

# Western Councillor



ISSUE 121 | AUG/SEPT DJILBA 2022



P4

RECRUITMENT AND  
EMPLOYMENT IN  
THE KIMBERLEY

P24

NEW REQUIREMENTS  
FOR WA LOCAL  
GOVERNMENTS

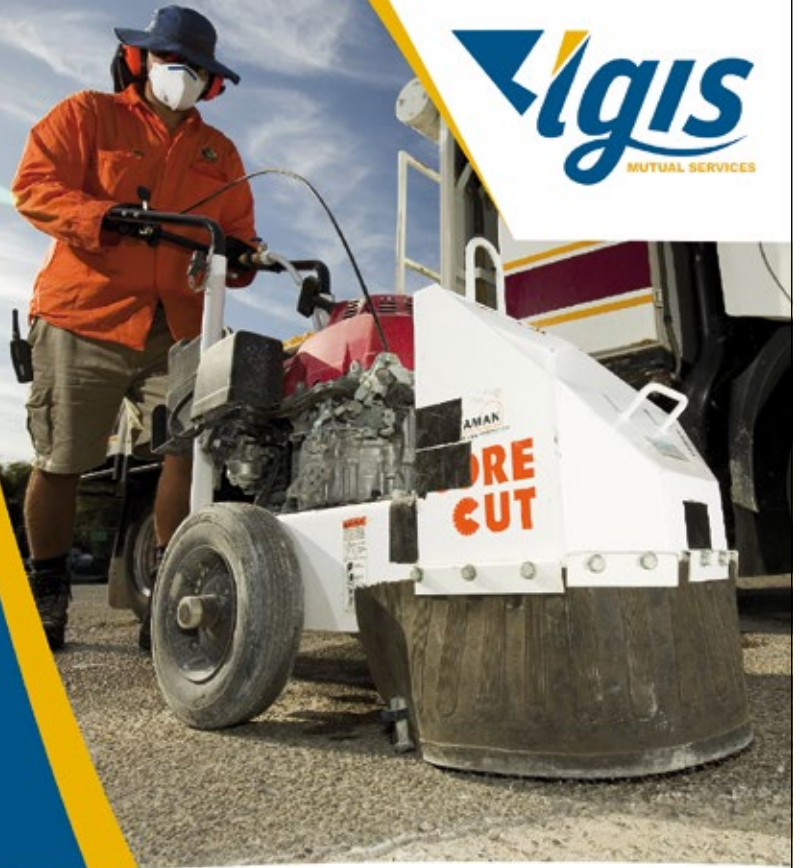
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## LOCAL GOVERNMENT

# Peer Support Team

A practical way to provide mediation and conciliation support to Local Governments in Western Australia.

The Peer Support Team is an initiative between the WA Local Government Association (WALGA) and Local Government Professionals WA.

The team was formed to provide conciliation, negotiation and mediation support to Local Governments that identified issues of relationship conflict between Councillors, or between Councillors and senior staff.

The key objective is to assist Local Governments resolve these issues

of conflict and reduce the need for formal investigations or enquiries.

The team will meet with the affected Councillors and staff individually, as well as in a group setting, allowing all parties to freely express their views in a neutral environment. The team will then assist the Local Government to develop outcomes and a path forward that is suitable for all involved.

So, to head off possible conflict or for the best resolution in situations where it already exists, call Nick Sloan or Candy Choo on the numbers below.

LOCAL GOVERNMENT  
PEER SUPPORT  
TEAM HOTLINE  
NUMBERS

Nick Sloan  
CEO  
WALGA  
Tel 9213 2025

Candy Choo  
CEO  
LG Professionals WA  
Tel 9271 1136





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**Welcome to Issue 121** of Western Councillor

## COVER:

Key NAIDOC Week celebrations in the City of Kwinana included an opening event with performances by local school groups, an awards ceremony at the Medina Aboriginal Cultural Centre Family Day, and a dance performance at the Moorditj Kulungar Playgroup run by Bright Futures Children's Services.



ALBANY



ASHBURTON



VINCENT



Chief Executive Officer  
**Nick Sloan**

## FROM THE CEO'S OFFICE

In setting its 2023-24 State Budget, due in May next year, the State Government will need to manage a challenged inflationary environment, take a disciplined approach to increases in recurrent expenditure, and focus on delivering programs that will provide the highest value to the community. It will also need to avoid increasing pressure on households and business, already experiencing rising costs, with supply chain constraints and shortages of labour contributing to inflationary pressures.

Local Governments are committed to working constructively with the State Government, and with their unique understanding of local communities, can help ensure funding is well-targeted and focussed on delivering meaningful outcomes.

In its 2023-24 State Budget Submission, WALGA has prioritised a number of initiatives that will deliver significant benefits to communities across the State through:

- Supporting industry and diversifying our economy,
- Taking action on climate change,
- Supporting the wellbeing of all Western Australians, and
- Delivering a legislative environment that supports a stronger economy and sharing prosperity.

The increasing frequency and intensity of significant natural events has heightened awareness of the implications of climate change on local communities. The submission contains several climate change adaptation and mitigation initiatives. Providing additional funding to support Local Governments to undertake coastal hazard risk assessment and adaptation

plans for coastal erosion hotspots is one proactive measure. Developing a State Urban Forest Strategy and expanding the Urban Canopy Grant Program to plant 60,000 trees is another important initiative that builds on existing, successful programs.

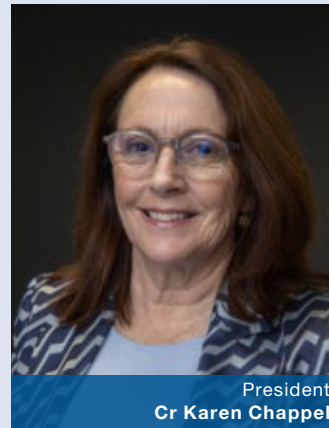
Pressures in the construction industry are being felt across the State. The establishment of a targeted training program for Local Government building surveyors would address an acknowledged skills shortage, support activity in the construction sector, provide vital career opportunities and support the implementation of the State's building regulation reforms.

Currently Perth lacks an endorsed metropolitan Mid-Tier Public Transport Strategy, the creation of which is critical to addressing the gap in transport planning between METRONET and local area travel plans. Funding is sought in the 2023-24 Budget for the development of a Strategy to support the work already undertaken by a consortium of Metropolitan Local Governments.

Another priority initiative is to increase the Local Government Grant Scheme (LGGS) funding, to meet the emergency response capability needs of Bush Fire Brigades and State Emergency Services across the State. LGGS funding has not kept pace with the increasing costs of assets and the scheme is currently over-subscribed. An immediate additional funding allocation will address the backlog of capital projects, such as appliances, vehicles and major items of equipment. WALGA is also seeking an increase in the annual LGGS operating grant to support Local Governments to meet increased Work Health and Safety requirements, deliver training and allow small asset and equipment purchases.

To support Local Governments mitigation works and prepare improved and safer access to bushfire prone areas, WALGA is also seeking funding for the Mitigation Activity Funding (MAF) Grant Program to reduce bushfire risk.

The full and final budget submission has been developed in consultation with the sector and endorsed by WALGA's State Council. I look forward to working with the State Government on progressing these important initiatives.



President  
**Cr Karen Chappel**

## FROM THE PRESIDENT

The publication of this Western Councillor edition will coincide with the staging of the 2022 WALGA Convention. The WALGA office has been a hive of activity in recent months with the Events Team compiling a well-rounded, cutting-edge and diverse list of speakers – in fact, I think it is one of the best list of speakers we have ever assembled.

An encouraging indication of a successful 2022 WALGA Convention is that at the end of August, the trade display was fully consigned. This will provide an excellent opportunity for attendees and delegates to access and network with those suppliers who can provide essential services to Local Governments.

The first item of the Convention program on Monday 3 October will be the WALGA Annual General Meeting. The AGM agenda contains 11 motions to be considered.

WALGA has been in discussions with the Australian Bureau of

Statistics (ABS) about concerns some Local Governments have that the population counts in the 2021 Census do not accurately represent the population level in their Local Government Area. The ABS has agreed to provide a briefing to WA Mayors/Presidents and CEOs that provides information about the Census process, challenges in collecting Census data in 2021 and the next steps. Those Local Governments that still have concerns will then be able to communicate directly with the ABS about issues specific to their Local Government Area.

WALGA has recently lifted its presence in the media. Three significant issues for Local Governments that gained attention were the new Local Government reforms; bushfire brigades; and rates. I have been able to represent Members through numerous media interviews on these important issues.

Following Local Government Minister John Carey's announcement on the finalisation of the State Government's Local Government Reform package in early July, one of these opportunities to speak to the media was welcoming the reforms, noting that much of the package reflected WALGA's positions it had strongly advocated.

Our sustained, evidence-based and constructive advocacy on behalf of the sector on these reforms has been a resounding success. That advocacy will continue through WALGA's participation as a key member of the working group tasked with working on the detailed design of the new legislation.



**2022 WA Local Government  
Convention and Trade Exhibition**

**Sunday, 2 – Tuesday, 4 October 2022**

**Crown Perth, Great Eastern Hwy, Burswood**





Minister for Local Government  
**Hon John Carey MLA**

## FROM THE MINISTER

It has been a very busy few months in the Local Government portfolio and I have been meeting with Councils across the State, hearing about the diverse issues that local governments are tackling. I'm grateful for the opportunities I've had to engage with people across the sector on the great work that Local Government delivers.

As Local Government Minister, I was proud to announce this Government's final package of our reforms to the Local Government Act 1995, following a review of public submissions.

The reforms represent the most significant change to Local Government in Western Australia since the Local Government Act 1995 was introduced more than 25 years ago.

I have been working and engaging with a range of peak bodies and stakeholders across the State, including the Opposition, to implement these reforms as they will deliver better outcomes for Local Governments and the communities they serve.

While we may not always agree on policy, there is broad consensus from the Opposition that there is the need for significant change for the sector and our Government's reforms will improve the transparency, accountability and efficiency of Local Government across WA.

In the past few months, I've met with a number of regional Local Governments and made some important announcements with them. It's great to see the

sector working proactively with our Government to achieve outcomes for their ratepayers and community.

The changes will also improve the transparency and accountability of Local Government through measures such as mandatory recording and live streaming of meetings, and tighter rules around what matters can and cannot be discussed behind closed doors.

The reality is most Local Governments and Councils are doing great work for their communities but these reforms will ensure we have penalties in place that properly address poor behaviour, including suspensions of up to three months for serious misconduct, and bans of up to 10 years for elected members who consistently breach the Act.

We've also established a new working group made up of representatives from across the sector, to inform the implementation of reforms, and development of regulations to support the new laws.

It's been identified 71 out of the State's 139 Local Governments will not require changes to their elected Councillor numbers, under the McGowan Government's reforms. The two-year election cycle used in Local Government in Western Australia will mean that, for some Councils, adjustments to Councillor numbers will need to be phased in over two elections. I will be writing to each Local Government shortly to discuss and outline their transition arrangements.

With the annual milestone of the WALGA Conference and Annual General Meeting fast approaching, I have also been reflecting upon my second year as Local Government Minister. In my time in office so far, my engagement with the sector has been essential for informing how we can shape reforms to benefit everyone involved in Local Government. In this, I want to recognise the work of WALGA president Karen Chappel, Nick Sloan, and Tony Brown at WALGA, to facilitate and engage in constructive discussion and advocacy on critical policy issues.

I look forward to continuing to work with you all.



Shadow Minister for Local Government  
**Shane Love**

## FROM THE SHADOW

The rising inflation rate and steep increases in input costs for materials such as concrete, fuel and bitumen has no doubt made the recent budget planning process challenging for Local Governments this year. Now more than ever, State and Federal governments need to be engaging with Local Governments and their peak associations to discuss funding for vital infrastructure and community projects.

The Office of the Auditor General's Financial Audit Results, tabled in August 2022 made clear the impact of recent extraordinary events on the financial position of Local Governments, be that the COVID-19 pandemic or natural disasters such as bushfires and storms, which have affected numerous communities leaving Local Government to spend much time and resources on recovery and repair.

Adverse economic impacts from COVID were a result of reduced revenue owing to rate concessions, the cancellation of events and disruption from border closures, in addition to the cost of managing the pandemic. These pressures being compounded by rising costs.

Numerous stories in the national press recently have highlighted medical practices that are struggling to make ends meet in the wake of rising costs and the Medicare rebate freeze - introduced in 2013.

I fully appreciate the pressure faced by regional Local Governments to step in and subsidise the operating costs associated with medical practices or contribute financially to housing for GPs or the provision of a practice. Understandably, local communities want to know they can access medical services.

Attracting and retaining medical doctors in rural and remote areas has been an issue now for decades. The former state government introduced the Southern Inland Health Initiative (2011 – 2017), a \$500 million program delivered by the WA Country Health Service. One element of which was the delivery of the District Medical Workforce Investment Program to provide better access to doctors and emergency care closer to home. The program offered incentives to attract and retain GPs to country towns.

It is apparent that without State and Federal support, regional Local Government will continue to bear a heavy cost to maintain this vital service. I have written to both the Federal and State Health Ministers requesting that they consider incentives to encourage GPs to practice and stay in regional areas. This is particularly pertinent in communities which lack any public health facilities. In addition, an urgent review of Medicare rebates in regional areas is needed, in line with increasing operational costs.

# RECRUITMENT AND EMPLOYMENT IN THE KIMBERLEY – SHIRE OF DERBY/ WEST KIMBERLEY CASE STUDY.



Nathan Dolby – Shire of Derby West Kimberley works crew member

The Shire of Derby/West Kimberley is a small community located in northern Western Australia which is immersed in stunning and unique scenery.

It has a population of approximately 8000 with 65 per cent being Aboriginal and/or Torres Strait Islander people. The Shire of Derby/West Kimberley is dedicated to the employment and retention of people, local to the community, and encourages the development of local youth and the greater Kimberley community.

As a result, the Shire has a long history of participating in career day events and working closely with the school and school programs to promote local career paths and workplace learning opportunities.

The Shire has recently been working directly with local service providers Clontarf, Shooting Stars and the Derby District High School in order to take on work placement students and trainees to develop their skills and encourage them to stay local and work with the Shire.

The work placement program allows the students to experience the Local Government workplace first-hand and have a realistic expectation of the work environment before they leave the education system.

Several departments of the Shire also travel to remote schools and surrounding communities to conduct health promotion, deliver ranger and youth services. This ensures that the community is aware of the services the Shire offer and the different departments they would be eligible to be employed within.

The Shire is focused on the wellbeing of all of employees and endeavours to be culturally sensitive. It is important to remain aware and invested in the happenings within the community and encourage all staff members to feel comfortable when engaging with other staff.

Training and development are a high priority for the Shire, as they believe knowledge is empowering. All employees of the Shire are expected to complete cultural awareness training which is held locally in order to assist our staff to have a more in-depth understanding of the community and its past, present and future.





Jenaya Cox – Shire of Derby West Kimberley Senior Customer Service Officer

Shire President Geoff Haerewa said that the Shire prides itself on having a workforce that represents its local community.

“The area has a high transient population so in order to get the best for Derby/West Kimberley, we have to have a workforce with an interest in their community and seeing their community succeed,” President Haerewa said.

“Recruiting local and starting from school, means that we have a large number of staff who are working for THEIR community and home and collaborating with the school programs means that our local kids have the opportunity to achieve their goals and start their careers while actively improving and supporting the local population.

“The main reason the Shire is so successful in recruitment and retainment of local people is our staff.

“They just don’t talk about the values of Respect, Relationships, Community, Knowledge, Integrity with our community but act, commit and demonstrate our core values in every aspect of our roles, and this gives our community confidence.”

President Haerewa said local community members consistently see this from our team and makes them want to be a part of the public service that the Shire of Derby/West Kimberley offers.

“I believe the success of our recruitment and retention can be summed up by the mantra; ‘Beautiful outdoors and a passionate work environment = The Shire of Derby/West Kimberley a great place to work, live and invest in.’” President Haerewa said.



Trevor Menmuir – Shire Youth Coordinator



LtoR- Susan Stafford, Summer Armstrong, Camillia Juboy, Catherine Feeney and Isaac Buckle – Shire Aboriginal Environmental Health Unit

# INFLATION IS REAL. HOW DO WE MANAGE IT?

**Andrew Blitz, Commercial Development Manager**

It is not surprising that many prequalified rates for WALGA Preferred Supplier Panel (PSP) Contracts have been varied at the start of the financial year with annual inflation increments, following a period of stagnant activity.

Both WALGA's Procurement Governance team and Preferred Supplier Panel (PSP) Contract Managers have fielded many calls from Members seeking to balance the tension of rapidly rising costs with budgetary and contractual constraints.

The Perth Consumer Price Index (CPI) is current to the June Quarter at 7.4% for the year with contributing factors including housing costs (+13.6%) and transport costs (+14.5%) driven by increases in the cost of fuel. WALGA's Local Government Cost Index has been revised upwards, and is forecast to reach 5.9% by the end of the 2022 financial year.

To focus on one area, in the coming year there are steep cost rises forecast for insurance, on average greater than 10%. This will impact both directly, and indirectly by adding significant input costs and enhanced risk to each layer of the supply chain. The dramatic increases are driven by claims volumes in natural hazards, and reinsurance risk profile adjustments across Australia, and globally.

There are different types of inflation, often summarised as Demand-Pull (where demand exceeds production capacity), Cost-Push (where input costs rise), and Built-in (wage pressure and maintaining CPI living standards). Elements of all three are contributing to our current economic environment.

Local Governments have an obligation to derive best value for money through the sector's direct spend on goods, services and works, a ledger that exceeds \$2 billion per annum. In regulatory terms, a Local Government Tender must deliver the "most advantageous outcome". The critical consideration here is "outcome", which does not always equate to "lowest cost", but rather the greatest benefit against the quantum of spend.

Successfully tendering for fixed price contracts for infrastructure, civils and construction may be hard to achieve in the current environment. WALGA has encountered many instances of Members receiving no responses to traditionally structured Tenders where the fixed cost risk is borne by the Contractor. Suppliers advise they will only consider bidding in the form of variable quantities. Feedback from developers is that inflation is causing nil or negative margins and this margin erosion is perhaps the biggest real supply and capacity risk to our economy.

Local Government, as with all industry sectors, may not be able to control inflation. However, the approach towards managing the impact of inflation can make a big difference. This is where the commercial skills of procurement can assist.







Different strategies can be adopted during an inflationary cycle, with some examples and approaches as follows:

- Maintain more information within a contracts register, and exercise greater control over contract renewal processes with sufficient lead time. Having access to historic performance and price variations assists to contextualise current requests for variation.
- Recognise that any willingness to renegotiate or vary contracts is not an opportunity for suppliers to price gouge, or even to simply pass through their cost rises without justification and a level of efficiency. There is a difference between acceptable and unacceptable price increases. All proposals to increase costs, particularly requesting adjustment outside of already contracted rise and fall provisions, should be evidenced and, where appropriate, tested at source. Utilise indices and market indicators to benchmark variation requests, and consider adjusting review frequencies to incrementally control market movements.
- A collaborative approach to understanding supplier cost drivers, particularly for Small to Medium Enterprise, can support a reasonable approach towards contract variation. The imperative to support local economic development is an important factor to consider in conjunction with consideration of supplier and business continuity.
- In the context of project activity, a previously time imposed deadline may not be achievable with limited market capacity for labour, building materials and rising costs. A project can be recast with realistically extended timetables to compensate for initial budgetary projections that can no longer be achieved, including renegotiations when contractually enshrined. The loss of a contractor due to bankruptcy can be a greater risk than a time and cost overrun.
- Revisiting a scope of supply and the non-regulatory compliance/administrative burden imposed on a supplier can make a significant difference to affordability.
- As advised in the WALGA economic briefing, it is prudent for Local Governments to undertake longer term planning and prepare for multiple scenarios for cost increases in coming years. Budgeting for contingencies and amending forward estimates, works and Asset Management plans to account for both anticipated and potential variances can assist to manage cost escalation.
- Protect the resilience of your security of supply with multiple supply options and contingencies. Panel contracts, and the strategic use of Panel contracts to deliver an equitable share of business to the Panel can assist. At a sector level WALGA has the capacity to tender for additional suppliers, particularly regionally based suppliers, to its PSP when requested by Members. This obviates the expenditure and time associated to procure and administrate local Panels.
- Where Local Government contributes or aggregates its buying power, new sources of supply can be enticed into monopolised or oligarchic specialised markets.
- The segmentation of all expenditure into critical and non critical categories, and the prioritisation of contract and risk management for essential services will optimise administrative resources.
- Never under-estimate the strength of professional supplier relationship management, extending to understanding suppliers cost drivers and demand forecasts. Nurturing relationships and human capital, and mutually exploring efficiency driven innovation with your suppliers can be a very fulfilling and productive use of time.

It may be some years until supply shortages and inflationary pressure normalise. We need to professionally prepare and respond to the impact of inflation and sustain our operations on the basis of anticipated cost escalations.

# Around the Nation

## News from State Associations across the country

### ALGA



ALGA President Linda Scott said the Australian National Audit Office's review of the Building Better Regions Fund was a timely reminder of the importance of fair and transparent federal funding.

"Formula based funding programs such as Financial Assistance Grants and the Local Roads and Community Infrastructure Program are completely transparent, and benefit every Australian community," Cr Scott said.

"The October Federal Budget is an opportunity for the Government to re-direct funding from competitive grants programs to FA Grants and ensure that funding is fairly provided right across the country."

"Financial Assistance Grants have declined from 1 percent of Commonwealth taxation revenue in 1996 to just 0.55% today, and this has had a significant impact on many of our regional and rural councils that rely heavily on this funding."

"Some councils are looking at closing local facilities such as swimming pools or reducing their community centre hours of service due to budgetary pressures."

"Other councils can't move ahead on key projects such as vital stormwater upgrades because they've been unable to secure funding through over-subscribed grants programs."

**"Over time we want to see Financial Assistance Grants restored to 1 percent to ensure that every Australian council is sustainable, and every community is liveable."**

### NSW



**Flood inquiry calls for more support for local government**

Local Government NSW (LGNSW) has welcomed the release of the NSW Parliamentary Inquiry's report on the Response to Major Flooding Across NSW in 2022.

The inquiry found that emergency services and NSW Government agencies were unprepared and did not comprehend the scale of the February – March floods, which caused widespread devastation and damage, particularly in the Northern Rivers and Hawkesbury regions.

Crucially, the inquiry supported LGNSW's view in finding that local councils – especially in the Northern Rivers region – will need significant support to repair private and public roads affected by flooding, potholes and landslips.

The inquiry's report made a raft of recommendations to ensure NSW communities are better prepared and more resilient to respond to extreme weather events, many of which aligned with those made by LGNSW in its submission to the inquiry.

#### One of the key recommendations includes:

- **That the NSW Government work with local governments to identify alternative routes to vulnerable roads, and that the NSW and Australian Governments fund the construction of these important routes to improve evacuation and access options in times of disaster.**

### QLD



#### Councils step up to protect the Reef

Three Queensland councils have joined a research project to protect the Great Barrier Reef from silt washed from thousands of kilometres of unsealed country roads.

Cassowary Coast, Isaac and Bundaberg regional councils have joined the innovative Cleaner Road Runoff research project which has already started monitoring unsealed roads and their impact on water quality at test sites in Whitsunday Regional Council and Gladstone Regional Council in the Reef catchment.

**With an estimated average 25mm of road material washing off the top of 38,000km of unsealed roads in the Reef catchment every year, the project could have a massive impact on the health of the Reef as well as benefit the communities that cherish and rely on it, Local Government Association of Queensland CEO Alison Smith said.**

Fine sediments like those washed from unsealed roads and drains are one of the three greatest water quality risks to the Reef, reducing light to seagrass beds and inshore coral reefs.

The Cleaner Road Runoff project results are expected to form the basis of guidelines to improve road design and maintenance.

The program expansion comes after the Local Government Association of Queensland secured an additional \$1 million of funding from the Great Barrier Reef Foundation (GBRF), extending the research until May 2024 and including the extra reef catchment councils.

The expansion of the program was announced at the LGAQ's inaugural Coastal Leaders Forum in Gladstone.

The Cleaner Road Runoff Project is funded by the partnership between the Australian Government's Reef Trust and the Great Barrier Reef Foundation with support from Griffith University, IPWEAQ, Department of Environment and Science, Office of the Great Barrier Reef, Bundaberg Regional Council, Whitsunday Regional Council and Gladstone Regional Council.

### SA



#### Update on the Container Deposit Scheme Review

The Environment Protection Authority (EPA) took another step forward in its review of the South Australian Container Deposit Scheme (CDS).

The EPA has released a consultation summary report on the 2021 Improving



South Australia's Recycling Makes Cents discussion paper.

**The consultation summary report showed strong support for:**

- **resource recovery and recycling to be adopted as a key objective for the CDS**
- **the inclusion of glass beverage containers up to 3 litres in size (68% of respondents supported this)**
- **expansion of broadening the range of return points for containers – including reverse vending machines**

The report showed a mixed response regarding the inclusion of a fourth kerbside bin to capture all glass containers with 51% of respondents not commenting at all on the inclusion of a fourth bin. The wine sector was the main supporter for a fourth glass kerbside bin.

The LGA does not see the inclusion of a fourth glass kerbside bin as a favoured mechanism for high value material resource recovery as broken glass in bins causes contamination and reduces the recovery of high-value cullet for remanufacturing – which continues the substantial amount of glass ending up in lower value recovery outcomes or landfill. Additional costs, logistical burdens and amenity hazards for councils and communities are further reasons the fourth kerbside bin for glass is not a favoured option.

The State Government has indicated that they are ready to progress development of draft legislative changes to improve the CDS for beverage producers, recyclers, and the community, with consultation to begin later in 2022.

The LGA will continue to consult with membership on the proposed changes to legislation and represent and advocate for the interests of the sector through the CDS Review Reference Group as well as through ALGA.

TAS



**Take a Seat at the Table in upcoming Local Government elections**

The Local Government Association of Tasmania (LGAT) and the Tasmanian Government are calling on people from all walks of life to consider running for their council in the Local Government elections later this year.

The joint campaign encourages people to consider taking 'A seat at the table' to represent their local community.

LGAT President, Australian Local Government Association of Australia Vice President and West Tamar Mayor Christina Holmdahl said the campaign will encourage diversity in local government.

"Strong and effective councils reflect the diverse communities they serve," Mayor Holmdahl said.

"That's why we must do all we can to encourage and empower people from a diverse range of backgrounds, abilities, genders and ages to stand for their community," she said.

**Local Government offers an exciting and rewarding opportunity to work with residents and businesses and make a real difference in the lives of Tasmanians.**

"It's an enormous privilege to represent your community; I'd encourage everyone to consider giving it a go," she said.

VIC



**Celebrating councils as they embrace technology**

An app to manage waste collection proving anything but rubbish, modern customer management systems, digitalising historical documents and revolutionary open data exchange have been celebrated at MAV Technology's awards night.

The major awards were won by:

- Customer Experience: Kingston City Council's The Scan it, action

it, close it app, helping council more quickly identify overflowing rubbish bins in public spaces, proving the worth of embracing technology for all ratepayers.

- Employee Experience: Hume City Council's new customer management system Single Customer View, helping staff better service their rate payers by simplifying staff's understanding of what stage Service Requests.
- Collaboration and Partnership: Moorabool Shire's collation of historical documents project Project X-(Naming Conventions)-Moorabool –A Metadata Journey, which has helped capture and modernise the shire's rich history.
- Emerging Technologies: Glenelg Shire Council's modernisation of ratepayer service requests Cultural Collection Protection using Smart City Technology, allowing its staff to better respond to requests from ratepayers.
- Data & Insights: Casey City Council's Open Data Exchange, providing a wealth of information at ratepayer's fingertips and highlighting how technology can greatly enhance community interaction with council.
- People's choice: Banyule City Council's IoT Smart Cities Asset Management system, helping to bring asset management into the future.
- Exhibitor of the Year: SpacetoCo, who facilitate online booking of unique and hidden spaces.

MAV President Cr David Clark said it was important to shine a spotlight on the councils leading the way in the use of technology.

**"Technology moves forward so quickly, so it's important to stop and celebrate those leaps forward at a Local Government level. These awards are a terrific way to celebrate the many examples of great work being done with technology across the sector," Cr Clark said.**

# AUG/SEPT AROUND THE STATE IN PICTURES

The following pictures celebrate the achievements of Local Government in Western Australia. Any WA Local Government that has held an event or function and wants to have it featured in Western Councillor is encouraged to contact the *WALGA Communications Team* via email: [communications@walga.asn.au](mailto:communications@walga.asn.au)

## ALBANY

Albany hosted the Royal Australian Navy vessel HMAS Anzac in July as part of the City's Maritime Festival. On Sunday 24 July Anzac welcomed the community on board for educational tours of the warship, giving visitors an insight into the life of a member of the Royal Australian Navy and life at sea.



## ASHBURTON

The Onslow Water Tanks mural is officially underway. WA artist Jerome Davenport was selected by a working group of Onslow locals to complete the project. The first tank will focus on the rich flora and fauna in the region, and the second tank is a celebration of Onslow's rich history. The mural is a joint project between Regional Arts WA, the Shire of Ashburton and the Water Corporation.



## CARNARVON

A newly launched Youth Incentive Program by the Shire of Carnarvon aims to empower and mobilise young men to enhance youth development, promote school engagement, and improve social outcomes. As part of the program, the Shire partnered with the Carnarvon Men's Group and organised a fun day trip to New Beach with 13 school boys from the Carnarvon Community College and engaged in hands-on activities, learning new skills, and inspiring connection to Country.



## CUBALLING

Shire of Cuballing held its first's ever Winter Ball with 150 tickets sold in just eight days. The ball featured a live band, with canapes and everyone in formal attire. The ball was a fundraiser for BlazeAid after the fires that ripped through the Shires of Cuballing, Narrogin and Wickepin in February 2022. Approximately \$14,000 was raised on the night with a \$25,000 donation from CBH. The community certainly enjoyed the social night as a distraction to the damage the fires had caused.



## CUE

August marked the start of Auskick in Cue with a fantastic turn out with kids from Meekatharra, Mt Magnet and Yalgoo. The smiles and laughter were contagious. A big thank you to everyone that helped on the day, especially with the BBQ and fruit to feed the next wave of AFL stars at the end of the day.

## GINGIN

Gingin emergency services centre reaches practical completion. In early August, approximately 50 fire brigade volunteers, Shire staff, and Elected Members inspected the newly completed Gingin Emergency Services Centre. The new Level 3 Incident Control Centre took just over 12 months to construct and was a joint project between DFES and the Shire of Gingin. The Centre consists of co-located fire station facilities for the Gingin South Volunteer Bush Fire Brigade and Gingin Volunteer Fire & Rescue, offices for incident management functions, and space for other emergency service agencies when required.



## GOSNELLS

City of Gosnells residents can now enjoy a new vibrant, modern library in Beckenham. The library was designed with technology in mind and is located in the Mills Park Centre, alongside a nature playground, function rooms, skate plaza, basketball and tennis courts, sports fields and a popular café. The \$1 million project was jointly funded by the City and the Australian Government, as part of its COVID-19 stimulus plan.



## JOONDALUP

Minister for Housing; Lands; Homelessness and Local Government John Carey joined Joondalup Mayor Albert Jacob and then Wanneroo Deputy Mayor Brett Treby (TBC) at the launch of the City's Regional Homelessness Plan 2022/23-2025/26 in August. The two cities worked closely with the Joondalup Wanneroo Ending Homelessness Group (JWEHG) to review the previous iteration of the plan.



## KALAMUNDA

The City of Kalamunda has recently completed three project upgrades at Maida Vale Reserve. They are new sports lighting, resurfacing of the entrance road from Ridgehill Road, and installation of a new retaining wall and footpath along the eastern oval. The upgrades include \$445,000 of new sporting lighting on the eastern playing fields at Maida Vale Reserve and is part of a staged upgrade of sports lighting across the Reserve.



## KELLERBERRIN

The Shire of Kellerberrin, in partnership with the Kellerberrin District High School, hosted a NAIDOC community event where student presented Noongar topics and artwork that they have been learning about during culture classes. Attendees were given the opportunity to listen to traditional Noongar songs and stories, as well as a warm morning tea of kangaroo stew and damper prepared by local aboriginal families.



## KWINANA

Key NAIDOC Week celebrations in the City of Kwinana included an opening event with performances by local school groups, an awards ceremony at the Medina Aboriginal Cultural Centre Family Day, and a dance performance at the Moorditj Kulungar Playgroup run by Bright Futures Children's Services.



## KONDININ

New infrastructure is a welcome addition to the Kondinin Community Garden, the former site of the Kondinin Swimming Pool. This space has continued to evolve over the last eight years through the hard work, dedication and donations from local community volunteers. The climbing frame was purchased and installed through grant funding from the Federal Government Local Roads and Community Infrastructure Program.



## MEEKATHARA

The Shire of Meekatharra was proud to commission the Community Mural Artwork project earlier this year, situated in the main street family park. The mural was completed in July 2022 by artist Helen Ansell who spent her childhood in Meekatharra and now resides in Mullewa. The mural represents local flora and fauna found in the district of Meekatharra depicting a bungarra (Perentie Giganteus Goanna), coglas (Marsdenia australia, commonly known as bush pears and bush bananas), pink and white everlastings, eremophila's, sennas (from the legume family), flannel bush flowers, spinifex and cotton bush.

Pictured: Helen Ansell (artist)

## MURRAY

As part of World Environment Day, the Shire of Murray organised a 'Planting in the Park' event for the community. Volunteers helped plant seedlings along the banks of the Murray River in South Yunderup which will help restore the vegetation corridors along the river in a sustainable way. Revegetation reduces bank erosion, increases the uptake and removal of nutrients before they reach the river, and enhances habitat for species such as Rakali (native water rat).





## NEDLANDS

It was boots and hard hats for the Nedlands Mayor and Councillors who visited the Swanbourne Nedlands Surf Life Saving Club (SNSLSC) to mark the start of major renovations to the 90-year-old headquarters. The \$2.5 million project was funded by the Federal and State governments, Lotterywest, SNSLSC and the City of Nedlands.

Pictured: L-R Cr Ben Hodsdon, Cr Hengameh Amiry, Mayor Fiona Argyle, Cr Kerry Smyth and SNSLSC President Kate Hutchinson.



## NANNUP

In May the Shire of Nannup celebrated the opening of the much-anticipated Nannup Tank 7 Mountain Bike Park. Nannup is fast becoming a world-class destination for cycling. The official opening was attended by more than 60 delegates from the local community, government and tourism sector. The park is set to be one of the very best mountain bike parks found anywhere in the world.



## NUNGARIN

The Shire of Nungarin secured a grant to fund a new landscaping project along Railway Avenue. The project is taking place over two phases. The first phase for the Civic precinct has now been completed with the revitalisation of the commercial area, set to take place in the coming months. Community members have been actively involved in the project to brighten up their much-loved town.



## PLANTAGENET

The Mount Barker Public Library was recently refurbished after Council allocated \$32,760 to the project. The project included new carpets, paintwork, computer cabinets, storage and displays, and shelving for the junior area.

The entire collection has been recategorized to make it easier for visitors to find books by topic and genre. Council have also scrapped overdue fees for loans to make the library more accessible for all.







## ROCKINGHAM

The City of Rockingham's \$5 million expansion and upgrades at Koorana Reserve are complete. The project included a major refurbishment and expansion to the existing clubrooms and two additional hectares of playing space. The upgrade features two new soccer fields, expanded cricket nets, upgraded reticulation, state-of-the-art sports floodlighting and a new carpark.

## SERPENTINE JARRAHDALE

A new chapter has commenced for the Serpentine Jarrahdale Library Service after it opened the doors from its new location in Byford. A \$2.65 million refurbishment – fully funded through the Australian Government's Local Road and Community Infrastructure (LRCI) Grant Program – has been carried out at the former Byford Hall building transforming the facility in to a modern, contemporary library.



## SHARK BAY

In July the annual Shark Bay Winter Festival Markets took place on the foreshore in Denham. Despite cold weather and the threat of rain, there was a big turnout of residents and visiting tourists. Participants enjoyed browsing the market stalls, listening to live music, and creating dried flower crowns. Children who attended also enjoyed playing on the bouncy castles and getting crafty with slime and sand.



## TAMMIN

The Donnan Park Oval in Tammin looked spectacular as it played host to the East Avon Women's Hockey finals this year. The bright green oval contrasted beautifully against the backdrop of yellow thanks to the canola planted by community volunteers as part of this year's Community Crop.



## TOODYAY

Since the launch of Toodyay's first Reconciliation Action Plan last year, the significant Noongar (Yued, Ballardong and Whadjuk) connection to this area has been acknowledged through the Gnulla Karnany Waangkiny (Our Truth Telling) partnership between the Shire of Toodyay and Noongar Kaartdijin Aboriginal Corporation. This has resulted in the installation of signage at important cultural sites, as well as permanent display boards at the Shire's two museums.

## VINCENT

The City of Vincent teamed up with Planet Ark to hold a National Tree Day planting activity at Woodville Reserve. Thanks to North Perth Primary School students and teachers, North Perth Community Garden and Strata Green volunteers, community members and City staff who helped plant more than 800 native shrubs. The planting marks the completion of a revamp of the top end of the reserve.







## WANNEROO

Work continues on the Splendid Park cycling facility in Yanchep, which on completion will feature a full criterium-width track that winds its way around the park's existing ovals and sport court facilities. The cycling track, which will be the first of its kind in the State, will support all levels of cycling, from beginners to elite riders.

City of Wanneroo Deputy Mayor Brett Treby and Crs Paul Miles, Glynis Parker, James Rowe, Natalie Sangalli, Sonet Coetzee, Linda Aitken, Jacqueline Huntley, Frank Cvitan and Jordan Wright are pictured with Federal Member for Pearce Tracey Roberts, Northern Beaches Cycling Club members and State Member for Butler John Quigley.

## WEST ARTHUR

The Shire of West Arthur recently hosted 11 communities at the second Community Builders event run by Bank of Ideas and Rural Aid. The day consisted of presentations from locals on assets, possibilities and challenges, Shirley Brindley, on using Tidy Towns as a community building tool, and Peter Kenyon on how to recruit, retain and reward volunteers. A workshoping session allowed communities to map assets within their own communities. Three more workshops will be held in other communities.



## YILGARN

The Shire of Yilgarn, in consultation with the Southern Cross Community Resource Centre (CRC), held the inaugural Winter Carnival event in July. With the cancellation of a number of community events throughout the pandemic, the Winter Carnival was an opportunity for the community to come together again at the recently upgraded Constellation Park, with free inflatable rides and refreshments to enjoy.

# TAKE ADVANTAGE OF SYNERGY'S TOOLS AND SERVICES FOR LGAS

Synergy is taking action to help Local Government Authorities (LGAs) have more visibility and control over their electricity use than ever before by offering a range of value-add services.

According to Synergy Account Manager Bec Elshaw, the best starting point for any Local Government authority wanting to take more control of their electricity usage is to ascertain where electricity is being used.

"We're here to help you understand and manage your electricity usage – and My Account is the perfect place to start," she said.

## USE MY ACCOUNT FOR STREAMLINED ELECTRICITY USAGE MANAGEMENT

My Account is an online platform which allows Synergy customers, including Local Government Authorities, to keep track of their electricity usage and view their billing history at a time, and from a device, which suits them.

"My Account is the easiest way to access and manage your LGA's electricity use. We've put tools, advice, and information you need to help stay in control of your electricity usage in one place, so you can put your energy into running your council."

My Account also offers a range of reporting features where LGAs with advanced metering infrastructure (AMI) can monitor, measure, compare and forecast their electricity consumption.

"If you have an AMI meter, your interval data dashboard shows an overview of your daily electricity usage data so that you can better understand your electricity costs throughout the day, helping you to take control of your electricity use. This allows you to make changes to adapt your electricity use as necessary."

Customers with AMI interval meter data can get a detailed understanding of their own peak demand periods, down to 30-minute intervals, with data shown two days in arrears.

"You can use your interval data for National Australian Built Environment Rating System (NABERS) and emissions reporting, energy audits, provision to third parties, or conduct your own analysis to understand on-site electricity consumption behaviour. The data can also be used for asset management purposes, such as the optimisation of solar PV systems, if your LGA has one installed."

## MAKE THE MOST OF LOAD PROFILE DATA

Ms Elshaw notes that LGA customers can also use My Account to access information about their load profile, power and load factors.

"This information can be found in the Interval Data section of My Account," she says. "You can also access tabular data, which provides the day and breakdown of your load profile, power factor and load factor data. The data can then be exported and downloaded in either half hourly or daily intervals."

In addition to this, as part of our service to LGAs, Synergy regularly reviews your electricity consumption across sites to ensure that you are on the right tariff for your Council."

## GAIN ELECTRICITY USE INSIGHTS FROM CUSTOMER DETAILS REPORTS

Synergy's Customer Details Reports were developed as part of the WALGA Sustainable Energy Project and are designed to be a value-add reporting resource for LGA customers.

Each report provides a detailed breakdown of the data Synergy collects about residential and business customers in each suburb within the area the LGA operates.

Each report includes data such as the number of customers and their average installed capacity based on the recorded inverter size of customers with Distributed Energy Resources installed on their premises as well as the number of residential customers who own a registered electric vehicle (EV).

"The details in this report can be used for

service planning or to handle meter data requests. LGAs can request a copy of their Customer Details Report simply by getting in touch with me at [bec.elshaw@synergy.net.au](mailto:bec.elshaw@synergy.net.au)," said Ms Elshaw.

## SIGN UP FOR SYNERGY'S PEAK DEMAND NOTIFICATION SUBSCRIPTION SERVICE

Synergy offers a Peak Demand Notification Subscription Service\* to help customers manage their electricity consumption during predicted Peak Demand Days, which could potentially have an impact on their capacity charges.

The service provides customers with notifications for predicted or forecast Peak Demand Days. Taking steps to reduce consumption on those days and during times when demand is generally highest could have flow-on benefits in terms of an LGA's capacity charges for the following capacity year.

"If you have signed up to the service and are able to reduce your electricity consumption on days which could be Peak Demand Days, it could be helpful to have a demand reduction plan in place. Our account managers are more than happy to provide further information regarding Peak Demand Days and the service."

\* Peak Demand Notification Subscription Service Terms and Conditions apply.

**Synergy is always on to help power your LGA and help you manage your electricity account. For more information, please contact Bec Elshaw at [bec.elshaw@synergy.net.au](mailto:bec.elshaw@synergy.net.au) or on 0457 199 222.**

## You have the power.

My Account gives you more power, over your power. It's an account management tool that lets you track your electricity usage, manage and change payment options, and it's full of simple energy saving tips.

[synergy.net.au/myaccount](https://synergy.net.au/myaccount)

synergy





## LGIS UPDATE

# END OF FINANCIAL YEAR WRAP UP FOR LGIS – FINANCIAL RESULT AND NEW PROGRAMS ANNOUNCED.

By Jonathan Seth, CEO, LGIS

2021/22 has been one of the toughest years in the Scheme's history. Against a backdrop of an ongoing pandemic, global upheaval and natural catastrophes LGIS continued to deliver sustainable long-term protection to Western Australian Local Governments.

### FINANCIAL RESULT

From a financial perspective, after a very strong year in 2020/21, where a surplus of \$9.11 million resulted, 2021/22 was challenging with a reported deficit of approximately \$7 million.

LGIS' financial position experienced income and expenditure pressure in 2021/22. It's important to remember that the very nature of our business – protection for loss events – is volatile.

Despite this year's deficit, and because of our prudent financial management, the Scheme remains well within our target capital range, ensuring that we remain strong and ready to respond when our members need us.

Investments are a large part of our income and they have been impacted by global events. Whilst our longer term investment performance remains sound, these circumstances have driven losses on funds under investment in 2021/22.

In addition the WA Local Government sector has had a poor claims year. Total claims' costs for LGIS escalated substantially and were \$4.25 million over budget at end of financial year.

### DELIVERING FOR MEMBERS – NEW SCHEME COVERS AND RISK SERVICES

Despite the year that's been, Scheme contribution increases for 2022/23 have been limited, particularly in comparison to the commercial insurance market.

LGIS is in a good financial position and the new financial year will see continued innovation.

Last year we successfully introduced pooled cover for Motor which delivered many benefits for members, particularly local, LGIS, claims management. 2022/23 will see increased pooled Journey Injury protection. Members will benefit from a more seamless approach to their risk financing from securing protections, tailored risk management, and managing claims.

Risk management is one of the key pillars of our mutual, recognising that members, their communities and the Scheme all benefit when risks exposures are contained. It's true that the sector's claims experience this past year was hit by unforeseeable events. However, there have also been a large number of avoidable claims.

That's why from 1 July we've commenced delivering two new targeted risk programs. The first is motor fleet risk management and the second, builds capacity to address the sector's growing exposure to cyber-crime.

Pleasingly the value and benefits of the Scheme continue to be recognised by the sector, with 100% of WA Local Government organisations having Scheme membership for 2021/22.

I will be providing a detailed update at the WALGA AGM on Monday 3 October. As always the LGIS team will be at this year's Local Government Convention and ready to answer any of your questions. I look forward to seeing you at the Convention.



### CR MELISSA NORTHCOTT CITY OF ARMADALE

*Disclaimer: This profile is written in consultation with and by Cr Northcott and does not reflect any views of fellow Elected Members, the City of Armadale nor the WA Local Government Association.*

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#### WHAT IS YOUR 'DAY JOB' AND HOW DOES IT RELATE TO YOUR ROLE AS AN ELECTED MEMBER?

My day job is a mix of multiple (paid and volunteer) high level community service, strategic, governance, corporate, disability and education flexi roles (all roles combined equaling full time). This enables me to be able to collaborate and be very engaged as an Elected Member and bring years of public, community and emergency service experience to the table with mixed insights which can assist with my roles and responsibilities as an Elected Member. My roles include: Board Director in the disability and education sectors and on board subcommittees (including finance and customer experience); Member on numerous disability advisory/reference groups within various sectors of Local Government, State Government agencies, volunteering and transport; consultant in the disability, health and business services sectors, and consultant/ long term volunteer with an emergency service organisation.

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#### WHAT SAW YOU BEGIN A CAREER IN THE LOCAL GOVERNMENT SECTOR?

I began my career in Local Government after seeing a need for more youth voices within the community, a greater need for youth safety messaging, , along with the realisation more service and support was needed - as well as diversity of youth representation to include young people with disability and diversity. I started by entering a youth road safety competition and joining the Youth Advisory Council as they needed more voices and diversity. I have always had a passion for helping the community and wanting to shape and change perceptions, so what better way then within Local Government.

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#### HOW MANY YEARS HAVE YOU BEEN INVOLVED IN LOCAL GOVERNMENT?

I have been involved in Local Government since the age of 14 (21 years so far), and eight years with the Youth Advisory Council (YAC) until that version disbanded in 2009. I have been a member of the City of Armadale Access Inclusion Reference Group (AIRG) since joining in 2006 as the youth rep as a 19yo and then becoming Community Rep and Deputy Chair and Chair after I was elected to Council. I have been on the Access Inclusion Reference Group ever since and it is a reward to see the community representation and voices being heard for access and inclusion and improvements throughout the City and being able to influence bigger changes. I am that disability voice and advocate (or as many say pest) that just won't go away!



I was encouraged to run for Council in 2011, following regular interaction and attendance at Council and Committee Meetings through my involvement with the YAC and AIRG. The combination of encouragement from former senior staff and the community, along with seeing the need for a young and diverse voice - especially a young person living with a disability - saw me run as a 24yo, honestly not expecting to win. But I did in and it has been an absolute honour - having wanted to advocate, improve, achieve and be a voice for young people, people living with a disability and the elderly - to represent everyone in the community. I was privileged to be on council for 2011-2015 and then won the elections in 2019, having to honour to re-serve my community once again with many changes and improvements still in the works.

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#### **HOW HAS THE SECTOR CHANGED/EVOLVED OVER THE YEARS?**

The sector is more multicultural and diverse. Educating people that it is more than just rates, roads and rubbish - there is more to local government! Changes to policies, legislation and the Act. WALGA voice gets heard more and LGAs are more connected and not so siloed. More collaboration.

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#### **CAN YOU DESCRIBE SOME OF THE BIGGEST CHALLENGES YOU'VE FACED DURING YOUR TIME AS AN ELECTED MEMBER?**

Access to buildings is the biggest challenge, some community members attitudes when they are very passionate about an issue - lucky we are all thick skinned; my voice, due to a paralysed vocal cord can be issue - but give me a microphone or a small room and away I go!!

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#### **CAN YOU EXPLAIN THE REGION YOU WORK IN AND SOME OF THE ADVANTAGES AND CHALLENGES OF WORKING IN THIS REGION?**

The City of Armadale is an Outer Growth Metropolitan Council with 14 Elected Members, 431 hectares of parks and reserves and 19 suburbs. The City is very multicultural and diverse. The City has amazing landscapes, parks and sits on the foothills of the Perth Hills and is bounded by other Local Governments. The size of the City, its social economic location for attracting funding and its diversity is both an advantage and a challenge. There are so many advantages and challenges and not enough space to write them all!

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#### **WHAT HAS BEEN YOUR PROUDEST ACHIEVEMENT WHILST WORKING IN LOCAL GOVERNMENT?**

I can't pick just one! I would say, being involved in the City's and Stocklands (at the time) largest All Abilities Playground, Shipwreck Park, in Hillbert was definitely a proud achievement. It began as a Councillor referral item, with the Community contacting me during the 2011 campaign. The Opening on the International Day of Disability in 2017 is definitely a proud achievement and to see so many people continually use the park, not just from within the City of Armadale, but visitors too, is fantastic.

Other achievements include the opportunity to participate in the WALGA Elected Member training and currently work through the Diploma of Local Government. Seeing the micro changes within policies and becoming a Deputy State Councillor - being able to have a voice where it counts - a voice for all to make our community and State a fully inclusive, accessible, participative one. We still have a way to go but we are improving, changing and accepting!

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#### **WHAT ADVICE DO YOU HAVE FOR SOMEONE WISHING TO BECOME AN ELECTED MEMBER?**

Don't be afraid to give it a go, to have your voice heard. Ask questions. A passion and willingness to commit as a Local Government Councillor is a true commitment. It is the local (and State) heart - and is more involved than what can be presumed or rumored. You work as a part of team with other Elected Members for the entire community, even if you are elected by a portion of the community if there is a ward system. Everyone deserves to have their voice heard at Council and Committee meetings, briefings and workshops. Make an impact and a difference now and into the future by having your passion, needs and wants of your community heard.

## TRAINING UPDATE

# PROFESSIONAL DEVELOPMENT COURSES FOR ELECTED MEMBERS

WALGA Training continues to support our members by developing a comprehensive suite of professional development training for Council Members.



After completing the minimum statutory training requirements 'Council Member Essentials' training, many Councillors wish to further develop their knowledge to better understand the statutory framework and how this applies to their role and their local community.

### NEW ECONOMIC DEVELOPMENT COURSE

A brand-new course that WALGA is proud to offer is Economic Development Essentials for Elected Members. This is a virtual training course, delivered by Economic Development Australia (EDA), the national peak body for economic development professionals. The interactive virtual training will empower community leaders to drive and support inclusive, sustainable economic development. The training also supports Local Government leaders to understand the key principles of economic recovery and how to build economic resilience within their communities. Designed for new and experienced Elected Members, and Mayors/Presidents this course is delivered as a one-day virtual training course via Zoom. It includes group discussion and breakout groups to ensure sharing and collegial learning. Participants will cover topics such as understanding economic risk in their community, the three stages of recovery and the Triple Bottom Line Approach. This course is currently taking enrolments for Monday, 21 November 2022 and can be booked via the WALGA website.

### IMPORTANCE OF RECORDS MANAGEMENT

Good records management is a necessary element of good governance and integrity. A record is defined as any record of information (in any form) created, received, or maintained by a government organisation, Local Government, or parliamentary department in the course of conducting its business activities. State records may be in any format on which information can be stored, including paper, film, magnetic and optical media.

WALGA Training offer Elected Members a valuable short course that provides an understanding of their recordkeeping responsibilities. The Record Keeping Awareness for Elected Member course covers a range of topics outlining the key responsibilities under the State Records Act 2000 and what types of records Elected Members should be keeping. This virtual course via Zoom will be held next on Tuesday, 1 November 2022 with participants able to register via the WALGA website. Local Governments can provide their Officers with thorough records training at WALGA. The records management courses we offer provide practical introductions to the core principles and elements of a recordkeeping programme. Participants will be introduced to the best practice concepts advocated by the State Records Office, together with practical tips on how to manage records in their workplace.

For more details please visit the training section of the WALGA website [www.walga.asn.au/training](http://www.walga.asn.au/training)

### MEET THE WALGA TRAINING TEAM

Participation in WALGA's training opportunities will align with your Council's continuous Professional Development Policy and provide reassurance that participants build their capacity to perform to a level that reflects the trust communities place in their elected representatives. Meet and discuss your training requirements and opportunities with the WALGA Training team at the upcoming WALGA Convention on the 3rd and 4th of October 2022.





# *Embracing* **Change**

**The 2022 WA Local Government  
Convention and Trade Exhibition**

**Sunday, 2 – Tuesday, 4 October 2022**

**Crown Perth**

Great Eastern Hwy, Burswood

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# NEW REQUIREMENTS FOR WA LOCAL GOVERNMENTS AND CONSTRUCTION CONTRACTS

By Ren Niemann, Troy McKelvie and Charles Smith, Norton Rose Fulbright Australia

## OVERVIEW

WA's new regime for securing payments under construction contracts, the Building and Construction Industry (Security of Payment) Act 2021 (the New Act) and accompanying regulations, took effect at the start of August. The New Act brings with it some significant changes for your Council's future construction and development projects.

### Key takeaways

- The New Act replaces the current Construction Contracts Act 2004 (WA) (CCA), which continues to apply to construction contracts entered into prior to 1 August 2022.
- The New Act applies to most construction contracts in WA (ie, agreements to carry out 'construction work' or supply related goods or services).
- Contracts with 'building service contractors' over \$20,000 in value must be in writing and contain specific mandatory information.

We have set out some of the key changes below.

## NEW TIMEFRAMES FOR RESPONSES TO, AND PAYMENT OF, PAYMENT CLAIMS

If your Council is principal to a construction contract covered by the New Act, you now have a statutory obligation to pay head contractors within 20 business days of a payment claim being issued by the contractor. The New Act prescribes the requirements for a payment claim and, importantly, must include a clear statement that it is made under the Act.

If your Council disagrees or disputes the amount being claimed in a particular invoice, a 'payment schedule' setting out the disputed amount must be issued within 15 business days of the payment claim by the contractor. The New Act sets out the information required to be included in payment schedules, such as the reasons for not paying the claimed amount.

Any of the timeframes mentioned in this paragraph may be reduced if earlier times are provided for in the construction contract.

## FAILURE TO PROVIDE PAYMENT SCHEDULE

If your Council does not provide a payment schedule in response to a payment claim, then:

- Council is liable to pay the full amount of the payment claim, notwithstanding it may dispute the amount or have rights of set-off (and if the full amount is not paid, then the contractor has a right to suspend the performance of the construction work);
- if the contractor pursues an adjudication application, Council will be given a second opportunity to provide a payment schedule (although the original 20 business days timeframe for payment will not be extended and interest will be due on any late payment); and

- Council will not be able to rely on reasons for withholding payment in its response to an adjudication application unless those matters were included in a payment schedule delivered within time.

## RAPID ADJUDICATION

The New Act reduces the time period for bringing an adjudication application from 90 business days (under the CCA) to 20 business days from when the party bringing the claim receives a payment schedule or after the due date for payment passes.

Thereafter, an appointed adjudicator has 10 business days from the time of Council's adjudication response (or the time a response was entitled to be given), unless Council and the contractor agree to extend the timeframe (provided such extensions do not exceed 20 business days in total).

## NO UNFAIR TIME BARS

Councils will need to ensure that construction contracts do not contain 'unfair' notice-based time bars (for example, notice for payment for construction work undertaken, payment for related goods and services supplied and extensions of time). Adjudicators and the court now have the power to declare these provisions unfair if they are "unreasonably onerous" or "not reasonably possible" to comply with.

## NEXT STEPS FOR YOUR COUNCIL

Councils will need to take steps to modify their construction contracts to comply with the New Act. Councils will also need to align their internal processes and systems to manage payment requirements, and to respond to payment claims and adjudication applications brought under the New Act.

Your contract administration, finance and procurement teams will need to familiarise themselves with the new requirements, such as the shorter time frames for invoice payments, the requirements for challenging contractor invoices and preparing valid payment schedules.

Norton Rose Fulbright has extensive experience advising Local Governments on these matters. Contact us to discuss how to best manage the impacts of the New Act, including training for those involved in letting and administering construction contracts and reviews of internal contract management processes.

Contact Ren Niemann, Partner on +61 414 904 962  
or Troy McKelvie, Partner on +61 437 154 344,  
Norton Rose Fulbright Australia





# STATE COUNCIL BRIEFS

The following resolutions were made at the special State Council meeting held on Friday, 9 September at City of Mandurah Council Chambers.

## 2023-24 STATE BUDGET SUBMISSION

That the 2023-24 State Budget Submission be endorsed with the inclusion of the addition of an initiative to support increased funding to the Community Sporting and Recreation Facilities Fund (CSRFF).

## PROPOSED ADVOCACY POSITION ON MANAGEMENT OF BUSH FIRE BRIGADES

That the following Advocacy Position on Management of Bush Fire Brigades be endorsed.

### Management of Bush Fire Brigades

1. Bush Fire Brigade volunteers play a critical role in helping to protect their local communities. Local knowledge and skills are integral to bushfire management in Western Australia.
2. Future management and funding of volunteer Bush Fire Brigades must:
  - a) Recognise the changing risk environment, including work health and safety requirements, and the increasing intensity and frequency of bushfires;
  - b) Take account of the differing circumstances of Bush Fire Brigade units and regional variations in bush firefighting approaches; and
  - c) Be adequately and equitably resourced through the Emergency Services Levy.
3. The State Government, through the Consolidated Emergency Services Act and/or other mechanism's must:
  - a) Establish a clear framework to enable transfer of Bush Fire Brigades to the State Government if a Local Government decides to do;
  - b) Consult on the process, timeline, and implications for transfer of responsibility for Bush Fire Brigades in accordance with 3(a) through the establishment of a working group comprising representatives of Local Government, Bush Fire Brigades, the Department of Local Government, Sport and Cultural Industries (DLGSC) and the Department of Fire and Emergency Services (DFES);
  - c) Provide for mandatory and minimum training requirements and recognition of competency and prior learning for Bush Fire Brigade volunteers, supported by locally delivered fit-for-purpose and universally accessible training program, designed in consultation with Bush Fire Brigade representatives, Local Government and LGIS, and managed by DFES; and
  - d) Develop a co-designed suite of relevant management guidelines and materials to assist in the management of Bush Fire Brigades.
4. As a matter of priority within the emergency services Acts review, the State Government to consider the most appropriate operational model for management of Bush Fire Brigades, which may include the establishment of an independent Rural Fire Service, as recommended in the 2016 Ferguson Report.

# State Council

President Cr Karen Chappel JP .....	President/Northern Country Zone
Cr Paul Kelly .....	Deputy President/Central Metropolitan Zone
Cr Ken Seymour.....	Avon-Midland Country Zone
President Cr Phil Blight .....	Central Country Zone
Cr Helen Sadler.....	Central Metropolitan Zone
Cr Catherine Ehrhardt .....	East Metropolitan Zone
Cr John Daw .....	East Metropolitan Zone
President Cr Cheryl Cowell.....	Gascoyne Country Zone
President Cr Laurene Bonza .....	Goldfields Esperance Country Zone
President Cr Stephen Strange .....	Great Eastern Country Zone
President Cr Chris Pavlovich.....	Great Southern Country Zone
Cr Chris Mitchell JP.....	Kimberley Country Zone
Cr Les Price .....	Murchison Country Zone
Cr Frank Cvitan JP .....	North Metropolitan Zone
Cr Russ Fishwick JP .....	North Metropolitan Zone
Mayor Mark Irwin .....	North Metropolitan Zone
President Cr Michelle Rich.....	Peel Country Zone
Mayor Peter Long .....	Pilbara Country Zone
Cr Carl Celedin.....	South East Metropolitan Zone
Mayor Ruth Butterfield .....	South East Metropolitan Zone
Mayor Carol Adams OAM .....	South Metropolitan Zone
Mayor Logan Howlett JP .....	South Metropolitan Zone
Cr Doug Thompson .....	South Metropolitan Zone
President Cr Tony Dean .....	South West Country Zone
Ex-officio:	
Ms Annie Riordan.....	LG Professionals
Lord Mayor Basil Zempilas.....	The Rt Hon the Lord Mayor, City of Perth