confidential nature.*
2. *The Local Government sector does not support results of CEO performance reviews being published.*

BACKGROUND

The *Local Government Amendment Act 2023* (2023 Amendment Act) contained the Tranche 1 reforms to the *Local Government Act 1995* (the Act). This included the following changes which are yet to commence:

- Requirements for Local Government CEO's performance criteria and performance reviews to be published.
- Establishment of a panel of independent persons for CEO performance reviews.
- A requirement for Local Governments to publish and maintain registers on their website.

The draft Local Government Regulations Amendment Regulations 2024 (the Draft Regulations), which will give effect to these reforms, have been released for public consultation. The Department of Local Government, Sport and Cultural Industries (DLGSC) have requested comment by 8 May.

Information is available on the [DLGSC website](#), including a copy of the [Draft Regulations](#) and a [DLGSC Consultation Paper](#).

WALGA circulated a discussion paper and request for comment to all Local Governments on 30 January.

COMMENT

Responses received from Local Governments indicate serious concerns with the detail of the Draft Regulations. Overarching concerns include:

- The creation of red tape and excessive administrative burden, in conflict with a stated aim of the reform, and without clear public benefit.
- Continued proliferation of compliance requirements for Local Governments, including overlapping but inconsistent reporting obligations.
- Unreasonable implementation timeframes given existing Local Government workload, cumulative burden of ongoing program of reform and upcoming elections.
- Confusion and lack of clarity (plain English drafting) in the Draft Regulations.

Specific concerns are discussed in relation to each proposal.

CEO matters: Publishing performance criteria and reports on performance review

Of the submissions that provided comment on this aspect of the Draft Regulations, over half expressed strong opposition to publication of CEO KPIs and performance reviews. Opposition was based on factors including the inconsistency with public sector practice, risks to CEOs, mechanisms for reporting on organisational rather than individual performance and the erosion of Local Government autonomy. A small number of Local Governments broadly supported the regulations or their intent. In addressing the content of Draft Regulations 18AA and 18FAA, submissions raised concerns with the proposed reporting of target achievement and the mechanisms for exclusion of performance criteria from publication.

CEO matters: Independent persons panel (CEO recruitment)

Key concerns included a lack of clarity about the selection criteria and processes to be followed by the Departmental CEO in establishing the panel, the capacity for Councils to appoint independent members from within their own districts, and the management of conflicts of interest.

CEO matters: Certification, recruitment and termination

There were divided views on the requirement for separate certification, but support for the retention of a requirement to conduct a selection process before contract expiry, the option to include additional information in a performance criterion and the proposed modification of the CEO Standards in relation to termination during probation.

Registers: General considerations

Local Governments articulated a range of concerns that are applicable to all registers, including the administrative burden, unreasonable commencement and retrospectivity, lack of clarity and difficulty in applying the requirements, and the implications of the *Privacy and Responsible Information Sharing Act 2024* (the PRIS Act).

Lease register

Submissions raised considerable concerns with this proposed register. Issues include the breadth of the lease definition, safety and confidentiality for residents and community groups, commercial in confidence information and the ability of Local Governments to generate best value from assets, whether through commercial returns or community benefits.

Grants and sponsorships register

Some Local Governments provided general support for the register, subject to the exclusion of retrospectivity. However, the majority of submissions identified concerns regarding the value threshold, privacy and confidentiality, and a lack of clarity in the calculation of value.

Development contributions register

The majority of submissions expressed concerns regarding the administrative burden with limited improvements in transparency and oversight of Developer Contribution Plans (DCPs) than is currently provided for under the state planning framework. This burden is exacerbated by the retrospectivity and short implementation timeframe. Those Local Governments with a high number of DCPs advise that this is likely to lead to delays and increased costs in the administration of DCPs.

Privacy considerations and practical issues with the calculation of interest for individual contributions, and the list of items and percentage of expenditure were also identified.

Contracts for goods and services register

All submissions that commented on the contract register highlighted concerns including the administrative burden associated with the unreasonably low threshold value and duplication of existing reporting requirements. Members raised heightened fraud risks, and issues relating to commercial in confidence information. There is also a lack of clarity regarding the definition of contract and contract value.

This sector feedback and detailed analysis of the Draft Regulations has informed the preparation of the attached draft WALGA submission.

GVROC COMMENTS:

Following discussion, the GVROC provide the following points for consideration of WALGA and State Council:

- The number of new registers/regulations being developed and placed on Local Government to adhere to is of concern. Noting that the same type of registers and not having to be adhered to within State and Federal Governments.
- With the increased level of regulation and registers it also introduces further red tape on LGAs.

RECOMMENDATION

That the GVROC support the WALGA recommendation for State Council Agenda Item 8.1 to endorse the recommendations contained in the attached 'Regulations for CEO KPIs and public registers submission'.

RESOLUTION:

Moved: *Cr Laurene Bonza, Shire of Dundas*

Seconded: *Mayor Glenn Wilson, City of Kalgoorlie Boulder*

Carried

6.2 **Dog and Cat Management Advocacy Position**

WALGA Recommendation

That WALGA replace Advocacy Position 2.12 *Puppy Farming* with a revised *Dog and Cat Management* advocacy position, as follows:

In regard to the Dog Amendment (Stop Puppy Farming) Act 2021 and the PetsWA Centralised Database, the WA Local Government sector advocates:

- a) that fees reflect completed cost modelling to ensure that Local Governments achieve full cost recovery in ensuring compliance with the Dog Act 1976 or Cat Act 2011.*
- b) that Fees and Charges set in Regulations are reviewed bi-annually and, at minimum, adjusted by the Local Government Cost Index.*
- c) that the PetsWA centralised registration database is developed, operated and maintained by State Government, with no loss to Local Government registration fee revenue.*
- d) that the function of PetsWA be restricted to the registration of dogs and cats, exclude ancillary functions such as animal related complaints and infringement notices, and integrate with existing Local Government corporate systems.*
- e) for the continued legislative exemptions for livestock working dogs in recognition of their special breeding requirements.*
- f) for a State Government-led education initiative whereby the community is encouraged to purchase puppies from approved breeders.*

EXECUTIVE SUMMARY

- Motions from Zones regarding the PetsWA Centralised Registration Database provide an opportunity to review the existing *Puppy Farming* advocacy position and replace it with a new *Dog and Cat Management* advocacy position.
- The purpose of the new position is to reflect the progression of the *Dog Amendment (Stop Puppy Farming) Act 2021* and the emerging concerns of the Local Government sector regarding the PetsWA centralised registration system.
- The Governance Policy Team endorsed the new advocacy position at its meeting on 24 March.

ATTACHMENT

- Comparison table between current Advocacy Position 2.12 *Puppy Farming*, and proposed advocacy position *Dog and Cat Management*.

POLICY IMPLICATIONS

This item is to replace existing Advocacy Position 2.12 *Puppy Farming* with a new *Dog and Cat Management* position.

The current Advocacy Position is as follows:

2.12 *Puppy Farming*

1. The WA Local Government sector:

- a) Welcomes a cost modelling review of the financial impact on Local Governments to ensure that Local Government is able to fully recover costs and not be disadvantaged in ensuring compliance of any new legislation to Stop Puppy Farming.*
- b) Acknowledges the benefit of de-sexing of dogs not used for approved breeding purposes, and request further information on the complexities associated with de-sexing of dogs prior to considering supporting the proposal.*
- c) Supports a centralised dog registration system that is developed, operated and maintained by State Government.*
- d) Supports appropriate legislative exemptions for livestock working dogs in recognition of their special breeding requirements.*
- e) Does not support the transition of pet shops to adoption centres.*
- f) Requests there be a Local Government-specific consultation process in relation to the proposed amendments to the Animal Welfare Act to introduce Standards and Guidelines for the Health and Welfare of Animals including dogs.*
- g) Supports a State Government-led education initiative whereby the community is encouraged to purchase puppies from professional registered breeders.*

- h) *Requests the State Government discontinue the use of the term 'Farming' due to the negative connotation that may be associated with other regulated industries, and consider re-naming the initiative 'Stop Puppy Mills'.*
- 2. *The Local Government sector advocates 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.*

The recommended new Advocacy Position is as follows:

Dog and Cat Management

In regard to the Dog Amendment (Stop Puppy Farming) Act 2021 and the PetsWA Centralised Database, the WA Local Government sector advocates:

- a) *that fees reflect completed cost modelling to ensure that Local Governments achieve full cost recovery in ensuring compliance with the Dog Act 1976 or Cat Act 2011.*
- b) *that Fees and Charges set in Regulations are reviewed bi-annually and, at minimum, adjusted by the Local Government Cost Index.*
- c) *that the PetsWA centralised registration database is developed, operated and maintained by State Government, with no loss to Local Government registration fee revenue.*
- d) *that the function of PetsWA be restricted to the registration of dogs and cats, exclude ancillary functions such as animal related complaints and infringement notices, and integrate with existing Local Government corporate systems.*
- e) *for the continued legislative exemptions for livestock working dogs in recognition of their special breeding requirements.*
- f) *for a State Government-led education initiative whereby the community is encouraged to purchase puppies from approved breeders.*

A table comparing the current and proposed advocacy position can be seen in Attachment A.

BACKGROUND

Stop Puppy Farming Legislation

- At its September 2018 meeting, State Council adopted a detailed position in relation to the Stop Puppy Farming Initiative (*Resolution 103.6/2018*).
- At its March 2020 meeting, State Council resolved that "WALGA write to the Minister and request that he withdraw the Stop Puppy Farming Bill and more appropriately consult with the sector, traditional custodians and the wider community, or failing that, that he remove any reference to Local Government in the bill as the sector does not endorse it in its current form" (*Resolution 13.1/2020*).
- At its September 2021, State Council adopted additional points to the advocacy position, supporting WALGA continuing to advocate 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.(*Resolution 275.5/2021*)
- In December 2021, the *Dog Amendment (Stop Puppy Farming) Act 2021* (the Act) was passed by Parliament. The Act amended both the *Dog Act 1976* and the *Cat Act 2011* in several ways.
- The implementation of the legislation is occurring in phases, with existing pet shops needing to transition to adoption centres by obtaining a 'pet shop approval' through their Local Governments by 26 May.
- It is anticipated that dog breeding approval provisions and mandatory sterilisation of dogs (unless an exemption is in place) will take effect later in 2025. In August 2024, the State Government awarded a contract to Seisma Group to establish PetsWA (the new centralised registration system for dogs and cats), which is anticipated to be operational later in 2025.

Fees and cost recovery

In a letter to WALGA dated 1 November 2021, Minister John Carey confirmed that "the State Government has committed to covering the costs associated with the establishment of the Centralised Registration System, to centrally record the registration of all domestic cats and dogs within Western Australia". However, the State Government position relating to ongoing costs associated with the system and the particulars about revenue generated from registrations has not been made clear.

In early 2024, the Department of Local Government, Sport and Cultural Industries (DLGSC) released a Consultation Paper prepared by consultants Marsden Jacob Associates on the new and existing fees and charges under the *Dog Act 1976* and *Cat Act 2011*. WALGA provided a submission in line with State Councils advocacy position as follows.

That WALGA:

1. *Welcomes a cost modelling review of the financial impact on Local Governments to ensure that Local Government is able to fully recover costs and not be disadvantaged in ensuring compliance of any new legislation to Stop Puppy Farming;*
2. *Supports a centralised dog registration system that is developed, operated and maintained by State Government;*
3. *Any additional costs incurred by a Local Government in administering the Dog Act be paid by the State Government; and*
4. *The Fees and Charges set in Regulations are reviewed biennially and at minimum, be adjusted by the Local Government Cost Index.*

Zone resolutions

Central Country Zone

At the Central Country Zone Meeting of 15 November 2024, the Zone considered an item which raised concerns that the administrative costs of the PetsWA central registration system would be withheld by the State Government from registration fees collected by Local Governments. As already noted, registration fees are already insufficient to cover the costs of Local Government cat and dog management responsibilities.

The Zone resolved:

That the Central Country Zone request WALGA to:

- a) *advocate to the Government of Western Australia that 100% of the revenue derived from pet registrations (both dogs and cats) continue to be returned directly to Local Governments to effectively administer the Dog Act 1976 and Cat Act 2011.*
- b) *recommend that the new centralized PetsWA Pet Registry Scheme, administered by the State Government, should not retain any commission or portion of the registration fees for its operations, as the current fee structure does not adequately cover the costs associated with pet management at the Local Government level.*

North Metropolitan Zone

At the North Metropolitan Zone Meeting of 20 November 2024, the Zone considered an item which raised concerns that the community would be able to lodge complaints through the PetsWA centralised registration system and that infringements would be issued through the system. As no integration with Local Government systems has been advised, this would create a duplicate workload for officers.

The Zone resolved:

That WALGA advocate to the State Government for the PetsWA Centralised Registration Database scope to be restricted to a centralised registration system (excluding complaints and infringements) that integrates with Local Government's existing corporate systems.

COMMENT

As the Act has progressed, the existing advocacy position should be reviewed to reflect the current state.

A comparison between the current and proposed advocacy position is provided in Attachment A, with key themes addressed below.

Cost Recovery

Under the *Dog Amendment (Stop Puppy Farming) Act 2021*, Local Governments will have increased responsibilities, including approvals to breed and pet shop approvals, as well as associated investigation and enforcement functions. WALGA has continued to advocate to the State Government for fees and charges to be set at a level that achieves full cost recovery and that any additional costs incurred by a Local Government in administering the Dog Act be paid by the State Government. The proposed advocacy position retains these key positions.

The fees from registrations and animal related infringements do not currently cover all costs associated with Local Government responsibilities. There is a risk that the State Government could administer the PetsWA system in a way which reduces Local Government income from registrations.

WALGA's existing advocacy position supports PetsWA to be managed by the State (Advocacy Position 2.12.b). The proposed *Dog and Cat Management* Advocacy Position expands on the existing position to make it absolutely clear that there should be no loss of registration fee revenue to the Local Governments in administering the database.

Scope of PetsWA

The Act provides for a centralised registration system, known as PetsWA, to be managed by the State Government. DLGSC has been tasked with the implementation of the system. The contract to develop PetsWA was awarded on 2 August 2024 and is expected to launch in the second half of 2025. PetsWA is intended to replace the dog and cat registers managed by individual Local Governments with a single online system, used state-wide. PetsWA will allow dog and cat owners to register their pets and make payments online.

In addition to uncertainty about revenue from fees and charges under PetsWA, there is ambiguity about the scope of information recorded within PetsWA. DLGSC has noted that PetsWA could be used to manage public complaints, request ranger visits, manage dangerous dog notices, and issue infringements. This could increase administrative burden on Local Government staff by duplicating data entry with existing record management systems, as there is no clarity on the extent of the integration with Local Government's existing systems.

To avoid this, PetsWA should be integrated with Local Government's existing systems and the scope should be restricted to its original function as a centralised registration system.

RECOMMENDATION

That the GVROC support the WALGA recommendation to State Council to endorse replacement of Advocacy Position 2.12 Puppy Farming with a revised Dog and Cat Management advocacy position, as presented in the WALGA Recommendation.

RESOLUTION:

Moved: Cr Laurene Bonza, Shire of Dundas

Seconded: Cr Tracey Rathbone, Shire of Coolgardie

Carried

6.3 Native Vegetation Clearing Regulations Advocacy Position

WALGA Recommendation

That WALGA replace the following Advocacy Positions:

5.2.1 Environmental Protection Act

5.2.2 Land Clearing in Road Reserves

with an updated Native Vegetation Clearing Regulations Advocacy Position as follows:

WALGA calls on the Western Australian Government, in consultation with Local Government, to undertake legislative and policy reform to improve the effectiveness, efficiency and transparency of the regulatory system for clearing native vegetation in Western Australia, including:

- 1. Amending the Environmental Protection Act 1986 and associated regulations to remove unnecessary process, complexity and improve timeframes, including:**
 - a. introducing statutory timeframes for the determination of referrals, permit applications and appeals**
 - b. increasing the default duration of Area and Purpose Permits to 10 years**
 - c. provide a permanent exemption for clearing of previously legally cleared transport corridors**
 - d. strengthening environmental data sharing requirements to ensure proponents cannot opt-out of sharing data collected for environmental assessment and monitoring purposes.**
- 2. Ensuring the regulatory system is adequately resourced to:**
 - a. implement an expedited process for clearing permits for projects that prevent death and serious injury (road safety), and state and federally funded or co-funded projects**
 - b. establish a dedicated Local Government unit within the Department of Water and Environmental Regulation to:**
 - i. case manage Local Government referrals and clearing permit applications**
 - ii. provide guidance and training for Local Governments, particularly in relation to roadside vegetation management**
 - iii. support partnerships with Local Governments in strategic environmental offsets**
 - c. enable timely investigation and enforcement action for illegal clearing**
 - d. increase investment in the collection and provision of statewide biodiversity data, including:**
 - i. funding and coordinating a state-wide biodiversity survey program to standardise habitat and vegetation mapping**
 - ii. making biodiversity data more discoverable, accessible and useable.**
- 3. Undertaking bioregional planning for native vegetation management, with a focus on highly cleared areas and implementing strategic solutions for environmental offsets that can be utilised by Local Government.**
- 4. Working with the Australian Government to reduce duplication between the Environmental Protection Act 1986 and the Environment Protection and Biodiversity Conservation Act 1999.**

EXECUTIVE SUMMARY

- The effectiveness, cost and complexity of the regulatory system for native vegetation clearing has been a longstanding concern for Local Governments, particularly in relation to its impacts on the delivery of road and other infrastructure projects.
- WALGA has made numerous representations and submissions to the State Government on this issue.
- WALGA's current [advocacy positions](#) relating to the regulation of clearing of native vegetation were endorsed by State Council in 2004 (5.2.1) and 2006 (5.2.2).
- Numerous reviews and significant legislative and policy changes aimed at streamlining regulatory requirements have occurred since that time which has resulted in some improvement, however, problems persist.

- The updated Advocacy Position, seeks to respond to feedback and issues raised by the sector, calls the State Government to:
 - implement **legislative, policy and process changes**, including the imposition of statutory timeframes for assessments and appeals; increasing the duration of clearing permits; providing a permanent exemption to enable clearing in previously legally cleared transport corridors; and strengthening environmental data sharing requirements.
 - allocate **adequate resources** to implement an expedited process for road safety and state and federally funded or co-funded projects; a dedicated Local Government unit to process applications and support the sector; timely compliance and enforcement action; and implement a state-funded collection and provision of data.
 - undertake **bioregional planning** and implement **strategic solutions for environmental offsets** for Local Government.
 - **reduce duplication** between the State and Australian government regulatory systems.
- At their joint meeting on 24 March, the Environment and Infrastructure Policy Teams recommended that State Council endorse the Native Vegetation Clearing Regulations advocacy position.

ATTACHMENT

- [WALGA Native Vegetation Clearing Regulations Issues Paper](#)
- [Road Safety Briefing Note](#)

POLICY IMPLICATIONS

This item is to replace existing Advocacy Positions 5.2.1 Environmental Protection Act and 5.2.2 Land Clearing in Road Reserves with a new *Native Vegetation Clearing Regulations* position.

The current [Advocacy Positions](#) are as follows:

5.2.1 Environmental Protection Act

Impact on Road Reserves Position Statement. The Local Government sector supports continued advocacy to minimise the impact on road reserves and in regards to Regulations, processing times, access to vegetation data and a Code of Practice on maintenance activities.

5.2.2 Land Clearing in Road Reserves

The Local Government sector supports Schedule 2 of the Environmental Protection (Clearing of Native Vegetation) Regulations 2004 as a permanent exemption for the maintenance of existing transport corridors and supports the continued advocacy for improvements to processing and timelines of the current clearing legislation.

The proposed Advocacy Position is as follows:

Native Vegetation Clearing Regulations

WALGA calls on the Western Australian Government, in consultation with Local Government, to undertake legislative and policy reform to improve the effectiveness, efficiency and transparency of the regulatory system for clearing native vegetation in Western Australia, including:

1. *Amending the Environmental Protection Act 1986 and associated regulations to remove unnecessary process, complexity and improve timeframes, including:*
 - a. *introducing statutory timeframes for the determination of referrals, permit applications and appeals*
 - b. *increasing the default duration of Area and Purpose Permits to 10 years*
 - c. *provide a permanent exemption for clearing of previously legally cleared transport corridors*
 - d. *strengthening environmental data sharing requirements to ensure proponents cannot opt-out of sharing data collected for environmental assessment and monitoring purposes.*
2. *Ensuring the regulatory system is adequately resourced to:*
 - a. *implement an expedited process for clearing permits for projects that prevent death and serious injury (road safety), and state and federally funded or co-funded projects*
 - b. *establish a dedicated Local Government unit within the Department of Water and Environmental Regulation to:*
 - i. *case manage Local Government referrals and clearing permit applications*
 - ii. *provide guidance and training for Local Governments, particularly in relation to roadside vegetation management*
 - iii. *support partnerships with Local Governments in strategic environmental offsets*
 - c. *enable timely investigation and enforcement action for illegal clearing*

- d. *increase investment in the collection and provision of statewide biodiversity data, including:*
 - i. *funding and coordinating a state-wide biodiversity survey program to standardise habitat and vegetation mapping*
 - ii. *making biodiversity data more discoverable, accessible and useable.*
3. *Undertaking bioregional planning for native vegetation management, with a focus on highly cleared areas and implementing strategic solutions for environmental offsets that can be utilised by Local Government.*
4. *Working with the Australian Government to reduce duplication between the Environmental Protection Act 1986 and the Environment Protection and Biodiversity Conservation Act 1999.*

BACKGROUND

Western Australia is one of the most biodiverse places on Earth and has significant regional endemism, meaning it has plants and animals that only live in a particular location (Western Australian Biodiversity Science Institute). Eight of Australia's 15 declared biodiversity hotspots are in WA and the South West Ecoregion, (running from Shark Bay in the northwest to Esperance in south east with a narrow strip along the southeastern coast to the border between WA and SA) is one of only 34 internationally recognised Global Biodiversity Hotspots (and the only in Australia). A Global Biodiversity Hotspot is defined as a geographical region that has at least 1,500 vascular plant species and has lost at least 70 per cent of its original supporting habitat.

In Western Australia the clearing of native vegetation is primarily regulated under Part V Division 2 of the [Environmental Protection Act 1986](#) (EP Act) and [Environmental Protection \(Clearing of Native Vegetation\) Regulations 2004](#) (Regulations). Under section 51C of the EP Act clearing of native vegetation is an offence unless a permit has been granted, or an exemption applies.

The Regulations provide exemptions for routine land management practices, including for clearing done for maintenance in existing, previously legally cleared transport (road and rail) corridors, provided that the previous clearing occurred within the preceding 10 years (Regulation 5, Item 22). Schedule 2, cl. 2 of the Regulations specify the extent of maintenance clearing for an area or purpose:

Area or purpose	Extent of clearing
Crossover area	Clearing to the extent previously cleared for the area.
Lateral clearance area	Complete clearing to the width and height previously cleared for that stretch of road or railway.
Maintenance and protection of transport corridor infrastructure	Clearing to the extent necessary to – <ol style="list-style-type: none"> a) Maintain the efficacy and safety of the infrastructure; b) Protect the infrastructure (for example from fire); and c) Provide access to the infrastructure to maintain it.
An area that is a public roadside facility	Clearing to the extent necessary to maintain (but not extend) the intended use of the area.
Sight line area	Clearing to the extent previously cleared for that area.

Schedule 2, cl. 1 of the Regulations provides the following definitions:

- *crossover area* means the area occupied by a crossover from a road to a property adjacent to the road and any associated sight line areas;
- *lateral clearance area*, in relation to a stretch of road or railway, means the area (if any) parallel to and immediately adjacent to the stretch of road or railway that is ordinarily cleared;
- *public roadside facility* includes a camping area, rest area, information bay, road train assembly area or parking area or a footpath or cycle track in the road reserve;
- *transport corridor infrastructure*, in relation to a stretch of road or railway, includes barriers, signs, guideposts, drains, levies, embankments, gutters, bridges, overpasses and other similar structures or works.

While this exemption does not apply in an environmentally sensitive area, an area that would otherwise be an environmentally sensitive area is not an environmentally sensitive area to the extent it is in a maintenance area of transport corridor.

The Australian Government regulates clearing that is likely to impact a matter of National Environment Significance through the application of Parts 7 - 9 of the *Environmental Protection and Biodiversity Conservation Act 1999* (the EPBC Act) and *Environment Protection and Biodiversity Conservation Regulations 2000*.

The effectiveness, cost, complexity and timeframes associated with the regulatory system for native vegetation clearing have been a longstanding concern for Local Governments, particularly in relation to impacts on the delivery of road projects, which make up approximately 60 per cent of Local Government clearing permit applications and 30 per cent of referrals (Dec 2021 – Oct 2024). WALGA has made numerous representations and submissions to the State Government on this issue.

WALGA has three [advocacy positions](#) related to native vegetation clearing regulation dating (2004, 2006, 2018). Numerous reviews and significant legislative and policy changes have occurred since that time, aimed at streamlining regulatory requirements, including the Western Australian Offset Policy (2011) and Guideline (2014), the Review of the Western Australian Offsets Framework (2019), the implementation of cost recovery for clearing permit applications (2019), the release of the [Native Vegetation Policy for Western Australia](#) in 2022, the [Independent \(Vogel-McFerran\) Review of WA Environmental Approvals Processes and Procedures](#) (2023) and amendments to the *Environmental Protection Act 1986* in 2020 and 2024.

As a result of these changes, the exemption for clearing in previously cleared transport corridors increased from 5 to 10 years, a referral process was introduced for low impact clearing and minor scheme amendments no longer require referral to the Environmental Protection Authority.

While these changes have resulted in some improvements, problems persist. This was recognised by the Vogel-McFerran Review, which found that “approvals processes have become overly complex, time-consuming, and costly – holding back economic development without any benefit to the environment”.

In 2024, to inform the development of an updated advocacy position on native vegetation clearing regulation, WALGA undertook research and analysis of the Department of Water and Environmental Regulation (DWER) and the Office of the Appeals Convenor data, previous submissions and Zone resolutions/feedback and held a sector webinar to inform the development of an [Issues Paper](#). The Paper was considered by the Environment Policy Team and included in the November 2024 Zone meeting Agendas for feedback.

The main themes from the consultations, Zones and issues paper feedback were:

- key challenges faced by the sector related to the complexity of the regulatory system, costs associated with the process and the time taken for assessment and appeals; and
- these challenges can delay critical road and infrastructure projects and impact Local Government's ability to attract and retain grant funding.

COMMENT

A consolidated, updated advocacy position will enable WALGA to comprehensively advocate for members to address the challenges of operating in a complex and costly regulatory environment, whilst balancing the protection of the environment.

The updated Advocacy Position calls on the State Government to:

- Implement **legislative, policy and process changes** including:
 - the imposition of statutory timeframes for assessments and appeals;
 - a permanent exemption for clearing in previously legally cleared transport corridors;
 - increasing the duration of clearing permits; and
 - strengthening environmental data sharing requirements.
- Allocate **adequate resources** to implement an expedited process for road safety and state and federally funded or co-funded projects; a dedicated Local Government unit to process applications and support the sector; timely compliance and enforcement action; and implement a state-funded collection and provision of data.
- Undertake **bioregional planning** and implement **strategic solutions for environmental offsets** for Local Government.
- **Reduce duplication** between the State and Australian government regulatory systems.

RECOMMENDATION

That the GVROC support WALGA's recommendation to State Council to replace the following Advocacy Positions:

5.2.1 Environmental Protection Act

5.2.2 Land Clearing in Road Reserves

with an updated Native Vegetation Clearing Regulations Advocacy Position as presented in the WALGA recommendation.

RESOLUTION:

Moved: *Cr Laurene Bonza, Shire of Dundas*

Seconded: *Cr Tracey Rathbone, Shire of Coolgardie*

Carried

6.4 **Submission on the State Recovery Arrangements**

WALGA Recommendation

That State Council endorse the submission to the Department of Fire and Emergency Services on proposed revisions to the State Recovery Arrangements.

EXECUTIVE SUMMARY

- The Department of Fire and Emergency Services (DFES) is consulting on revised State Recovery Arrangements via [Engage WA Emergency Management](#). Formal consultation closes Friday, 2 May.
- WALGA was granted an extension to enable the draft submission to be included as an Item for Decision in the 7 May State Council Agenda.
- The revised arrangements integrate lessons from past recoveries, current best practices, and clarify roles and responsibilities.
- There are no significant changes to Local Government roles and responsibilities under the *Emergency Management Act 2005* and State Emergency Management Framework.
- The Commonwealth - State Disaster Recovery Funding Arrangements - Western Australia (DRFA-WA) are not part of the State Emergency Management Framework and are outside the scope of the review.
- WALGA's draft submission was shared with Local Governments and the draft final version incorporates feedback.
- WALGA's submission is generally supportive of the revised State Recovery Arrangements, which provide improved clarity on roles and responsibilities in recovery, particularly for State Government, and clearer arrangements for transitioning from response to recovery and from recovery to business as usual.
- WALGA's submission highlights the need for State Government investment in streamlined, appropriate and effective funding mechanisms for recovery and resilience building, and the need to ensure adequate support to Local Governments.
- The People and Place Policy Team noted the draft submission at its 18 March meeting.

ATTACHMENT

- Draft State Recovery Arrangements – WALGA submission

POLICY IMPLICATIONS

WALGA's submission on the State Recovery Arrangements is aligned to the following [Advocacy Positions](#) :

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;*
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; and
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.

8.11 Local Emergency Management Arrangements (LEMA)

1. The State Government should fund the implementation of the Local Emergency Management Arrangements (LEMA) Improvement Plan endorsed by the State Emergency Management Committee (SEMC).
2. A reformed LEMA system should:
 - a. Clearly articulate the roles and responsibilities of Local Governments in emergency management;
 - b. Simplify the reporting processes and reduce the administrative burden of maintaining compliance;
 - c. Provide a suite of scalable tools and guidance materials that are accessible through an online knowledge hub;
 - d. Build the emergency management capacity and capability of Local Governments through the provision of targeted training, exercising support, human resources and sustainable funding;
 - e. Assist Local Governments to continue to deliver their core business activities and provide public information during an emergency event;
 - f. Improve the connectivity of Local Governments' various risk management and hazard planning processes through an integrated approach; and
 - g. Enable resource sharing and collaboration across the Local Government sector.

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.

BACKGROUND

Since 2020, Western Australia has faced complex recovery challenges from events like Cyclone Seroja, Wooroloo bushfires, and Kimberley floods, necessitating greater State involvement. The review of State Recovery Arrangements aims to integrate lessons from past recoveries, update best practices, and clarify roles.

There are no changes to Local Government's responsibility to manage recovery following an emergency affecting the community in its district as set out in the *Emergency Management Act 2005* (s36b). There are no substantive changes to Local Government roles and responsibilities for recovery under the State Emergency Management Framework.

The proposed changes to the State Recovery Arrangements include:

- introducing four State Strategic Recovery Priorities which are informed by the National Principles for Disaster Recovery in the [Australian Disaster Recovery Framework](#).
- implementing a new four-tiered Model for State Involvement in Recovery where the State's involvement increases with the complexity of the recovery.
- clarifying roles and responsibilities for Local Government, Hazard Management Agencies, State agencies, and support organisations. The improved clarity in State roles in recovery should make it easier for Local Governments to access the support they need to coordinate community-led recovery.
- emphasising greater community engagement in recovery.
- reduced emphasis on an Impact Statement as a trigger for transitioning recovery coordination from the Hazard Management Agency (HMA) to Local or State Government and a new requirement for transition arrangements to be planned/agreed with Local Governments.

- clarifying the requirement for a planned transition from recovery arrangements to 'business-as-usual' service delivery for Local and State Government.

WALGA and Local Governments have been involved in preliminary consultations to support the development of the revised State Recovery Arrangements, including through the State Emergency Management Committee (SEMC), WALGA's Local Government Emergency Management Advisory Group (LGEMAG) and Local Government Focus Groups.

COMMENT

WALGA requested and was granted an extension to enable the draft submission to be included as an Item for Decision in the 7 May State Council Agenda.

WALGA's draft submission incorporates feedback from preliminary consultation, WALGA's advocacy positions, and input from the sector via the Local Emergency Management Arrangements (LEMA) Review and the 2023 Local Government Emergency Management Survey. This feedback has consistently demonstrated support within the sector for shared responsibility for recovery, with the level and type of support required varying with the size, scale and complexity of the event and Local Government capacity.

Overall, the amended State Recovery Arrangements provide much improved clarity on how responsibility for recovery is to be shared and therefore a better foundation for recovery coordination.

The submission recommends:

1. The State Government should develop streamlined, appropriate and effective funding mechanisms to invest in Local Government recovery and resilience building.
2. Investment in recovery should not be limited by the eligibility requirements of the DRFA-WA and should meet the recovery requirements of Local Governments and Communities.
3. The DRFA-WA must be urgently reviewed to streamline administration, approvals and evidentiary requirements, address the cash-flow impacts of the reimbursement model and enable resilient reconstruction / betterment following a disaster.
4. The State Government should invest in effective risk assessment and risk reduction, in addition to ensuring to providing effective and fit for purpose State Recovery Arrangements.

State Strategic Recovery Priorities

5. WALGA supports the proposed four State Strategic Recovery Priorities: 1. Assist people to meet their recovery needs; 2. Enable community-centred recovery; 3. Restore community function and wellbeing; 4. Foster community disaster resilience.

Model for State Involvement in Recovery

6. WALGA supports the proposed 4-tier Model for State involvement in Recovery.
7. WALGA supports the roles assigned to Local Government under each recovery level (R1-4). The roles and responsibilities are aligned to current roles and responsibilities.
8. WALGA supports the roles assigned to State Government under each recovery level (R1-4), which provide improved clarity.

Roles and responsibilities

9. WALGA supports the roles and responsibilities allocated to Local Governments in the revised State Recovery arrangements, including section 6.3 of the revised State EM Policy, with minor amendments as outlined in Appendix 1. The roles and responsibilities in the revised arrangements are aligned to current roles and responsibilities.
10. WALGA recommends that the revised State Recovery Arrangements clearly reinforce the role of the State Recovery Coordinator to confirm individual Local Government's capacity to undertake their allocated roles and responsibilities during recovery and ensures additional support is provided as required.
11. WALGA supports the roles and responsibilities allocated to Hazard Management Agencies and Controlling Agencies in section 6.6 of the revised State EM Policy, which provide improved clarity.
12. WALGA supports the roles and responsibilities allocated to State agencies in section 6.7 and Appendix F of the revised State EM Policy, which provide improved clarity.
13. The revised State Recovery Arrangements should formalise coordination protocols between Local Governments and State agencies to enable rapid mobilisation of essential workers in disaster impacted communities.

14. The revised State Recovery Arrangements should consider inclusion of roles, responsibilities and coordination protocols for essential services, as coordinated restoration of essential services is fundamental to early recovery.
15. The revised State Recovery Arrangements should reinforce compliance with data sharing arrangements under 6.1.72 of the EM Act to ensure that State Agencies are sharing information effectively in recovery and include this as a specific function of the State Recovery Coordinator / Controller.

Greater emphasis on engaging community

16. WALGA supports the greater emphasis on engaging communities in planning recovery, and the flexibility in approach so that this can be adapted to meet Local Government and community needs and capacities.

Phases of Recovery

17. WALGA supports amendments to the State EM Plan to introduce three phases of recovery: 1) Recovery Planning. 2) Response and Early Recovery. 3) Recovery Operations.
18. Considering Phase 3) Recovery Operations:
 - a. The requirements for Local Governments to review and evaluate the Local Operational Recovery Plan should be scalable to the Local Government's capacity, and the recovery level and context and supported by simple and effective guidance.
 - b. All monitoring and evaluation requirements for DRFA-WA programs, if applicable, should be coordinated by the State Government.
19. Recovery Operations should be supported by pre-prepared State-level Urgent Recovery Programs and surge capacity for implementation.
20. Streamlined guidance should be provided for needs assessment, review and evaluation. The approach should be scalable to the Local Government's capacity, and the recovery level and context.

Public Information and Communication

21. WALGA supports nomination of DFES, instead of the State Emergency Public Information Coordinator to coordinate State-level recovery public information and communications. DFES should consult and coordinate with Local Governments on recovery communications.

Transition between response and recovery

22. WALGA supports the proposed requirements for a planned transition of recovery coordination by agreement between the Hazard Management Agency and Local Government for R1 and R2 recoveries.
23. WALGA supports the proposed requirements for a planned transition of recovery coordination between the Hazard Management Agency and State Government for R3 and R4 recoveries with a written transition plan.

Transition from recovery to 'business-as-usual' service arrangements

24. WALGA supports the proposed requirements for the State to plan the de-escalation of State recovery involvement and transition to 'business as usual' service arrangements. The requirements for a transition plan are clearly described and sufficient, however should be outlined in a written plan.

Requirement for an Impact Statement

25. WALGA supports the requirement that the HMA prepares an Impact Statement in all Level 2 and 3 incidents.

Local Operational Recovery Plans

26. WALGA supports the general requirement for a Local Operational Recovery Plan to be prepared for R2, R3 and R4 events.
27. The Local Recovery Guideline should be revised to provide better guidance to Local Governments on how to prepare a Local Operational Recovery Plan.
28. State Recovery support should be provided to prepare a Local Operational Recovery Plan, if requested by the Local Government.
29. WALGA Recommends renaming the Local Operational Recovery Plan to [Event] Recovery Action Plan.

Executive Government Forum

30. WALGA supports provisions to enable strategic oversight and direction for complex recovery issues via referral to an existing cross-government executive forum or a Director General/Chief Executive Officer-level forum.

The People and Place Policy Team noted the draft submission at their 18 March meeting.

RECOMMENDATION

That the GVROC support the WALGA recommendation that State Council endorse the submission to the Department of Fire and Emergency Services on proposed revisions to the State Recovery Arrangements.

RESOLUTION:

Moved: *Cr Tracey Rathbone, Shire of Coolgardie*

Seconded: *Cr Ron Chambers, Shire of Esperance*

Carried

6.5 Health (Public Buildings) Regulations Consultation

WALGA Recommendation

That WALGA endorse the submission on Health (Public Buildings) Regulations Consultation to the Department of Health.

EXECUTIVE SUMMARY

- The Department of Health (DoH) is seeking feedback on the [Consultation Paper 2025 Health \(Public Buildings\) Regulations 1992](#) (Consultation Paper), which examines whether the Regulations should be repealed without replacement.
- Repealing the Regulations is not supported by the sector, as it would impede Local Governments' ability to proactively manage and mitigate public health risks.
- Revised Regulations are supported to provide a contemporary, risk-based approach to public building management, eliminating unnecessary building construction requirements and incorporating modern compliance and enforcement tools.
- WALGA received an extension of time from DoH to allow the submission to be considered by State Council as part of the May Agenda.

ATTACHMENT

- WALGA's submission on the Health (Public Buildings) Regulations Consultation

POLICY IMPLICATIONS

WALGA's submission is consistent with the following [WALGA Advocacy Position](#)

6.6 Building Act and Regulations

Assessments of the effectiveness of building control systems across Australia have recognised that there is diminishing public confidence in the building and construction industry, and that change is required to ensure buildings are safe and perform to expected standards. Now more than ever, the focus is on Local Government building departments to deliver good governance, local leadership and sustainable services that meet the needs of their communities whilst supporting local jobs and economic growth. The Association has the following endorsed positions:

1. *Support the retention of Local Government as the primary permit authority in Western Australia for decisions made under the Building Act 2011.*
2. *Supports mandatory inspections for all classes of buildings; however, Local Government should not be solely responsible for all mandatory inspections.*
3. *Advocate for the State Government to urgently prioritise legislative reform that addresses systemic failures in the current building control model and to provide clarification on the role of Local Government in building control to ensure building legislation supports the following objectives:*
 - a. *Quality buildings that are cost efficient.*
 - b. *Functional, safe and environmentally friendly buildings.*
 - c. *Good decision making in all aspects of building.*
 - d. *Efficiency and effectiveness in building management, administration and regulation.*
 - e. *Openness and accountability with respect to all building matters.*
 - f. *Recognition of the rights and responsibilities of all parties in building matters in an equitable manner.*
4. *Existing and proposed building control related fees and charges to be cost recovery for Local Government.*
5. *WALGA will work with members, state agencies and industry groups to develop training opportunities and to promote the Local Government building surveying profession to ensure sustainability of Local Government building control services.*
6. *WALGA supports the Australian Building Codes Boards Trajectory for Low Energy Buildings by supporting Local Governments to meet community strategic objectives of a net zero carbon future by 2050 through work with members, state agencies and industry groups.*

BACKGROUND

The *Health (Public Buildings) Regulations 1992* (the Regulations) were established to ensure the safety, health, and welfare of people using public buildings in Western Australia. The current definition of a public building is broad, and captures most public areas where people gather for a pre-determined purpose, including for entertainment, sports and recreation, worship and educational purposes.

These Regulations set standards for the construction, maintenance, and operation of public buildings, covering aspects such as occupancy limits, emergency exits, evacuation plans, ventilation, lighting and sanitary facilities. Local Governments play a crucial role in enforcing the Regulations, specifically by conducting routine inspections to ensure ongoing compliance with health and safety standards.

In 2018, the DoH released a Discussion Paper *Managing public health risks in public buildings in Western Australia*, that sought feedback on two options: repealing the Regulations without replacement or providing new, updated Regulations under the *Public Health Act 2016*.

WALGA's submission at the time supported the latter option as Regulations would continue to allow for the assessment and maintenance of the operational safety of public buildings that would maintain patron safety and provide adequate control and enforcement tools for Local Government officers.

This was the position of DoH when the Consultation Summary Report was published in 2019. The report also noted that the Regulations shouldn't duplicate the construction requirements in building legislation and instead focus on the ongoing management of public health risks associated with the building. No updated Regulations were released.

In February, DoH released the Consultation Paper that re-examined if the Regulations should be repealed without replacement. The paper outlines relevant legislative and regulatory changes since 2019 and further examines the need for Regulations in addition to the WA building legislation and the National Construction Codes (NCC) that set safety standards and protocols for building construction.

COMMENT

WALGA does not support the repealing of the Regulations, as it would impede Local Governments' ability to undertake routine inspections, proactively managing and mitigating public health risks related to public buildings.

WALGA's submission acknowledges that the Regulations are outdated, and they should be reviewed and updated to ensure they are contemporary, fit for purpose and focus on the ongoing management of public buildings, rather than building construction requirements.

Health provisions, specifically the ongoing management of public buildings, are not appropriately placed within building legislation, and the building sector is not adequately trained or resourced to effectively manage ongoing public health risks.

Additionally, the general public health duty under the updated *Public Health Act 2016*, along with other legislation and inspections undertaken by government agencies, does not provide effective management and compliance mechanisms to address public building safety.

RECOMMENDATION

That the GVROC support the WALGA recommendation that State Council endorse the submission on Health (Public Buildings) Regulations Consultation to the Department of Health.

RESOLUTION:

Moved: Cr Laurene Bonza, Shire of Dundas

Seconded: Mayor Glenn Wilson, City of Kalgoorlie Boulder

Carried

6.6 Zone Priorities for Ministerial Briefings

BACKGROUND

Following the March election, the Cook Government has unveiled its new Cabinet, emphasizing regional representation by appointing a dedicated Minister for each region.

The new Cabinet structure shows that the Government intends to have a greater focus on regional WA during this term.

WALGA has written to all Ministers responsible for specific regions, inviting them to participate in upcoming meetings of their respective WALGA Zones.

WALGA will also provide each Minister with a written briefing on the key issues facing their region.

To ensure these briefings are comprehensive, WALGA is seeking input from the Zones to identify the top three to five priorities they would like highlighted.

The Zones provide an important opportunity for the Government to have a direct line of communication and engagement with regional WA and ensure that local issues are considered in the broader policy agenda.

WALGA will report on engagements with Ministers responsible for specific regions through the President's report at a future Zone meeting.

RECOMMENDATION

That the GVROC/Goldfields Esperance Zone provides the below top three to WALGA as the Zone's key priorities:

- a. Management of Waste**
- b. Housing**
- c. Power and Water Security**

The GVROC/Goldfields Esperance Zone also discussed and raise the following concerns as additional priorities for consideration by WALGA:

- d. Eroding of Planning Powers from Local Government**
- e. Lack of adequate funding and resources at the Department of Communities to address social housing needs and services, which has resulted in increases in anti-social behaviours/rough sleeping issues for local governments to address.**
- f. Inadequate regional road funding allocations, to keep up with the increase demands, usage and costs of regional roads in the region to meet maintenance and upgrade requirements to ensure road safety standards.**

RESOLUTION: **Moved: Cr Laurene Bonza, Shire of Dundas**
 Seconded: Cr Tracey Rathbone, Shire of Coolgardie

Carried

7. Review of WALGA State Council Agenda - Matters for Noting/Information

7.1 2025 State Election Outcome

EXECUTIVE SUMMARY

- The 2025 State election saw the return of a Labor Government for a third consecutive term, after winning 46 seats.
- The new Cabinet has been announced, with a number of portfolio reallocations. Hon Hannah Beazley MLA has been reappointed as Minister for Local Government.
- WALGA has written to all Ministers to congratulate them on their appointment and to seek opportunities to work together on priority issues during the next term.
- We have also written to the Leader of the WA Liberals and Nationals WA, and will also write to the Shadow Cabinet once these appointments have been announced.
- Premier Cook has also announced reforms to the public sector, to better focus on delivering the Government's agenda. Local Government will now be housed in the Department of Local Government, Commerce, Industry Regulation and Safety.
- WALGA is well positioned for the next term of Government due to:
 - The significant community engagement with WALGA's election campaign
 - Commitments from Labor and the Opposition to key elements of WALGA's policy agenda
 - New members of parliament from all parties with a strong background in and understanding of Local Government
 - Ability to provide a direct line of communication and engagement with regional WA.
- WALGA's advocacy will continue to focus on the issues highlighted in the West at its Best policy platform.

POLICY IMPLICATIONS

- This item is consistent with existing WALGA policy positions.

BACKGROUND

- The 2025 State Election was held on 8 March and saw the return of a Labor Government for a third consecutive term.
- This election highlighted a broader fragmentation of voter preferences, with many disillusioned by the major parties turning to alternatives. While there was a swing against Labor, these votes were not necessarily directed to the Liberals - but spread across the minor parties and Independents.
- The Liberal Party failed to reclaim several seats which it has traditionally held. However, they will return as the official Opposition, which will provide the party with additional resources for the next term. There has been discussion about the need for a stronger coalition between Liberal and the Nationals to defeat Labor in 2029.
- The Greens have resurfaced as a potentially influential player, and they expect to hold the balance of power in the next Parliament. This reflects a growing trend of progressive voters in urban areas supporting their environmental and social policies.
- The election results also show a growing divide between metropolitan and regional WA, with the largest swing away from Labor recorded in regional areas of the state.

Cabinet

- The [new Cabinet](#) has been announced, with a number of portfolio reallocations. Hon Hannah Beazley MLA has been reappointed as Minister for Local Government.
- A new approach to regional WA has also been announced, with the appointment of Minister for individual regions, as well as Minister for Regional Development.
- WALGA has written to the Premier and all Ministers to congratulate them on their appointment and to seek meetings to discuss priority areas for the next term. WALGA has also invited all regional Ministers to attend an upcoming meeting of the relevant Zone.
- We have also written to the Leader of the WA Liberals and Nationals WA and will also write to the Shadow Cabinet once these appointments have been announced.

Policy Agenda

- The Government's immediate focus will be on implementing its election commitments.

- The Cook Government's 2025 election policy agenda focused on several key areas to address the issues facing the WA economy and community today and into the future. The key elements of Labor's election platform include:
 - **Economic Diversification** - The "Made in WA" plan is a central part of the Government's agenda, with a focus on local manufacturing including for the electric bus fleet, residential batteries and power lines for the energy transition. This initiative seeks to create jobs and reduce reliance on mining as the key driver of the WA economy. A range of Initiatives were also announced to facilitate opportunities associated with AUKUS.
 - **Housing** - The Government has pledged funding for a range of programs aimed at reducing the housing crisis, including the provision of social and affordable homes, community housing and outreach services, construction workforce initiatives, and tax concessions.
 - **Cost of Living** - A range of measures were announced aimed at reducing the cost of living for households, including student support payments, capped public transport fees, support for seniors, expansion of the hardship utility scheme, school breakfast program, and free flu vaccinations.
 - **Health** - The Government plans to expand programs to divert patients from hospitals, enhance women's health services, and grow the aged care sector.
 - **Infrastructure** - Funding support was provided for a wide range of infrastructure programs, including sporting infrastructure, play groups, tourism infrastructure, ports, and roads.
 - **Law and order** - There is a strong focus on initiatives to tackle family and domestic violence, youth crime, and improve community safety.
- Labor made pledges during the campaign to support WALGA's agenda across key areas—such as urban canopy, waste management, sport and community infrastructure, road safety, and emergency management.
- WALGA's advocacy will continue to focus on the remaining issues highlighted in the West at its Best policy platform, which set out the sector's priorities for the next term of Government.

Machinery of Government

- The Premier has also announced reforms to the public sector. These will take effect from 1 July 2025, with full implementation to be achieved by 31 December 2025.
- Nine out of the current 25 government departments will be impacted by the reforms, with a net gain of one department.
- Key reforms include:
 - The Department of Jobs, Tourism, Science and Innovation will become the **Department of Energy and Economic Diversification**.
 - Department of Premier and Cabinet will now house a new **Office of Defence Industries, Office of Early Childhood** and **Coordinator General**.
 - The Department of Energy, Mines, Industry Regulation and Safety will be split into two agencies - The new **Department of Mines, Petroleum and Exploration** and the **Department of Local Government, Commerce, Industry Regulation and Safety**
 - The Department of Transport will become the **Department of Transport and Major Infrastructure**, with major building capacity from across government becoming consolidated within a new **Office of Major Infrastructure Delivery**.
 - The **Department of Housing and Works** will take responsibility for the building, maintenance and management of our social housing stock from the Department of Communities, as well as the building and maintenance of other small infrastructure projects by government

COMMENT

- WALGA is well positioned for the next term of Government due to:
 - The significant community engagement with WALGA's election campaign
 - Commitments from Labor and the Opposition to key elements of WALGA's policy agenda
 - New members of parliament from all political parties with a strong background in and understanding of Local Government
 - Ability to provide a direct line of communication and engagement with regional WA.
- Labor's commitments to priorities identified in The West at its Best represents a valuable opportunity for WALGA to work closely with the State Government to advance shared priorities and demonstrate the value of partnering with the Local Government sector.
- WALGA's Strategic Policy Register will be updated and provided to the State Council to narrow down the focus areas for Government in its first year.

RECOMMENDATION:

GVROC note the WALGA update on the 2025 State Election Outcome.

RESOLUTION: **Moved: *Mayor Glenn Wilson, City of Kalgoorlie Boulder***
 Seconded: *Cr Laurene Bonza, Shire of Dundas*

Carried

7.2 Draft State Public Health Plan Submission

EXECUTIVE SUMMARY

- On 28 January, the WA Department of Health (DoH) released a draft State Public Health Plan (draft SPHP) for public comment, providing a limited timeframe of three weeks to provide feedback.
- The WALGA submission was informed by WALGA's Local Government Public Health Plans Reference Group as well as previous WALGA submissions on the implementation of Stage 5 of the *Public Health Act 2016*.
- WALGA also hosted a webinar on the draft SPHP and encouraged Member Local Governments to provide direct feedback to DoH in addition to the WALGA submission.
- The WALGA submission provided a suite of recommendations with a focus on the need for:
 - guidance and resources to support the development of Local Public Health Plans (LPHPs);
 - support and funding for smaller and regional Local Governments;
 - funding for implementing LPHP actions;
 - further clarification of the Climate Change priority within the SPHP.

ATTACHMENT

- [WALGA submission on the Draft State Public Health Plan](#)

POLICY IMPLICATIONS

WALGA's submission aligns to WALGA's updated [Advocacy Position 3.2.1 Local Public Health Plans](#) endorsed by State Council in September 2024:

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

The State Government must ensure that:

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

BACKGROUND

Stage 5 of the *Public Health Act 2016* which commenced on 4 June 2024 requires a State Public Health Plan (SPHP) to be developed, finalised and published by 4 June and each Local Government to prepare and publish a Local Public Health Plans (LPHP) by 4 June 2026. LPHPs must consider the SPHP objectives and priorities as they relate to the needs of their local community.

As a member of the Department of Health (DoH) Public Health Planning Reference Group, WALGA is conveying the views and priorities of Local Government to inform the implementation of Stage 5 of the *Public Health Act 2016*.

DoH released a draft SPHP on 28 January for a 4-week consultation period. WALGA expressed its concerns regarding the short time frame provided and was granted an extension for its submission, which was provided to DoH on 7 March.

WALGA's submission was informed by and aligns to the updated advocacy position endorsed by State Council in September 2024 and previous submissions:

- [Draft objectives and priorities for the upcoming State Public Health Plan](#) (September 2024)
- [Draft Public Health Planning Guide for Local Government](#) (November 2024).

WALGA also hosted a DoH webinar for Local Governments on the draft SPHP and encouraged Member Councils to provide direct feedback to DoH in addition to the WALGA submission.

The structure of the draft SPHP differs from the existing SPHP, introducing two overarching objectives: i) Aboriginal Health and Wellbeing, and ii) Equity and Inclusion and restructuring priorities under four objectives:

1. **PROMOTE:** Foster strong communities and healthier environments
2. **PREVENT:** Reduce the burden of chronic disease, communicable disease and injury
3. **PROTECT:** Protect against public and environmental health risks, effectively manage emergencies, and lessen the health impacts of climate change

4. **ENABLE:** Bolster public health systems and public health workforce, and leverage partnerships to support health and wellbeing.

COMMENT

The recommendations in WALGA's submission seek to ensure that the SPHP enables clear and concise translation to LPHPs and that Local Governments, particularly smaller rural and regional authorities, are adequately resourced and supported to achieve public health outcomes for their communities.

The submission also emphasises that the SPHP must clearly articulate that LPHP are only required to align to the SPHP objectives as they relate to the local context and does not provide an exhaustive list of priorities each Local Government must replicate.

This submission and previous engagement with DoH call for the scope of the climate change priority to be better defined to clearly articulate expectations and provide tangible direction for Local Government LPHPs. WALGA is continuing to advocate that the SPHP build on, and make use of, existing data and adaptation plans in development by both Australian and State Government agencies, particularly those focused on health and human services.

WALGA will continue to encourage the State Government to consider how the SPHP climate change priority will acknowledge and intersect with existing planning and reporting requirements at both the State and Local tiers of Government relating to emergency management and climate adaptation plans to reduce administrative burden and foster collaboration and consistency.

The introduction of the Preventative Health Portfolio in the re-elected Labor Government as well as the newly formed Cabinet Sub-Committee for Health Co-ordination provide new opportunities for WALGA's ongoing discussions and advocacy.

By way of summary, WALGA's submission recommends that:

- The State Government must ensure that Local Governments, particularly smaller rural and regional authorities, are adequately resourced and supported to achieve equitable public health outcomes for their communities.
- Given the broad-ranging priorities and actions under the SPHP, that all relevant State Government agencies are informed and resourced to support Local Governments to align their LPHP with the SPHP across operational areas as diverse as planning and development, waste, sport and recreation facilities, community development and environmental health.
- The scope of the climate change priority be better defined to clearly articulate expectations and provide tangible direction for Local Government LPHPs.
- The climate change priority aligns and builds on existing data and adaptation plans in development by both Australian and State Government agencies to avoid duplication and administrative burden.

WALGA will continue to work with DoH's Public Health Planning team to inform and influence the development of new guidance materials and resources aimed at supporting Local Governments to meet the requirement to publish an LPHP aligned to the SPHP by 4 June 2026.

RECOMMENDATION:

GVROC note the WALGA Draft State Public Health Plan submission.

RESOLUTION:

Moved: *Cr Tracey Rathbone, Shire of Coolgardie*
Seconded: *Cr Laurene Bonza, Shire of Dundas*

Carried

7.3 **Recycling and Waste Reduction Act 2020 (RaWR Act) Review Response**

EXECUTIVE SUMMARY

- The *Recycling and Waste Reduction Act 2020* (RaWR Act) supports action to regulate the export of certain waste materials from Australia. It also establishes a framework for product stewardship, including for voluntary, co-regulatory and mandatory approaches.
- A [statutory review](#) of the RaWR Act has commenced. The Review will provide a report to the Minister for the Environment within 6 months of commencement.
- This is the first review of the legislation and focuses on:
 - the operation of the RaWR Act;
 - the extent to which its objects have been achieved; and
 - making recommendations to improve the efficiency and impact of the RaWR Act.
- On 30 January the Australian Government Department of Climate Change, Energy, the Environment and Water (DCCEEW) released a [survey](#) to gather feedback on the review., with responses due 27 February.
- MWAC considered the response at its meeting on 19 February.
- WALGA provided a response to DCCEEW on 27 February and to the Australian Local Government Association (ALGA) for use in its submission.

ATTACHMENT

- [WALGA Response to Recycling and Waste Reduction Act 2020 \(RaWR Act\) Review](#)

POLICY IMPLICATIONS

WALGA's submission aligns to WALGA's updated [Advocacy Position 7.15 Product Stewardship](#) endorsed by State Council in September 2024:

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

BACKGROUND

The *Recycling and Waste Reduction Act 2020* (RaWR Act) supports action to regulate the export of certain waste materials from Australia. It also establishes a framework for product stewardship, including for voluntary, co-regulatory and mandatory approaches.

The Australian Government Department of Climate Change, Energy, the Environment and Water (DCCEEW) is undertaking a statutory review of the Act and sought input to the review in February. The Terms of Reference for the review are:

1. *In accordance with section 185 the review will examine:*
 - a. *the operation of the Act, and*
 - b. *the extent to which the objects of the Act have been achieved.*
2. *The review will make recommendations to improve the efficiency and impact of the Act in addressing current and future circular economy needs, resource recovery and waste challenges. This includes consideration of:*
 - a. *limitations of current approaches to product stewardship, including concerns around the viability, integrity and impact of stewardship schemes supported by the Act*
 - b. *whether waste export regulations are fit for purpose, including what process, decision making, and evidence would be needed to regulate the export of waste representing existing and emerging harms*
 - c. *improving the mechanisms by which the Australian Government can take action to respond to the needs of developing circular economy markets*
 - d. *how the Act operates with relevant international and domestic obligations*
 - e. *any matters relevant and worthy of consideration.*

On 30 January the Department released a [survey](#) to gather feedback on the review, with responses due 27 February.

Both the Officer's Advisory Council (OAG) and the Municipal Waste Advisory Council (MWAC) discussed the key points of the review and agreed WALGA's response should focus on the key elements of [Advocacy Position 7.15 Product Stewardship](#), and the challenges associated with waste export requirements during the various consultation process on the waste export bans and their associated regulation.

COMMENT

The comments in WALGA's response to the survey questions highlighted the challenges associated with export bans, in particular that there should be a number of necessary conditions including effective product stewardship schemes in place before bans are implemented, current export market requirements are considered, there needs to be certainty for the recycling industry and that contingency plans are put in place in case required infrastructure is not in place.

These conditions were highlighted in WALGA's [submission](#) on the *Exposure Draft of the Recycling and Waste Reduction (Export – Paper and Cardboard) Rules 2023*.

WALGA will continue to advocate for the implementation of effective Product Stewardship schemes by the Australian Government, for all materials entering the Australian market.

RECOMMENDATION:

GVROC note the WALGA response to the Recycling and Waste Reduction Act 2020 (RaWR Act) Review.

RESOLUTION:

Moved: Cr Laurene Bonza, Shire of Dundas

Seconded: Mayor Glenn Wilson, City of Kalgoorlie Boulder

Carried

7.4 Planning and Building Performance Monitoring Project

EXECUTIVE SUMMARY

- WALGA has undertaken the Local Government Performance Monitoring Project (the Project) annually since 2017
- The Project collects a range of data on Local Government planning and building regulatory functions and seeks to provide a representative and evidence-based analysis of the performance of the sector.
- The findings of the project are used to inform and support WALGA's advocacy and policy development, particularly in relation to planning and building regulation reform
- 49 Local Governments participated in the 2023-24 Project, representing approximately 92% of Western Australia's population and 94% of the State's total population growth
- In 2023-24, the participating Local Governments determined 16,250 development applications, over the same period, Development Assessment Panels and the Significant Development Pathway determined 230 and 16 applications, respectively
- The 2023-24 data shows that Local Governments continue to maintain high levels of performance in undertaking their strategic and statutory planning and building functions
- The findings of the Project are available as an online interactive dashboard publicly available through the WALGA website

ATTACHMENTS

- [Key Indicator Snapshot](#)
- [List of Participating Local Governments](#)
- [Performance Monitoring Dashboard](#)

BACKGROUND

The Local Government Performance Monitoring Project (the Project) and associated Local Government Performance Monitoring Report (the Report) were initiated by the Growth Alliance Perth and Peel (GAPP) group and WALGA in 2017, in response to inaccurate and misleading reporting of the planning performance of metropolitan Local Governments.

The Project and Report have been undertaken annually since that time, with the number of participating Local Governments increasing from 11 to 49 in 2023-24. The process of collecting and reporting data has also been refined and improved. The Performance Monitoring Dashboard, now in its fourth year, provides a collated view of all participating Local Governments across the eight years of the Project reporting, and allows Local Governments to analyse and compare performance by year, region or against individual Local Governments. The use of the dashboard reduces project costs and reporting times and allows for a faster expansion of the project.

The dashboard is not intended to be a comparison of individual Local Government performance; however, it allows individual Local Governments to draw comparisons between themselves and other Local Governments, which may be useful for those who may have similar development pressures and resourcing.

COMMENT

49 Local Governments now participate in the Project (see attachment). The Project collects a range of data on Local Government planning and building regulatory functions and seeks to provide a representative and evidence-based analysis of the performance of the sector. These Local Governments represent approximately 92% of Western Australia's population and 94% of the state's total population growth between 2021 and 2023. Collectively, they provide a strong indication of how the Local Government sector in Western Australia is performing in the areas of strategic and statutory planning and building regulation. There is a low standard deviation within most specific measures, and average sector performance year on year is consistent, providing a high degree of confidence that the reported performance is reflective of the sector, and that high levels of performance by some larger Local Governments are not impacting sector averages.

Key findings from the 2023-24 data:

- participating Local Governments determined 63,043 applications (development applications, subdivision referrals and building permits), a 12% increase on the previous year
- 90% of these applications were determined or responded to within statutory timeframes
- 99% of all development applications were approved
- 98% of all development applications were determined under delegated authority

- Local Governments continue to be concerned at the length of time taken to receive consent to advertise and final endorsement for Local Planning Schemes
- For scheme amendments:
 - Local Governments finalised 78 scheme amendments in 2023-2024
 - 40% of the time taken to complete scheme amendments could be attributed to State Government processes, a significant reduction from the previous year, and well below the 49.5% average over the eight years of reporting.

WALGA uses the findings of the project to inform and support advocacy and policy development, particularly around planning and building regulation reform and to reinforce the critical role of Local Government in the planning system. WALGA will continue to utilise this information to inform policy development, advice and advocacy in relation to any legislation, policy or regulations prepared by the State which affect the planning and building functions of Local Government.

WALGA is encouraging additional Local Governments to participate in the 2024-25 financial year reporting period, with a focus on the remaining two metropolitan and peri-urban Local Governments.

RECOMMENDATION:

GVROC note the WALGA Planning and Building Performance Monitoring Project report.

RESOLUTION: **Moved: *Mayor Glenn Wilson, City of Kalgoorlie Boulder***
 Seconded: *Cr Laurene Bonza, Shire of Dundas*

Carried

7.5 Large Scale Renewable Energy Update

EXECUTIVE SUMMARY

- Western Australia's energy sector is transforming to achieve the State and Australian governments' 2050 net zero emissions target.
- There is a lack of guidance from State Government around the renewable energy transition, including consultation expectations and the delivery of community benefits by project proponents.
- State Council endorsed a suite of renewable energy-related advocacy positions in September 2024.
- WALGA has been progressing a number of initiatives to support Local Governments since State Council endorsed three energy transition advocacy positions last year.
- Work has commenced on the creation of a Community Benefits and Engagement Guide to support Local Governments when engaging with developers and their communities.

ATTACHMENTS

- [Renewable Energy in WA – WALGA Research Paper](#)
- [Empowering Local Governments – Planning for Renewable Energy](#)

POLICY IMPLICATIONS

This item relates to the following [WALGA advocacy positions](#):

- 6.16 Energy Transition Engagement and Community Benefit Framework
- 6.17 Renewable Energy Facilities
- 6.18 Priority Agriculture

BACKGROUND

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

After consultation with Members, discussions with State Governments and other jurisdictions, WALGA developed three advocacy policy positions related to the renewable energy transition. These were endorsed by all WALGA zones and State Council at its September 2024 State Council Meeting. These positions form the basis of WALGA's advocacy on this topic and will be used to inform discussions with Government and advocate on behalf of our Member Councils.

WALGA has progressed policy work to support Member Councils with the renewable energy transition including:

- **Energy Transition Survey:** In September 2024, WALGA conducted a survey to capture data on Local Government sentiment on the energy transition. The survey was targeted towards Local Government CEOs.
- **WALGA Research Paper:** The paper outlines how other State Governments are responding to renewable energy projects and highlights relevant energy strategies and stakeholders in State and Federal Government.
- **Planning resource:** "Empowering Local Governments - Planning for Renewable Energy" provides an overview of the State and Local planning frameworks and tools available to Local Governments for managing renewable energy facility development. It also outlines the three development assessment pathways for renewable energy proponents.
- **Teams Group for Local Government Leaders:** A Teams Group was established for CEOs and Elected Members to facilitate continued collaboration and knowledge sharing between Local Governments. Both the research paper and planning resource have been shared in the Group.
- **Large Scale Renewable Energy Forum:** The Forum brought together State Government, industry and Local Government to discuss the opportunities and challenges of large-scale renewable energy projects, and what support Local Governments need when it comes to engaging with proponents.

COMMENT

WALGA's work in this space is ongoing. This includes:

- **Community Benefits and Engagement Guide:** WALGA has engaged a consultant to prepare a Community Benefits and Engagement Guide to assist Local Governments when working with proponents on large scale renewable energy projects. Two Local Government workshops have

been held so far, attended by 28 representatives, providing the opportunity to discuss the challenges they face with community benefits and engagement with developers and the community. Topics discussed include the need for the sector to work together; concerns around housing and other infrastructure; community impact; and the planning process.

- **Rating research paper:** A piece of work is being prepared on the role of Local Government rates and other rating mechanisms, when it comes to large scale renewable energy projects. The paper will provide current rating provisions, including what is and isn't viable in WA, national trends, including examining the role of payment in lieu of rates, and recommendations for WA Local Governments.
- **Conference participation:** WALGA staff have spoken at several conferences on the impact of large scale renewable energy projects on regional communities. CEO Nick Sloan presented at the Clean Energy Council's Clean Energy Summit on March 25 on the key planning challenges being faced by communities. Lisa Harwood, Principal Policy Advisor Economic Development, appeared on a panel at the Mid West & Gascoyne Major Projects Conference on April 8 to discuss the future of energy in the region.
- **Political and Government engagement:** The WALGA President has written to the Premier and the new Minister for Energy and Decarbonisation; Manufacturing; Skills and TAFE; Pilbara, Hon Amber-Jade Sanderson BA MLA, seeking a meeting to discuss the key issues being faced by Local Governments. Conversations with key Government agencies, including PoweringWA and the Department of Planning, Lands and Heritage are ongoing.
- **Engagement with industry and other stakeholders:** WALGA continues to have ongoing conversations with ALGA, Clean Energy Council, Smart Energy Council and the Conservation Council of WA.

GVROC COMMENTS:

GVROC suggests that consideration needs to be given to not only large-scale renewables, but also other renewable alternatives and include small scale renewable solutions for regional communities.

Sustainability is also still an issue for renewables and current cost and budgets used by the Government for renewables do not seem to consider any additional costs in this area, with only the costs of delivering the infrastructure reported. The redundancy of such things as batteries, wind turbines and blades are not factored in, and these will become an issue especially around waste management for those parts that are not recyclable.

There also needs to be more transparency around the ownership models of large-scale renewable energy infrastructure projects, if they are not State or Federal Government owned, to ensure that large foreign owned companies are held to accountable and agreements set to ensure that regional communities receive benefits, rather than profits leaving the country.

RECOMMENDATION:

GVROC note the WALGA update on Large Scale Renewable Energy with consideration of the above comments.

RESOLUTION:

Moved: Cr Laurene Bonza, Shire of Dundas

Seconded: Cr Tracey Rathbone, Shire of Coolgardie

Carried

7.6 Local Government (Development Assessment Panels) Regulations 2025

BACKGROUND

The State Government's 2021 updates to the *Action Plan for Planning Reform* included measures to improve consistency and transparency for DAP applications, including clarifying the respective role of Elected Members and officers to remove Elected Members from what were deemed to be administrative DAP functions.

These changes were not included in amendments to the *Planning and Development Act 2005*, but were included as part of the 2024 reforms to the *Local Government Act 1995* through the insertion of a new section (s. 9.69 B) to allow for the creation of regulations that specify DAP functions that must be performed on behalf of the Local Government by the CEO or authorised officer.

On Tuesday 1 April 2025, new *Local Government (Development Assessment Panels) Regulations 2025* (the Regulations) were gazetted. The Regulations come into full effect from 1 May 2025, and will apply to all Development Assessment Panel (DAP) applications lodged from that date. The Department of Local Government, Sport and Cultural Industries (DLGSC) sent an LG Alert to the sector on 2 April advising of the new regulations.

The Regulations:

- require Responsible Authority Reports (RARs) to be prepared and submitted by the CEO of a Local Government, or an employee authorised by the CEO
 - CEOs of Class 1 and 2 Local Governments must authorise at least one employee
 - Local Governments will still be able to engage external consultants to assist in preparing RARs
- prohibit the Council from directing the CEO, an authorised employee or a consultant in preparing the RAR or directing the CEO to engage a particular consultant
- require the CEO and authorised employees to disclose conflicts of interests in accordance with the requirements of the *Local Government Act 1995*, and not undertake any DAP functions in which they have a conflict of interest.

The Regulations are available on the [WA Legislation website](#).

POLICY IMPLICATIONS

WALGA [Advocacy Positions](#) 6.1 Planning Principles and Reform and 6.4 Development Assessment Panels (see Attachment A).

COMMENT

Local Governments have one month to consider and implement the appropriate authorisations, and any resulting changes to systems and processes. WALGA will produce template authorisations and will host an officer information session with the relevant departments to assist Local Governments.

While Councils will be prevented from directing staff in the preparation of RARs, the administration can continue to brief Council on the content and progress of any DAP applications. There are no changes to the composition of DAPs.

WALGA will continue to oppose changes that erode Local Government autonomy and influence in the WA planning system and will continue to advocate for reforms that recognise the benefits of local decision making in planning.

WALGA is commencing a review of its Development Assessment Panel advocacy position and will consult with the sector and zones as part of that process.

Questions regarding the Regulations can be directed to the local government reform team at actreview@dlgsc.wa.gov.au or the DAP secretariat at daps@dplh.wa.gov.au.

GVROC COMMENTS:

The GVROC have serious concerns about the new *Local Government (Development Assessment Panels) Regulations 2025* as listed in the points below and request that WALGA and the State Council consider these in their advocacy and discussions on this item.

- The new regulations around DAPs erode democracy and the principles of community concerns by taking away the Local Governments role and responsibilities in the planning process.

- The new regulations also create conflicts between the developers and the local governments around the requirements to still approve and issue building permits but not having authority over the planning approval process. It also places cost burdens on the Local Governments through the changes being implemented with no funding provided by the State Government to meet additional costs.
- Under the new DAP regulations, it is expected that major developers will just bypass Local Governments and not address any community concerns on large scale developments, only doing what is best to maximise their financial returns from developments.
- GVROC notes and supports WALGA's call for greater transparency around DAP processes and decisions, as community distrust of DAP decision-making is a key area of concern for many local governments.

RECOMMENDATION:

GVROC note the WALGA update on the new *Local Government (Development Assessment Panels) Regulations 2025*, which were gazetted on 1 April 2025 and provide its concerns and comments above for consideration by WALGA and State Council on this matter.

RESOLUTION:

Moved: *Cr Laurene Bonza, Shire of Dundas*

Seconded: *Mayor Glenn Wilson, City of Kalgoorlie Boulder*

Carried

WALGA Advocacy Positions

6.1 Planning Principles and Reform

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

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6.4 Development Assessment Panels (currently under review)

The Association does not support Development Assessment Panels (DAPs) in their current structure. Necessary changes to the structure of the DAPs system include:

1. the abolishment of the current 'mandatory' mechanism where a proposal has a value of \$10 million or greater, and its replacement with an 'opt in' mechanism for all proposals
2. raising the DAP threshold from the current \$2 million to \$5 million,
3. the composition DAPs should be modified to provide equal representation of Specialist Members and Local Government Members,
4. the creation of a distinct Special Matters DAP (SMDAP) is not supported, given there are already multiple avenues for determination on the basis of zoning and monetary value of applications. Should the State Government progress with the implementation of a SMDAP, the following changes are proposed to the model released in March 2022:
 - allow proponents with proposals that meet the threshold or criteria being able to opt-out of the SMDAP pathway and allow assessment and determination by Local Government,
 - mandate consultation with the relevant Local Governments prior to the issuing of a Ministerial Order in relation to SMDAP Precinct Criteria, and
 - ensure SMDAP Precincts be identified through Regulations, rather than by the Minister,
 - include greater professional planning expertise, and knowledge of local context through the Local Government members of the District DAP, by including majority professional town planner panel members, with two Local Government representatives,
 - expand the role of Local Governments in SMDAP processes and appropriate remuneration for involvement of Local Governments be included to support the SMDAP decision-making process
5. in principle, the further reduction in the number of panels from five to three is supported, to the extent that this reduces the administrative burden on local governments and enhances consistency of decision making,
6. in principle, the permanent appointment of panel members where this results in consistent decision making is supported as this reduces the potential for conflicts of interest and ensures sound knowledge of DAP processes and procedures,

7. WALGA supports greater transparency around DAP processes and decisions, as community distrust of DAP decision-making is a key area of concern for many local governments.

May 2022 – 338.4/2022

7.7 Band 4 Local Governments meeting - update

BACKGROUND

Following the Band 4 roundtable meeting hosted by the Minister for Local Government, Hon Hannah Beasley, on 3 September 2024, WALGA was pleased to host a further meeting of Band 4 Local Governments to continue the discussion.

The meeting was held on 11 October at the Perth Convention and Exhibition Centre. All 60 Band 4 Local Governments in the State were invited to attend. Overall, 72 representatives from 48 Local Governments attended the meeting.

The aim of the meeting was to identify and agree on the top issues facing Band 4 WA Local Governments, to enable the group to consider and develop potential solutions to these issues, before presenting to the Minister.

Caroline Robinson, Director of 150 Square facilitated the discussion.

ATTACHMENT

- Band 4 Local Governments meeting update report (**Attachment 5**)

COMMENT

As the main outcome of the meeting, the group identified the top four strategic and operational issues facing Band 4 Local Governments (from most pressing to least pressing):

1. Housing;
2. Audit;
3. Provision of medical services; and
4. Financial Assistance Grants (timing).

WALGA has since undertaken considerable work on the above issues.

An update report on the work done to date was recently circulated to all Band 4 CEOs and Presidents and is provided as an attachment to this item.

For noting

RECOMMENDATION:

GVROC note the WALGA update on Band 4 Local Governments meeting.

RESOLUTION:

Moved: *Cr Laurene Bonza, Shire of Dundas*

Seconded: *Cr Tracey Rathbone, Shire of Coolgardie*

Carried

8. Other State Council Agenda Items

8.1 Policy Team and Committee Reports or the Key Activity Reports State Council Agenda Items

GVROC/Esperance Goldfields Zone Delegates are invited to raise for discussion, questions or decision any of the items in the State Council Agenda, including the Policy Team and Committee Reports or the Key Activity Reports.

RECOMMENDATION:

GVROC notes the Policy Team and Committee and the Key Activity Reports to be presented at the meeting as received.

RESOLUTION: **Moved: Cr Laurene Bonza, Shire of Dundas**
 Seconded: Cr Tracey Rathbone, Shire of Coolgardie

Carried

8.2 President's Report

WALGA Recommendation

That the President's Report for March 2025 be received. (refer to Attachment 6)

RECOMMENDATION:

GVROC notes the President's Report for May 2025 to be presented at the meeting as received.

RESOLUTION: **Moved: Cr Tracey Rathbone, Shire of Coolgardie**
 Seconded: Cr Laurene Bonza, Shire of Dundas

Carried

8.3 Complete Status Report on State Council Resolutions - To the May 2025 State Council Meeting

GVROC COMMENT:

Additional to the Complete Status Report on State Council Resolutions, **Attachment 7** provides the relevant Goldfields Esperance Country Zone Status Report.

RECOMMENDATION:

GVROC notes the Complete State Council Status Report to the May 2025 State Council meeting and the Goldfields Esperance Country Zone Status Report.

RESOLUTION: **Moved: Cr Laurene Bonza, Shire of Dundas**
 Seconded: Cr Tracey Rathbone, Shire of Coolgardie

Carried

9. LATE ITEMS as notified, introduced by decision of the Meeting

No Late Items raised.

10. FUTURE MEETINGS

The following remaining dates in 2025 have been set for the GVROC meetings.

- **30 May 2025** in Norseman (to be hosted by the Shire of Dundas)
- **25 July 2025** in Kambalda (to be hosted by Shire of Coolgardie)
- **22-24 September 2025** (Date and Dinner TBC aligned with WALGA Convention and AGM in Perth)
- **28 November 2025** in Leonora (to be hosted by the shire of Leonora)

The following are the WALGA State Council meeting dates in 2025 with suggested GVROC Zoom video conference meeting dates prior to these to inform the GVROC's representatives attending the meetings with relevant input for State Council Agenda Items:

- 2 July 2025 WALGA State Council Meeting - GVROC meeting on **20 June 2025**
- 4-5 September 2025 WALGA State Council Meeting - GVROC meeting on **22 August 2025**
- 3 December 2025 WALGA State Council Meeting - GVROC meeting on **14 November 2025**

11. CLOSURE OF MEETING

There being no further business the Chair declared the meeting closed at 9:40am.