



GVROC Council Meeting to consider WALGA State Council Agenda Items

Friday 1 May 2020
Teleconference, commencing at 8.30am

Unconfirmed Minutes

CONTENTS

1.	OPENING AND ANNOUNCEMENTS	3
2.	DECLARATION OF INTEREST	3
3.	RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE	3
	3.1 Attendance	3
	3.2 Apologies.....	3
	3.3 Guests	4
	3.4 WALGA Representatives (Via Teleconference).....	4
	3.5 DLGSCI Representatives (Via Teleconference)	4
4.	MINUTES OF MEETINGS	4
	4.1 Minutes of a Meeting of GVROC to consider WALGA State Council Agenda Items held 28 February 2020	4
5.	EMERGING ISSUES	5
	5.1 COVID-19 Pandemic – WALGA Response	5
	5.2 Local Government Act Emergency Provisions (05-034-02-0015 TL)	7
6.	Review of WALGA State Council Agenda - Matters for Decision	10
	6.1 Amendment to Third Party Appeal Rights – Preferred Model (06-03-01-0001 VJ) .	10
	6.2 Managing Lodging House Health Risks in WA (05-031-01-0001 BW)	12
7.	Review of WALGA State Council Agenda - Matters for Noting/Information	13
	7.1 Submission Position Statement: Special Entertainment Precincts and Options Paper for Proposed Amendments to the Environmental Protection (Noise) Regulations 1997 (05-036-02-0022 VJ).....	13
	7.2 Submission on the Proposed Reforms to the Approval Process for Commercial Buildings (05-015-02-0005 VJ)	15
	7.3 Report Municipal Waste Advisory Council (MWAC) (01-006-03-0008 RNB).....	17
8.	Review of WALGA State Council Agenda - Organisational Key Activity Reports	18
	8.1 Report on Key Activities, Commercial and Communications (01-006-03-0017 ZD)	18
	8.2 Report on Key Activities, Governance and Organisational Services (01-006-03-0007 TB)	18
	8.3 Report on Key Activities, Infrastructure (05-001-02-0003 ID)	18
	8.4 Report on Key Activities, Strategy, Policy and Planning (01-006-03-0014 MJB)	18
9.	Review of WALGA State Council Agenda - Policy Forum Reports	18
10.	Review of WALGA State Council Agenda – State Council Status Report	19
	10.1 Complete Status Report on State Council Resolutions - To the May 2020 State Council Meeting.....	19
11.	DLGSC Update	19
	11.1 Local Government Bill and Regulations update	19
	11.2 National Redress Scheme update.....	19
12.	LATE ITEMS as notified, introduced by decision of the Meeting	19
	12.1 Video Conferencing Options for future GVROC meetings	20
	12.2 Regional Level Vulnerability Analysis.....	23
13.	FUTURE MEETINGS	24
14.	CLOSURE OF MEETING	24

GOLDFIELDS VOLUNTARY REGIONAL ORGANISATION OF COUNCILS (GVROC)

Teleconference meeting of the GVROC Council to consider WALGA State Council Agenda Items was held Friday 1 May 2020 8.30am

AGENDA

1. OPENING AND ANNOUNCEMENTS

The purpose of the meeting is to provide advice to the WALGA State Council Representative, Cr Mal Cullen on the Agenda for the WALGA State Council Meeting to be held on 6 May 2020.

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.

3. RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

3.1 Attendance

Cr Mal Cullen (Chair)	President, Shire of Coolgardie
Mr James Trail	CEO, Shire of Coolgardie
Cr Tracey Rathbone	Deputy Shire President, Shire of Coolgardie
Mr John Walker	CEO, City of Kalgoorlie Boulder
Cr Laurene Bonza	President, Shire of Dundas
Mr Peter Fitchat	CEO, Shire of Dundas
Cr Ian Mickel	President Shire of Esperance
Cr Shelley Payne	Councillor, Shire of Esperance
Mr Shane Burge	A/CEO, Shire of Esperance
Cr Patrick Hill	President, Shire of Laverton
Mr Peter Naylor	CEO, Shire of Laverton
Mr Jim Epis	CEO, Shire of Leonora
Mr Andrew Mann	Executive Officer, GVROC

3.2 Apologies

Cr John Bowler	Mayor, City of Kalgoorlie-Boulder
Cr David Grills	Councillor, City of Kalgoorlie Boulder
Cr Sharon Warner	Councillor, Shire of Dundas
Mr Matthew Scott	CEO, Shire of Esperance
Cr Shaneane Weldon	Councillor, Shire of Laverton
Cr Peter Craig	President, Shire of Leonora
Cr Greg Dwyer	President, Shire of Menzies
Cr Jill Dwyer	Councillor, Shire of Menzies
Mr Peter Money	CEO, Shire of Menzies
Cr Damian McLean	President, Shire of Ngaanyatjarraku
Mr Kevin Hannagan	CEO, Shire of Ngaanyatjarraku

Mr Gavin Pollock	CEO, Shire of Ravensthorpe
Cr Keith Dunlop	President, Shire of Ravensthorpe
Cr Ian Goldfinch	Councillor, Shire of Ravensthorpe
Cr Jim Quadrio	President, Shire of Wiluna
Cr Timothy Carmody	Councillor, Shire of Wiluna
Mr Warren Olsen	A/CEO, Shire of Wiluna
Mr Colin Bastow	CEO, Shire of Wiluna

3.3 Guests

Nil

3.4 WALGA Representatives (Via Teleconference)

Mr Nick Sloan, Chief Executive Officer
Nebojsa Franich, Economics Policy Manager

3.5 DLGSCI Representatives (Via Teleconference)

Kirsty Martin, Project Manager Special Initiatives (LG Bill and regulations update)
Ben Armstrong, Senior Policy and Project Delivery Officer (Redress update)
Erin Bond, Regional Manager Goldfields

4. MINUTES OF MEETINGS

4.1 Minutes of a Meeting of GVROC to consider WALGA State Council Agenda Items held 28 February 2020

Minutes of the GVROC Council Meeting to consider WALGA State Council held Friday 28 February 2020 are presented for adoption (**Attachment 1**).

RECOMMENDATION:

That the Unconfirmed Minutes of the GVROC Council Meeting to consider WALGA State Council held Friday 28 February 2020 be confirmed as a true and correct record of proceedings.

RESOLUTION:

Moved: *Mr Jim Epis - Shire of Leonora*
Seconded: *Cr Laurene Bonza - Shire of Dundas*

Carried

5. EMERGING ISSUES

From: Chair GVROC

Background:

WALGA State Council meets five times each year and as part of the consultation process with Member Councils circulates the State Council Agenda for input through the Zone structure. The Zone can provide comment or submit an alternate recommendation that is then presented to the State Council for consideration.

A full copy of the State Council Agenda for the 6 May 2020 can be found at **Attachment 2**

5.1 COVID-19 Pandemic – WALGA Response

The information contained in this report is correct and up-to-date as of 14 April 2020. Further supplementary information will be provided at Zone and State Council meetings as well as through other channels, such as the COVID-19 Daily Update from the WALGA President and CEO.

WALGA Recommendation

That the information contained in this report relating to WALGA's response to the COVID-19 pandemic be noted.

IN BRIEF:

- The COVID-19 pandemic, declared as a State of Emergency on 16 March 2020 in Western Australia, is having a profound impact on the health, wellbeing and economy of Western Australia
- WALGA's Local Government members have been severely impacted by the pandemic and WALGA is working hard to provide advocacy, resources, communications and guidance on a range of fronts to support the Local Government sector.
- This item summarises at a high level the activities that WALGA is undertaking to provide support for members, and is correct and up-to-date as at 14 April 2020.
- Additional supplementary information will be provided at the Zone and State Council meetings.

Special Meeting of State Council

Following [correspondence from the Premier](#), Hon Mark McGowan MP, to the WALGA President, Mayor Tracey Roberts JP, a Special Meeting of State Council was convened for Friday, 27 March 2020.

State Council noted the significant contribution of Local Governments in supporting their communities through the pandemic from a range of perspectives, and considered a number of options for how Local Governments, subject to having capacity, could further support their communities.

The State Council resolution is outlined in full below:

That WALGA:

- 1. Notes the significant contribution of Local Governments in supporting their communities through the COVID-19 pandemic from a financial, economic, community and social perspective.**
- 2. Requests each Local Government give consideration to the following suite of actions, for Local Governments with the capacity to do so, to provide a coordinated and consistent response to the COVID-19 pandemic:**
 - a. Consider not increasing rates for the 2020-21 financial year**

- b. **Adoption of the WALGA template rates hardship policy by Local Governments that do not currently have a policy**
 - c. **Consider rate relief options to support small businesses affected by the COVID-19 pandemic**
 - d. **Review fees and charges considering whether fees can be reduced, waived or deferred during the COVID-19 pandemic**
 - e. **Bring forward capital works and infrastructure spending with aggressive application of reserves and borrowing**
 - f. **Prioritise Local Government spending with businesses and contractors located within the Local Government**
 - g. **Implement business friendly payment terms to support business cash flow**
 - h. **Consider supporting Community sporting and cultural groups by either establishing grant programs or waiving fees and charges**
 - i. **Redeploy staff affected by facility closures to tasks that support the community**
3. **Notes the State Government is urgently drafting legislative and regulatory amendments to support the actions outlined in point 2 above**
4. **Notes the advocacy for the following:**
- a. **An increase in Local Government borrowing capacity beyond current Western Australian Treasury Corporation borrowing limits**
 - b. **Suspension of the Western Australian Treasury Corporation's borrowing guarantee charge of 0.7 percent on top of the loan interest rate for the 2020-2021 financial year**
 - c. **No increase to street lighting and utility tariffs in 2020-2021**
 - d. **Deferral of revaluations for the 2020-2021 financial year**
 - e. **Request the Office of the Auditor General to cease performance audits for the 2020-2021 financial year**
 - f. **Freezing of the waste levy for the 2020-2021 financial year**

COMMENT:

Given the significant impact of the COVID-19 pandemic, WALGA is working on multiple fronts to provide communications, support and advocacy on behalf of members. As noted above, the information contained in this report is correct as at 14 April 2020 and supplementary information will be provided at Zone and State Council meetings and through alternative communication channels.

RECOMMENDATION:

That GVROC note the WALGA Response report as provided.

RESOLUTION: **Moved: Cr Tracey Rathbone -Shire of Coolgardie**
 Seconded: Mr John Walker – City of Kalgoorlie Boulder

Carried

5.2 Local Government Act Emergency Provisions (05-034-02-0015 TL)

WALGA Recommendation

That WALGA:

- 1. Notes and supports the introduction of legislation that:**
 - a. Provides for Ministerial emergency powers on the condition that the Local Government sector is consulted prior to the issuing of an order using this power, and,**
 - b. Provides the ability for Local Governments to suspend a provision of a local law**
- 2. Continues to advocate for the 2019-20 valuations to apply to the 2020-21 rates.**

IN BRIEF:

- The Minister for Local Government announced the following four proposals to amend the *Local Government Act 1995* to incorporate a number of emergency provisions as follows:
 1. Valuations from 2019-20 to apply to 2020-21 rates
 2. Rates, fees and charges to remain at 2019-20 levels in 2020-21
 3. Ministerial power to make changes to the Act, and
 4. Ability for Local Governments to suspend Local Law provisions.
- Following the Minister's announcement, it is understood that the Government decided not to progress with items (1) and (2) above
- The legislative amendments are likely to progress through Parliament in mid-April providing little opportunity for the Local Government sector to influence the legislation
- The amendments will only apply to the current State of Emergency and will be removed from the Act following the COVID-19 pandemic
- It is recommended that the legislative proposals be broadly supported and that WALGA continue to advocate for deferment of the 2020-21 valuations

BACKGROUND

As part of the State Government's response to the COVID-19 Pandemic, the Minister for Local Government announced, during a WALGA hosted webinar to the Local Government sector held on 9 April 2020, that the Government would be amending the *Local Government Act 1995* to enable the following:

1. Valuations – valuations from 2019-20 to apply to 2020-21 rates
2. Rates, fees and charges – rates, fees and charges not to be increased above 2019-20 levels
3. Ministerial emergency powers – the Minister for Local Government will be able to make changes to provisions of the *Local Government Act 1995* by gazetting an order
4. Local Laws – Local Governments will be able to suspend a local law provision by absolute majority

Following the webinar, the WALGA Chief Executive Officer was advised that the Government had decided not to implement points (1) and (2) above relating to rates, fees and charges and the application of 2019-20 valuations to the 2020-21 rates.

It is important to note that the legislative amendments that are implemented will only apply during the current COVID-19 State of Emergency. The Government's intention is to introduce a new Part 10 of the *Local Government Act 1995* that will include a provision for that part of the Act to be deleted following the pandemic.

The legislative amendments will be introduced to Parliament in mid-April.

COMMENT

Comment is provided below in relation to each of the components of the proposed legislative amendments.

Ministerial Emergency Powers

The power of the Minister to vary provisions by gazetting an order is strong and far-reaching and it is anticipated that this power will enable certainty and clarity in relation to a range of issues.

For instance, by issuing an order, the Minister would be able to waive the requirement for an annual meeting of electors to be held, or the Minister could issue an order changing the date by which the annual budget must be set.

Given the strong relationship between the Minister and the Local Government sector, and the flexibility that this legislative power will accord the Minister, there will be opportunities for advocacy on issues as they arise, which will be able to be addressed in a timely manner with Ministerial support.

It should also be noted that, due to the far-reaching nature of this power, there may be the potential for unintended consequences or outcomes detrimental to the interests of the Local Government sector.

It is recommended that this proposal be supported on the basis that the Local Government sector is consulted to the extent possible prior to the issuing of any orders under this power.

Local Laws – Power to Suspend Provisions by Absolute Majority

The proposal for Local Governments to suspend provisions of a Local Law by absolute majority is supported. This power is in accordance with the principle that Local Governments are best positioned to make decisions on behalf of their communities, and will be useful for Local Governments to respond to the current crisis situation in a range of contexts.

Amendments Announced, but not Progressing

The following commentary relates to the amendments that were announced by the Minister prior to the Government decision not to proceed with these aspects of the proposal.

Rating, Fees and Charges – Application of 2019-20 Valuations to 2020-21 Rates

The Local Government sector and WALGA have been advocating for valuations to be deferred for the upcoming financial year so that fluctuations in rates will not dilute the impact of overall zero percent rate increases.

To that end, WALGA President, Mayor Tracey Roberts JP, wrote to the Hon Ben Wyatt MLA, Treasurer and Minister for Lands, seeking deferment of the upcoming valuations. The Minister has responded to the WALGA President advising that the Valuer General will continue to fulfill his statutory obligations. The [Minister's letter is available here](#).

Analysis from one metropolitan Local Government indicates that some property owners will have a significant increase in their rates liability (in the order of 300 percent), and that some property owners would have a sizeable reduction in their rates liability (in the order of 40 percent).

It is recommended that WALGA continue to advocate for the 2019-20 valuations to apply to 2020-21 rates.

Rating, Fees and Charges – No Increases Forced Legislatively

From the point of view of the secretariat, forcing rates, fees and charges to remain at 2019-20 levels is unnecessary and unhelpful and should not be supported. It is pleasing that the Government has decided not to proceed with this proposal.

Legislating to ensure rates, fees and charges remain at 2019-20 levels would be unnecessary because most Local Governments have committed to doing this in any case. State Council, at its [27 March 2020 Special Meeting](#) noted the significant support Local Governments were already providing the community

in this regard, and recommended, amongst a range of measures, that not increasing rates be considered by its members to support the community.

Concurrently, WALGA commissioned former Local Government Chief Executive Officer, Dr Shayne Silcox, to speak with all Local Governments about their plans to support the community during the 2020-21 financial year. The preliminary findings of Dr Silcox's work indicates that 98 percent of Local Governments are developing a budget predicated on no increases in rates.

It is for these reasons that a legislative solution would be unnecessary; notwithstanding the crisis situation impacting all aspects of society, the proposed legislative approach would undermine the key role of Local Government Councils as democratically elected decision makers responsible for revenue and expenditure decisions on behalf of their communities.

State Council endorsed a [Rate Setting Policy Statement](#) in December 2015 that emphasises the fundamental role of Council in making rating decisions.

RECOMMENDATION:

That GVROC note the WALGA Response report as provided.

RESOLUTION:

Moved: *Mr John Walker – City of Kalgoorlie Boulder*
Seconded: *Cr Tracey Rathbone -Shire of Coolgardie*

Carried

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

6.1 Amendment to Third Party Appeal Rights – Preferred Model (06-03-01-0001 VJ)

WALGA Recommendation

1. That the proposed amendment to the Third Party Appeals Process Preferred Model, being that third parties in addition to Local Governments are able to make an appeal on decisions made by Development Assessment Panels, is not supported, and
2. That the proposed amendment to the Third Party Appeals Process Preferred Model, being that closely associated third parties in addition to Local Governments are able to appeal decisions made by the Western Australian Planning Commission and the State Administrative Tribunal, in addition to Development Assessment Panels, is not supported.

IN BRIEF

- At the 2019 WALGA Annual General Meeting (AGM), a motion was carried to amend the existing Preferred Model for Third Party Appeal rights for decisions made by Development Assessment Panels.
- All Local Governments were contacted, seeking their views on a two part motion. The closing date for feedback was 28 February 2020.
- 35 Local Governments provided a response, 11 supported the motions, 19 did not support the AGM motions and 5 did not support any Third Party Appeal rights being introduced in WA.
- The 2019 WALGA AGM motion is therefore not supported.

BACKGROUND:

At the August 2019 WALGA AGM, an item was discussed by members which proposed an amendment to the existing 'Preferred Model' for Third Party Appeal Rights for decisions made by Development Assessment Panels.

The following two part motion was carried by the attendees: -

1. *That there be an amendment to the Third Party Appeals Process Preferred Model, being that third parties in addition to Local Governments are able to make an appeal.*
2. *That there be an amendment to the Third Party Appeals Process Preferred Model, being that closely associated third parties in addition to Local Governments are able to appeal decisions made by the Western Australian Planning Commission and the State Administrative Tribunal, in addition to Development Assessment Panels.*

AGM motions are non-binding on State Council. The 2019 AGM motions were considered at the September 2019 State Council meeting where it was resolved, that:

1. The Motions passed by the 2019 Annual General Meeting be noted,
2. All items be forwarded to the relevant State Council Policy Team/Forum/Committee for action, and
3. A report on the progress and action taken in respect to the AGM items be presented to State Council no later than the March 2020 State Council Meeting.

As per point 2 of the resolution above, State Council referred the item to the Planning Policy Team for action. Given that the AGM motions were not consistent with State Council's adopted position, additional consultation with the sector was undertaken, so that State Council would be able to make a fully informed decision.

On the 6 November 2019, an email was sent from WALGA's CEO to all members, requesting that each member provide a clear indication as to whether or not their Council supports the AGM motions to amend the Preferred Model.

The closing date for feedback was 27 January 2020. This date was extended to 28 February 2020 following member requests for additional time.

COMMENT

A total of 35 Local Governments provided a response, as outlined in the attachment.

In summary: -

- 11 Local Governments supported the AGM motions
- 19 Local Governments did not support the AGM motions
- 5 Local Governments do not support any Third Party Appeal Rights being introduced.

The responses indicate that nearly twice as many members do not support the proposed changes. Therefore, it is recommended that the proposed amendments to the preferred Model, proposed at the AGM, are not supported.

RECOMMENDATION

GVROC support.

RESOLUTION: **Moved: Cr Tracey Rathbone -Shire of Coolgardie**
 Seconded: Mr Jim Epis - Shire of Leonora

Carried

6.2 Managing Lodging House Health Risks in WA (05-031-01-0001 BW)

WALGA Recommendation

That the submission to the Department of Health in response to the Managing Lodging House Health Risks in WA discussion paper be endorsed.

IN BRIEF:

- The *Public Health Act 2016* is progressing through a five-stage process of implementation and is currently at Stage 4. All regulations from the previous *Health Act 1911* will be repealed and replaced with new regulations at the commencement of Stage 5, which is anticipated to commence in 2021.
- The Department of Health released the 'Managing Lodging House Health Risks in WA' discussion paper for public comment with three options for consideration.
- WALGA's Submission discusses the Local Governments preference for Option C to regulate lodging houses under the Public Health Act using housing regulations

BACKGROUND:

The Department of Health (DOH) released the "Managing lodging house health risks in WA" discussion paper for public comment. The discussion paper outlines three options for consideration for Western Australia. These options include:

- **Option A:** Repeal without replacement. This option would also mean that existing local laws under the Health (MP) Act will become void;
- **Option B:** Repeal and replace with model local laws. Existing local laws under the Health (MP) Act will become void and Local Governments will need to make local laws for public health matters under the *Local Government Act 1995*;
- **Option C:** Continue to regulate lodging houses under the Public Health Act using housing regulations.

COMMENT:

The report contains technical advice in response to the 16 survey questions. Some key feedback from Local Governments were:

- All responses were supportive of Option C; the DOH preferred approach.
- Ongoing management of lodging house health risks are essential due to the vulnerable community members that utilise them
- Many of the current issues associated with lodging houses are due to inappropriate managers; the new legislation provides an opportunity to introduce minimum requirements for owners/managers, as well as more effective enforcement tools for Local Government.

WALGA has requested that Local Government officers are directly involved in process of drafting any new regulations to ensure that they adequately address Local Government issues.

Local Governments provided input to this submission via a WALGA information session on 26 February where 13 officers (representing seven Local Governments) participated in person, and eight officers (representing eight Local Governments) participated via webinar. City of Wanneroo also provided a formal submission and City of Subiaco provided additional written comments. WALGA officers responsible for the areas of Governance, Community, Emergency Management and Planning Policy have provided comment on the submission.

RECOMMENDATION:

GVROC support.

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 Submission Position Statement: Special Entertainment Precincts and Options Paper for Proposed Amendments to the Environmental Protection (Noise) Regulations 1997 (05-036-02-0022 VJ)

Recommendation

That State Council note the submission on Position Statement: Special Entertainment Precincts & the Options Paper for proposed amendments to the Environmental Protection (Noise) Regulations 1997.

IN BRIEF:

- The State Government prepared a position statement and options paper, which outlined possible planning and environmental approvals processes to manage noise within entertainment precincts.
- Three options were provided: Status Quo, agent of change and indoor assigned noise levels or establishment of a Special Control Area (SCA) for an entertainment precinct.
- The submission was due by 14 February 2020, consequently, the submission was processed through WALGA's interim submission process, and endorsed by State Council by Flying Minute.

BACKGROUND:

The Department of Mines, Industry Regulation and Safety (DMIRS) has prepared a Consultation Regulatory Impact Statement (CRIS), as a step to fulfill the McGowan Government's commitment to improve processes to enhance the quality and standard of commercial and apartment buildings in WA. This is in response to the recommendations contained in the National Building Confidence report. The Building Confidence report concluded that there are a number of significant systematic deficiencies with Australia's building industry culture and Australia's governance arrangements and made 24 principle-based recommendations for reform, ranging from reviewing the registration requirements for building practitioners, powers of regulators and strategies for the proactive regulation of building design and construction.

The State's CRIS proposes 28 reforms to improve building compliance for class 2-9 buildings in WA. The reform proposals are wide-ranging and seek to address issues identified in the Building Confidence report, such as documentation requirements; performance solutions; fire authority consultation; engagement of building surveyors; third-party review of high-risk designs; variations to the design during construction; inspections of building work; material compliance; and the Building Commissioner's powers.

COMMENT:

Support or qualified support was provided for 25 of the 28 proposals, as they have the potential to improve the building assessment and construction process for Class 2-9 buildings.

Three of the proposals are not supported, as follows:

1. Proposal 8 – DFES can provide their advice at any stage, which could occur after a Building Permit has been issued. This would be difficult for the Building Surveyor to respond to, as all paperwork has been submitted to the Permit Authority.

It would also be an administrative nightmare for Local Government if the advice is received after the building permit had been issued. DFES advice should be included into the application for a Building Permit to make it a 'complete application' rather than after, as the advice could affect the building design.

2. Proposal 19 – Removing the need for a Notice of Completion (BA7 form from the Builder) when an Occupancy Permit is being sought (by the building surveyor). The builder should be accountable for the submission of the Notice of Completion to state that all works have been completed in accordance with the National Construction Code and the Building Permit issued, the Occupancy

Permit covers a different range of issues to ensure that the building is suitable to be occupied. Due to the processes covering different aspects of the building, i.e building product compliance versus the building's function, removing the BA7 requirement is not supported.

3. Proposal 26 - Inspections: The discussion paper proposes a new inspection regime, with Mandatory inspections for all construction work, either by permit authorities (Option A); or private sector inspectors (Option B). Option A is not supported, as the full responsibility of Class 2-9 inspections would be placed on the Local Government sector, which is contrary to existing WALGA policy positions. Option B is therefore supported, subject to the Independent Building Surveyor who signed the Certificate of Design Compliance being responsible for undertaking the inspections. Therefore, Local Government would only be responsible for follow up inspections if they signed the CDC, other inspections would be the responsibility of the building surveyor who certified the building as part of the permit application process.

Feedback from the sector: -

- 35 officers attended a workshop session held on the 13 February 2020 (representing 21 Local Governments) including the Cities of Bayswater, Bunbury, Canning, Cockburn, Fremantle, Greater Geraldton, Joondalup, Kalamunda, Mandurah, Melville, Perth, Rockingham, South Perth, Stirling, Subiaco, Vincent, Town of Cottesloe and Shires of Augusta Margaret River, Collie, Dandaragan and Serpentine Jarrahdale. The workshop collated the thoughts and comments of these technical practitioners, in order to prepare the attached submission.

The submission was reviewed and supported by the People and Place Policy Team, and endorsed by State Council via flying minute on 1 April 2020 (RESOLUTION 43.FM/2020).

The endorsed submission was lodged with the Department of Mines, Industry Regulation and Safety on 3 April 2020.

RECOMMENDATION:

GVROC note the submission on Position Statement: Special Entertainment Precincts & the Options Paper for proposed amendments to the Environmental Protection (Noise) Regulations 1997.

RESOLUTION:

Moved: *Mr John Walker – City of Kalgoorlie Boulder*
Seconded: *Mr Jim Epis - Shire of Leonora*

Carried

7.2 Submission on the Proposed Reforms to the Approval Process for Commercial Buildings (05-015-02-0005 VJ)

Recommendation

That State Council note the endorsed submission on the proposed reforms to the approval process for commercial buildings.

IN BRIEF:

- In December 2019, the State Government prepared a Consultation Regulatory Impact Statement (CRIS) for improvements to the commercial building approvals processes.
- The CRIS proposes 28 improvements, ranging from documentation requirements; performance solutions; fire authority consultation; engagement of building surveyors; third-party review of high-risk designs; variations to the design during construction; inspections of building work; material compliance; and the Building Commissioner's powers.
- The submission was due on 3 April 2020, consequently, the submission was processed through WALGA's interim submission process, and endorsed by State Council by Flying Minute on 1 April 2020.

BACKGROUND:

The Department of Mines, Industry Regulation and Safety (DMIRS) has prepared a Consultation Regulatory Impact Statement (CRIS), as a step to fulfill the McGowan Government's commitment to improve processes to enhance the quality and standard of commercial and apartment buildings in WA. This is in response to the recommendations contained in the National Building Confidence report. The Building Confidence report concluded that there are a number of significant systematic deficiencies with Australia's building industry culture and Australia's governance arrangements and made 24 principle-based recommendations for reform, ranging from reviewing the registration requirements for building practitioners, powers of regulators and strategies for the proactive regulation of building design and construction.

The State's CRIS proposes 28 reforms to improve building compliance for class 2-9 buildings in WA. The reform proposals are wide-ranging and seek to address issues identified in the Building Confidence report, such as documentation requirements; performance solutions; fire authority consultation; engagement of building surveyors; third-party review of high-risk designs; variations to the design during construction; inspections of building work; material compliance; and the Building Commissioner's powers.

COMMENT:

Support or qualified support was provided for 25 of the 28 proposals, as they have the potential to improve the building assessment and construction process for Class 2-9 buildings.

Three of the proposals are not supported, as follows:

1. Proposal 8 – DFES can provide their advice at any stage, which could occur after a Building Permit has been issued. This would be difficult for the Building Surveyor to respond to, as all paperwork has been submitted to the Permit Authority.

It would also be an administrative nightmare for Local Government if the advice is received after the building permit had been issued. DFES advice should be included into the application for a Building Permit to make it a 'complete application' rather than after, as the advice could affect the building design.

2. Proposal 19 – Removing the need for a Notice of Completion (BA7 form from the Builder) when an Occupancy Permit is being sought (by the building surveyor). The builder should be accountable for the submission of the Notice of Completion to state that all works have been completed in accordance with the National Construction Code and the Building Permit issued, the Occupancy Permit covers a different range of issues to ensure that the building is suitable to be occupied. Due to the processes covering different aspects of the building, i.e building product compliance versus the building's function, removing the BA7 requirement is not supported.
3. Proposal 26 - Inspections: The discussion paper proposes a new inspection regime, with Mandatory inspections for all construction work, either by permit authorities (Option A); or private sector

inspectors (Option B). Option A is not supported, as the full responsibility of Class 2-9 inspections would be placed on the Local Government sector, which is contrary to existing WALGA policy positions. Option B is therefore supported, subject to the Independent Building Surveyor who signed the Certificate of Design Compliance being responsible for undertaking the inspections. Therefore, Local Government would only be responsible for follow up inspections if they signed the CDC, other inspections would be the responsibility of the building surveyor who certified the building as part of the permit application process.

Feedback from the sector: -

- 35 officers attended a workshop session held on the 13 February 2020 (representing 21 Local Governments) including the Cities of Bayswater, Bunbury, Canning, Cockburn, Fremantle, Greater Geraldton, Joondalup, Kalamunda, Mandurah, Melville, Perth, Rockingham, South Perth, Stirling, Subiaco, Vincent, Town of Cottesloe and Shires of Augusta Margaret River, Collie, Dandaragan and Serpentine Jarrahdale. The workshop collated the thoughts and comments of these technical practitioners, in order to prepare the attached submission.

The submission was reviewed and supported by the People and Place Policy Team, and endorsed by State Council via flying minute on 1 April 2020 (RESOLUTION 43.FM/2020).

The endorsed submission was lodged with the Department of Mines, Industry Regulation and Safety on 3 April 2020.

RECOMMENDATION:

GVROC note the endorsed submission on the proposed reforms to the approval process for commercial buildings.

RESOLUTION:

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

Carried

7.3 Report Municipal Waste Advisory Council (MWAC) (01-006-03-0008 RNB)

Recommendation

That State Council note the resolutions of the Municipal Waste Advisory Council at its 26 February 2020 meeting.

IN BRIEF:

- This item relates to the MWAC meeting held on 26 February 2020, key outcomes of this meeting included:
 1. Endorsement of the Submission on the Consultation Regulatory Impact Statement on phasing out certain waste exports
 2. Endorsement of the Plastic Reduction Options for Local Government Paper.

BACKGROUND:

The Municipal Waste Advisory Council is seeking State Council noting of the resolutions from the 26 February 2020 meeting, consistent with the delegated authority granted to the Municipal Waste Advisory Council to deal with waste management issues.

Copies of Agendas and Minutes are available from WALGA staff, on request.

COMMENT:

The key issues considered at the meetings held on **26 February 2020** included:

Regulatory Impact Statement on Export Bans

A Consultation Regulatory Impact Statement on the proposed export bans for glass, plastic, tyres and paper/cardboard has been released. The Paper identifies options for Government interventions in relation to the proposed bans for paper, cardboard, plastic, tyres and glass. The Draft Submission which has been developed identifies the necessary conditions for the bans to be implemented effectively and some of the cost implications for Local Government. The Submission also identifies the need for effective product stewardship schemes for the products covered by the ban.

MUNICIPAL WASTE ADVISORY COUNCIL MOTION

That the Municipal Waste Advisory Council endorse the Submission on the Consultation Regulatory Impact Statement on phasing out certain waste exports.

Moved: Mayor Howlett Seconded: Cr Abetz

Plastic Reduction Options for Local Government

In July 2019 MWAC undertook a survey of Local Governments to identify what action the sector was taking in relation to single use plastic. MWAC agreed that a summary of these actions would be developed to inform Local Government decision making. The summary has been developed into a Plastic Reduction Options for Local Government Paper. The Paper investigates the current approaches taken by Local Governments to address single use plastic products in their own operations and in the broader community.

MUNICIPAL WASTE ADVISORY COUNCIL MOTION

That the Municipal Waste Advisory Council endorse the Plastic Reduction Options for Local Government Paper.

Moved: Mayor Howlett Seconded: Cr Abetz

RECOMMENDATION:

GVROC note the resolutions of the Municipal Waste Advisory Council at its 26 February 2020 meeting.

RESOLUTION:

Moved: Cr Tracey Rathbone -Shire of Coolgardie

Seconded: Mr John Walker – City of Kalgoorlie Boulder

Carried

8. Review of WALGA State Council Agenda - Organisational Key Activity Reports

- 8.1 Report on Key Activities, Commercial and Communications (01-006-03-0017 ZD)
- 8.2 Report on Key Activities, Governance and Organisational Services (01-006-03-0007 TB)
- 8.3 Report on Key Activities, Infrastructure (05-001-02-0003 ID)
- 8.4 Report on Key Activities, Strategy, Policy and Planning (01-006-03-0014 MJB)

GVROC COMMENT:

GVROC note the Organisation Key Activity Reports

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

Carried

9. Review of WALGA State Council Agenda - Policy Forum Reports

The following provides an outline of the key activities of the Association's Policy Forums that have met since the last State Council meeting.

Recommendation

That the report on the key activities of the Association's Policy Forums to the May State Council Meeting be noted.

Policy Forums

The following Policy Forums have been established

- Mayors / Presidents Policy Forum
- Container Deposit Legislation Policy Forum
- Mining Communities Policy Forum
- Economic Development Policy Forum

All Policy Forums have not held meeting since the last State Council meeting due to the COVID-19 pandemic.

RECOMMENDATION:

GVROC notes the Policy Forum Reports update

RESOLUTION: *Moved: Mr James Trail – Shire of Coolgardie*
 Seconded: Cr Ian Mickle – Shire of Esperance

Carried

10. Review of WALGA State Council Agenda – State Council Status Report

10.1 Complete Status Report on State Council Resolutions - To the May 2020 State Council Meeting

GVROC COMMENT:

Additional to the Complete Status Report on State Council Resolutions, Attachment 3 provides the relevant Goldfields Esperance Country Zone Status Report.

RECOMMENDATION:

GVROC notes the Complete State Council Status Report to the May 2020 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

11. DLGSC Update

11.1 Local Government Bill and Regulations update

Update provided by Kirsty Martin Project Manager Special Initiatives, DLGSC

11.2 National Redress Scheme update

Update provided by Ben Armstrong Senior Policy and Project Delivery Officer

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

MOTION called to accept Late Items below:

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

Carried

12.1 Video Conferencing Options for future GVROC meetings

Reporting Officer: Andrew Mann, Executive Officer

Disclosure of Interest: Nil

Date: April 2020

Attachments: Nil

Background:

Given the current Covid-19 restrictions and need for social distancing, the GVROC Chair requested the Executive Officer to look at alternative options for holding future meetings via video conferencing.

A number of alternatives have been viewed and are listed below:

Platform	Details	Cost
Microsoft Teams	<p>Microsoft Teams is a chat-based workspace within Office 365, which enables users to view and collaborate on documents directly within the application, participate in voice and video conference calls, view full conversation histories and email-style conversation threads, and more.</p> <p>Microsoft Teams can be customized to suit each individual team, with users able to create tabs for frequently accessed documents or regularly used cloud services. Integrations with Word, PowerPoint, Excel, OneNote, SharePoint, Power BI, Delve, and Planner are all built into Microsoft Teams, allowing users to access and collaborate on a range of files. Skype for Business integration facilitates video and voice conference calls between users, connectors can be used to pull in notifications and updates from a range of third party services including GitHub and Twitter, and the Microsoft Bot Framework is also supported, bringing intelligent bots into the team environment.</p>	<p>Would require each LGA to have a Microsoft license for Office 365, charged at \$17.20 to \$50.90 depending on level of functionality per month per user.</p>
Meet by MKAS	<p>Managed Meet virtual meeting (1 session per month) (May 2020 - Dec 2020)</p> <ul style="list-style-type: none"> - Up to 50 participants - Up to 4 hours run time - Failover platform if required - 1 hour Meet Support <p>This service gives you access to your own online meeting space for a specific meeting or online get together. It includes support setting up your meeting on the day and to make sure you get off on the right foot.</p> <p>More than just videoconferencing the Meet platform offers a comprehensive suite of features making it well suited to host one on one meetings, large group meetings and online training or workshops. It includes everything you'd expect from video conferencing - video, audio and screen share - as well as collaboration tools such as breakout rooms, shared chat, direct messaging, recording capabilities and complete moderation by the meeting host (or their delegates).</p> <p>Help to get you started - MKAS know that using new platforms does not always come easily. When you use our Managed Meet service, we will help get you set up before your meeting to make sure everything working as expected, and to answer any last-minute questions. We will also stick around for the start of your meeting to help smooth out any issues you have as you get started.</p> <p>As much or as little support as you need. In addition to our Managed Meet support, MKAS are also able to provide more</p>	<p>\$550 per meeting or total of \$4,400 to the end of 2020 inclusive of GST</p>

	comprehensive training in using Meet so you can go into your online meetings with confidence. Maybe you want to make sure everyone on your call is able to access the meeting - we can help check in to make sure everyone has what they need to join the conversation without the technical issues. We can also be on hand throughout your meeting duration to give you peace of mind, and to make sure you are getting the most out of the service. Chat to us about your needs, and we'll be able to tailor a solution, so you have exactly what you need.	
Being There	Used for our last GVROC meeting on 20 March 2020. Experts in the use of video communications to deliver business outcomes. Provide a dedicated Local Government Video Conference Network, which allows LGAs to collaborate from your desktop CEO to CEO, HR to candidate, Zone to Zone, Share resources, Councillor to Council Meetings, Face to face with suppliers...	The cost to hold the last GVROC meeting would have been \$2,500 but was done as a trial using the Shire of Dundas membership. Normal cost would be \$250 per month for each LGA.
Zoom	Zoom offers a suite of software applications depending on the size of business and the scope of needs. Most will use Zoom for its user-friendly videoconferencing platform, Zoom Meetings, which comes in four different subscription tiers: Basic The Basic ("Personal Meeting") version of Zoom is free and is surprisingly full featured, with support for up to 100 participants, group collaboration, web-based desktop sharing and local recording of meetings. Note that the free tier only supports meetings of a maximum length of 40 minutes, and you can only have a single host. Not suitable for GVROC meetings Pro The Pro Zoom package runs AUD\$20.99 per month, but your meetings can run up to 24 hours. There's the same basic 100-user limit, but with the option to buy add-on packages for up to 500 or 1,000 active participants if needed. Business and Enterprise The AUD\$27.99 Business tier gives you up to 300 participants, plus cloud-recording transcript options and company branding options. The same pricing applies to the Enterprise tier, which bumps up regular participant numbers to 500.	Can be done from one host at cost of \$20.99 per month to \$27.99 per host.
Google Meet	Similar to Microsoft Teams will require each LGA to have a license for Google Suite Applications.	\$16.80 per month per user.

Officer Comment:

There are lots of different and additional video platforms that are available all similar in functionality. The Meet by MKAS and Being There are local Western Australian companies and providers that also provide a hands-on approach to the meetings. The others like Microsoft Teams, Zoom and Google meet are generally easy to use and are large global companies that require you to pay ongoing monthly subscriptions with no hands-on support processes during meetings. They do provide overall though a cheaper alternative. The local companies provide a more reliable service.

Each of the GVROC CEOs were also asked to advise which current video conferencing platforms they may be using to see if there was any dominant platform that could be used without additional costs. The table below highlights the feedback provided.

GVROC LGA	Existing Platforms					
	Microsoft Teams	Zoom	Skype	Being There	Google Meet	Others
City Kalgoorlie Boulder	X	X	X			
Shire of Coolgardie	X	X				
Shire of Dundas				X		
Shire of Esperance		X				
Shire of Laverton		X				
Shire of Leonora		X		X		
Shire of Menzies	X	X				
Shire of Ngaanyatjaraku	X		X			
Shire of Ravensthorpe*	X*	X*				
Shire of Wiluna		X				

*Shire of Ravensthorpe currently only using voice, but investigating using Teams & Zoom

Consultation: GVROC Chair, GVROC CEOs

Financial Implications: Could be a general cost to GVROC, e.g. Meet at MKAS paid by GVROC or an individual cost to each LGA by subscribing to monthly payments for the other platforms.

Strategic Implications: N/A

RECOMMENDATION:

That GVROC:

1. Note the options available for video conferencing future GVROC meetings during the social distancing and Covid-19 regulations in place.
2. Note that 7 of the 10 GVROC LGAs currently use Zoom, with Shire of Ravensthorpe also investigating its use that would bring total to 8.
3. Agree that GVROC should have some form of common video conferencing platform used by all members for future meetings.
4. If agreed to point 3 above, and based on most LGAs using Zoom, that this be the chosen platform to hold future GVROC video conference meetings.

Motion for debate called: **Moved: Cr Tracey Rathbone – Shire of Coolgardie**
Seconded: Cr Laurene Bonza - Shire of Dundas

Debate was held around the security issues of utilising Zoom versus BeingThere or other platforms.

Following discussion and debate on this motion a vote was called on the recommendation.

The vote for using Zoom (Coolgardie, Esperance, Kalgoorlie Boulder, Leonora and Laverton)

The vote against (Dundas)

Based on a majority on the motion for recommendation above was carried 5 to 1.

RESOLUTION: **Moved: Cr Tracey Rathbone – Shire of Coolgardie**
Seconded: Mr Peter Naylor - Shire of Laverton

Carried 5 to 1

12.2 Regional Level Vulnerability Analysis

Reporting Officer: Nebojsa Franich, Economics Policy Manager

Disclosure of Interest: Nil

Date: April 2020

Attachments: Email from WALGA circulated with agendal

Background:
COVID-19 Regional Level Vulnerability Analysis

To assist Local Governments as they look to provide the most appropriate response and recovery packages in light of the COVID-19 pandemic, WALGA have been assessing the extent to which each local community in WA will be impacted by COVID-19. As a way of doing this, WALGA analysed a range of demographic and social data that provide an indication of the COVID-19 health and economic vulnerability of each Local Government Area in WA. The indicators analysed for each Local Government Area include:

Health vulnerability

- Share of people aged over 70
- Share of lone person households
- Share of households with no motor vehicles
- Share of people who need assistance with core activities
- Population density

Economic Vulnerability

- Share of people who work in impacted industries
- Share of businesses in impacted industries
- Share of non-employing businesses
- Share of businesses with less than \$2m in annual turnover
- Share of households with no internet access

Over 60 individual Local Governments have been provided with an analysis pack specific to their district, and now WALGA have aggregated and reported on this data at the WALGA Zone level.

Officer Comment:

Analysis of the above indicators for the Goldfields Esperance Zone was presented in attached slides.

Consultation: GVROC Chair, GVROC CEOs

Financial Implications: Nil

Strategic Implications: N/A

RECOMMENDATION:

That GVROC note the COVID-19 Regional Level Vulnerability Analysis.

RESOLUTION: **Moved: Mr James Trail – Shire of Coolgardie**
Seconded: Mr Jim Epis - Shire of Leonora

Carried

13. FUTURE MEETINGS

- 15 May 2020 (Zoom Video Conference)
- 10 July 2020 (Laverton)
- 11 September 2020 – (Venue TBC – originally was scheduled 5-7 August to coincide with WALGA State Conference & Convention)
- 13 November 2020 (Coolgardie)

The following are the WALGA State Council meeting dates in 2020 with suggested GVROC teleconference meeting dates prior to these to inform the GVROCs representatives attend the meetings with relevant input for State Council Agenda Items:

- 3 June 2020 Budget meeting - (WALGA advise no need for GVROC Teleconference for budget meeting)
- 1 July 2020 - (GVROC Teleconference 26 June 2020)
- 3-4 September 2020 Regional meeting Broome - (GVROC Teleconference 28 August 2020)
- 2 December 2020 - (GVROC Teleconference 27 November 2020)

14. CLOSURE OF MEETING

There being no further business the Chair declared the meeting closed at 9:30am.