



SHIRE OF MORAWA

ORDINARY COUNCIL MEETING

ATTACHMENTS

Monday, 20 February 2023



WESTERN AUSTRALIA'S
WILDFLOWER COUNTRY

Confidential Agenda Attachments

Shire of Morawa

Ordinary Council Meeting

20 February 2023

List of Attachments

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11.1.2 Draft Community Lease for the Sporting Shooters Association of Australia Morawa Branch

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11.2 Executive Manager Corporate & Community Services

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Ordinary Council Meeting 15 December 2022

Attachment 1- 11.1.2 Draft Community Lease for the Sporting Shooters Association of Australia Morawa Branch

Item 11.1.2- Draft Community Lease for the Sporting Shooters Association of Australia Morawa Branch

Lease – Reserve 46614,
Koolanooka Spring Road,
Morawa

Shire of Morawa

and

Sporting Shooters Association of Australia
Morawa Branch Inc

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Details

Parties

Shire of Morawa

of 26 Winfield Street, Morawa, Western Australia
(Lessor)

Sporting Shooters Association of Australia Morawa Branch Inc

of Reserve 46614, Koolanooka Spring Rd, Morawa WA
WA A1004714B
(Lessee)

Background

- A Subject to the prior written approval of the Minister for Lands, the Lessor has agreed to lease and the Lessee has agreed to take a lease of the Premises upon the terms and conditions contained in this Deed.

Agreed Terms

1. Definitions

In this Lease, unless otherwise required by the context or subject matter:

Amounts Payable means the Rent and any other money payable by the Lessee under this Lease;

Authorised Person means:

- (a) an agent, employee, licensee or invitee of the Lessor; and
- (b) any person visiting the Premises with the express or implied consent of any person mentioned in paragraph (a);

CEO means the Chief Executive Officer for the time being of the Lessor or any person appointed by the Chief Executive Officer to perform any of her or his functions under this Lease;

Commencement Date means the date of commencement of the Term specified in **Item 4** of the Schedule;

Contaminated Sites Act means the *Contaminated Sites Act 2003 (WA)*;

Contamination has the same meaning as the word “contaminated” in the Contaminated Sites Act;

CPI means the Consumer Price Index (All Groups) Perth number published from time to time by the Australian Bureau of Statistics;

Dispute Notice means a written notice served under **clause 24(2)**;

Dispute Resolution Representative means the Lessee's Dispute Resolution Representative or the Chief Executive Officer of the Lessor and a reference to Dispute Resolution Representatives is a reference to both of them;

Encumbrance means a mortgage, charge, lien, pledge, easement, restrictive covenant, writ, warrant or caveat and the claim stated in the caveat;

Further Term means each further term specified in **Item 3** of the Schedule;

Good Repair means good and substantial tenantable repair and in clean, good working order and condition;

Interest Rate means the rate at the time the payment falls due being 2% greater than the Lessor's general overdraft rate on borrowings from its bankers on amounts not exceeding \$100,000.00, which rate cannot exceed the rate prescribed by, and imposed in accordance with, section 6.13 of the *Local Government Act 1995 (WA)*;

Land means the land described at **Item 1(a)** of the Schedule;

Lease means this lease and any equitable or common law tenancy evidenced by this deed as supplemented, amended or varied from time to time;

Lessee's Agents includes:

- (a) the sublessees, employees, agents, contractors, invitees and licensees of the Lessee; and
- (b) any person on the Leased Premises by the authority of a person specified in paragraph (a);

Lessee's Covenants means the covenants, agreements and obligations set out or implied in this Lease or imposed by law to be performed and observed by any person other than the Lessor;

Lessee's Dispute Resolution Representative means the person nominated by the Lessee from time to time to be the Lessee's dispute resolution representative;

Lessor's Covenants means the covenants, agreements and obligations set out or implied in this Lease, or imposed by law to be observed and performed by the Lessor;

Management Order means the management order [*insert number*] made under section 46 of the *Land Administration Act 1997*, under which the Land was vested in the Lessor to be held for the purpose of Rifle and Pistol Range;

Minister for Lands means the Minister for Lands in her or his capacity as the body corporate continued under section 7 of the *Land Administration Act 1997 (WA)*;

Notice means each notice, demand, consent or authority given or made to any person under this Lease;

Party means the Lessor or the Lessee according to the context;

Permitted Purpose means the Permitted Purpose stated at **Item 7** of the Schedule;

Premises means the premises described at **Item 1(b)** of the Schedule;

Rent means the rent specified in **Item 5** of the Schedule;

Schedule means the Schedule to this Lease;

Term means the term of years specified in **Item 2** of the Schedule and any Further Term;

Termination means expiry by effluxion of time or sooner determination of the Term or any period of holding over; and

Written Law includes all acts and statutes (State or Federal) for the time being enacted and all regulations, schemes, ordinances, local laws, by-laws, requisitions, orders or statutory instruments made under any Act from time to time by any statutory, public or other competent authority.

2. Interpretation

In this Lease, unless expressed to the contrary:

- (a) words importing:
 - (i) the singular includes the plural and vice versa; and
 - (ii) a gender or genders include each other gender;
- (b) if a word or phrase is assigned a particular meaning, other grammatical forms of that word or phrase have a corresponding meaning;
- (c) a reference to:
 - (i) a natural person includes a body corporate or local government;
 - (ii) a body corporate or local government includes a natural person;
 - (iii) a professional body includes a successor to or substitute for that body;
 - (iv) a Party includes its legal personal representatives, successors and assigns and if a Party comprises two or more persons, the legal personal representatives, successors and assigns of each of those persons;
 - (v) a statute, includes an ordinance, code, regulation, award, town planning scheme, regulation, local law, by-law, requisition, order or other statutory instruments made under any of them and a reference to any of them, whether or not by name, includes any amendments to, re-enactments of or replacements of any of them from time to time in force;
 - (vi) a right includes a benefit, remedy, discretion, authority or power;
 - (vii) an obligation includes a warranty or representation and a reference to a failure to observe or perform an obligation includes a breach of warranty or representation;
 - (viii) this Lease or provisions of this Lease or any other deed, agreement, instrument or contract includes a reference to:
 - (ix) both express and implied provisions; and
 - (x) that other deed, agreement, instrument or contract as varied, supplemented, replaced or amended;
 - (xi) writing includes any mode of representing or reproducing words in tangible and permanently visible form and includes facsimile transmissions;
 - (xii) any thing (including, without limitation, any amount) is a reference to the whole or any part of it and a reference to a group of things or persons is a reference to any one or more of them; and

- (xiii) a subparagraph, paragraph, subclause, clause, Item, Schedule or Annexure is a reference to, respectively, a subparagraph, paragraph, subclause, clause, Item, Schedule or Annexure of this Lease;
- (d) the covenants and obligations on the part of the Lessee not to do or omit to do any act or thing include:
 - (i) covenants not to permit that act or thing to be done or omitted to be done by a Lessee's Agent; and
 - (ii) a covenant to take all reasonable steps to ensure that that act or thing is not done or omitted to be done;
- (e) the meaning of general words or phrases is not limited by specific examples introduced by 'including', 'for example' or similar expressions; and
- (f) if a Party comprises two or more persons, the covenants and agreements on their part bind them and must be observed and performed by them jointly and each of them severally, and may be enforced against any one or more of them.

3. Approval of the Minister for Lands

This Lease is subject to and conditional on the prior approval of the Minister for Lands under section 18 of the *Land Administration Act 1997*. A copy of the Minister's approval is annexed hereto as **Annexure 2**.

4. Grant of Lease

Subject to **clause 3** of this Lease, the Lessor leases to the Lessee the Premises for the Term subject to:

- (a) all Encumbrances;
- (b) the payment of the Amounts Payable; and
- (c) the performance and observance of the Lessee's Covenants.

5. Quiet Enjoyment

Except as provided in the Lease, for so long as the Lessor is the management body of the Land, and subject to the performance and observance of the Lessee's Covenants the Lessee may quietly hold and enjoy the Premises during the Term without any interruption or disturbance from the Lessor or persons lawfully claiming through or under the Lessor.

6. Rent and Other Payments

6.1 Rent

The Lessee covenants with the Lessor to pay to the Lessor the Rent in the manner set out at **Item 5** of the Schedule on and from the Commencement Date clear of any deductions.

6.2 Outgoings

- (1) The Lessee covenants with the Lessor to pay to the Lessor or to such person as the Lessor may from time to time direct punctually all the following outgoings or charges, assessed or incurred in respect of the Premises:

- (a) local government rates, specified area rates, taxes, service and other charges and including charges for rubbish and garbage removal;
- (b) water, drainage and sewerage rates, charges for disposal of stormwater, septic-tank pump outs, meter rent and excess water charges;
- (c) telephone, electricity, gas and other power and light charges including but not limited to meter rents and the cost of installation of any meter, wiring, internet connections or telephone connection;
- (d) land tax and metropolitan regional improvement tax on a single ownership basis;
- (e) premiums, excess and other costs arising from the insurance obtained by the Lessor pursuant to **clause** Error! Reference source not found.. For the avoidance of doubt, the parties agree:
 - (i) that if such premium or cost does not include a separate assessment or identification of the Premises or the Land, the Lessee must pay a proportionate part of such premium or cost determined by the Lessor acting reasonably; and
 - (ii) such insurance will include insurance for the full replacement value of buildings; and
 - (iii) any other consumption charge or cost, statutory impost or other obligation incurred or payable by reason of the Lessee's use and occupation of the Premises.
- (2) If the Premises are not separately charged or assessed the Lessee will pay to the Lessor a proportionate part of any charges or assessments referred to in **clause 6.2(1)** being the proportion that the Premises bears to the total area of the land or premises included in the charge or assessment.

6.3 Interest

Without affecting the rights, power and remedies of the Lessor under this Lease, the Lessee covenants with the Lessor to pay to the Lessor interest on demand on any Amounts Payable which are unpaid for 7 days computed from the due date for payment until payment is made and any interest payable under this paragraph will be charged at the Interest Rate.

6.4 Costs

- (1) The Lessee covenants with the Lessor to pay to the Lessor on demand:
 - (a) all duty, fines and penalties payable under the *Duties Act 2008* and other statutory duties or taxes payable on or in connection with this Lease;
 - (b) all registration fees in connection with this Lease; and
 - (c) all legal costs of and incidental to the instructions for the preparation, execution and stamping of this Lease and all copies.
- (2) The Lessee covenants with the Lessor to pay to the Lessor all costs, legal fees, disbursements and payments incurred by or for which the Lessor is liable in connection with or incidental to:
 - (a) the Amounts Payable or obtaining or attempting to obtain payment of the Amounts Payable under this Lease;
 - (b) any breach of covenant by the Lessee or the Lessee's Agents;
 - (c) the preparation and service of a notice under Section 81 of the *Property Law Act 1969* requiring the Lessee to remedy a breach even though forfeiture for the breach may be avoided in a manner other than by relief granted by a Court;

- (d) any work done at the Lessee's request; and
- (e) any action or proceedings arising out of or incidental to any matters referred to in this **clause 6.4** or any matter arising out of this Lease.

6.5 Accrual of Amounts Payable

Amounts Payable accrue on a daily basis.

7. Rent Review

7.1 Rent to be reviewed

The Rent will be reviewed on and from each Rent Review Date to determine the Rent to be paid by the Lessee until the next Rent Review Date.

7.2 Methods of review

The review will be either based on CPI or a Market Review. The basis for each rent review is as identified for each Rent Review Date in Item 6 of the Schedule.

7.3 CPI review

A rent review based on CPI will increase the amount of Rent payable during the immediately preceding period by the percentage of any increase in CPI having regard to the quarterly CPI published immediately prior to the later of the Commencement Date or the last Rent Review Date as the case may be and the quarterly CPI published immediately prior to the relevant Rent Review Date. If there is a decrease in CPI having regard to the relevant CPI publications the Rent payable from the relevant Rent Review Date will be the same as the Rent payable during the immediately preceding period. Should the CPI be discontinued or suspended at any time or its method of computation substantially altered, the parties shall endeavour to agree upon the substitution of the CPI with an equivalent index, or failing agreement by the parties, the substitution shall be made by a Valuer appointed in accordance with **clause 7.4**.

7.4 Market rent review

- (1) A rent review based on market rent will establish the current market rent for the Premises (which will not be less than the Rent payable in the period immediately preceding the Rent Review Date) by agreement between the parties and failing agreement, will be determined in accordance with the following provisions.
- (2) If agreement as to the substitution of the CPI with an equivalent index for the Premises is not reached at least one (1) month prior to the relevant Rent Review Date then the current market rent for the Premises will be determined at the expense of the Lessee by a valuer (**Valuer**) licensed under the *Land Valuers Licensing Act 1978*, to be appointed, at the request of either party, by the President for the time being of the Australian Property Institute (Western Australian Division) (or if such body no longer exists, such other body which is then substantially performing the functions performed at the Commencement Date by that Institute).
- (3) The Valuer will act as an expert and not as an arbitrator and his or her decision will be final and binding on the parties. The parties will be entitled to make submissions to the Valuer.
- (4) In this **clause 7**, "current market rent" means the rent obtainable for the Premises in a free and open market if the Premises was unoccupied and offered for rental for the use for which the Premises is permitted pursuant to this Lease and on the same terms and conditions contained in this Lease, BUT will not include:

- (a) any improvements made or effected to the Premises by the Lessee; and
- (b) any rent free periods, discounts or other rental concessions.

7.5 Rent will not decrease

Notwithstanding the provisions in this clause, the Rent payable from any Rent Review based on CPI Review will not be less than the Rent payable in the period immediately preceding such Rent Review Date.

7.6 Lessor's right to review

The Lessor may institute a rent review notwithstanding the Rent Review Date has passed and the Lessor did not institute a rent review on or prior to that Rent Review Date, and in which case the Rent agreed or determined shall date back to and be payable from the Rent Review Date for which such review is made.

8. Insurance

8.1 Insurance required

The Lessee must effect and maintain with insurers approved by the Lessor (noting the Lessor's and the Lessee's respective rights and interest in the Premises) for the time being:

- (a) adequate public liability insurance for a sum not less than the sum set out at **Item 8** of the Schedule in respect of any one claim or such greater amount as the Lessor may from time to time reasonably require;
- (b) insurance against all risks as the Lessor may require, of all fencing and on-site equipment against loss or damage by fire, fusion, smoke, lightning, flood, storm, tempest, earthquake, water damage and other usual risks against which a Lessee can and does ordinarily insure in their full replacement value, and loss from theft or burglary;
- (c) employers' indemnity insurance including workers' compensation insurance in respect of all employees of the Lessee employed in, about or on the Premises; and
- (d) [
- (e) any other policy of insurance which the Lessor may reasonably require or specify from time to time.

8.2 Details and receipts

In respect of the insurances required by clause 8.1 the Lessee must:

- (a) upon renewal of any insurance policy immediately forward to the Lessor copies of Certificates of Currency and details of the insurances as held by the Lessee;
- (b) promptly pay all premiums and produce to the Lessor each policy or certificate of currency and each receipt for premiums or certificate of currency issued by the insurers; and
- (c) notify the Lessor immediately:
 - (i) when an event occurs which gives rise or might give rise to a claim under or which could prejudice a policy of insurance; or
 - (ii) when a policy of insurance is cancelled.

8.3 Payment of excess on insurance

The Lessee AGREES with the Lessor that it shall be responsible to pay any excess payable in connection with the insurances referred to in **clause 8.1** and **clause Error! Reference source not found.**.

8.4 Not to invalidate

The Lessee must not do or omit to do any act or thing or bring or keep anything on the Premises which might:

- (a) render any insurance effected under **clause 8.1** and **clause Error! Reference source not found.** on the Premises, or any adjoining premises, void or voidable; or
- (b) cause the rate of a premium to be increased for the Premises or any adjoining premises (except insofar as an approved development may lead to an increased premium).

8.5 Report

The Lessee must report to the Lessor promptly in writing and in an emergency verbally:

- (a) any damage to the Premises of which the Lessee is or might be aware; and
- (b) any circumstances of which the Lessee is aware and which are likely to be a danger or cause any damage or danger to the Premises or to any person in or on the Premises.

8.6 Settlement of claim

The Lessor may, but the Lessee may not without prior written consent of the Lessor, settle or compromise any claims under any policy of insurance required by **clause 8.1** and **clause Error! Reference source not found.**.

8.7 Lessor as attorney

The Lessee irrevocably appoints the Lessor as the Lessee's attorney during the Term:

- (a) in respect to all matters and questions which may arise in relation to any insurances required by **clause 8.1** and **clause Error! Reference source not found.**;
- (b) with full power to demand, sue for and recover and receive from any insurance company or society or person liable to pay the insurance money as are payable for the risks covered by the insurances required by **clause 8.1** and **clause Error! Reference source not found.**;
- (c) to give good and effectual receipts and discharges for the insurance; and
- (d) to settle, adjust, arbitrate and compromise all claims and demands and generally to exercise all powers of absolute owner.

9. Indemnity

9.1 Lessee responsibilities

- (1) The Lessee is subject to the same responsibilities relating to persons and property to which the Lessee would be subject if during the Term the Lessee were the owner and occupier of the freehold of the Premises.

- (2) The Lessee is responsible and liable for all acts or omissions of the Lessee's Agents on the Premises and for any breach by them of any covenants or terms in this Lease required to be performed or complied with by the Lessee.

9.2 Indemnity

- (1) The Lessee indemnifies, and shall keep indemnified, the Lessor and the Minister for Lands from and against all actions, claims, costs, proceedings, suits and demands whatsoever which may at any time be incurred or suffered by the Lessor and/or the Minister for Lands, or brought, maintained or made against the Lessor and/or the Minister for Lands, in respect of:
- (a) any loss whatsoever (including loss of use);
 - (b) injury or damage of, or to, any kind of property or thing; and
 - (c) the death of, or injury suffered by, any person, caused by, contributed to, or arising out of, or in connection with, whether directly or indirectly:
 - (i) the use or occupation of the Premises by the Lessee or the Lessee's Agents;
 - (ii) any work carried out by or on behalf of the Lessee on the Premises;
 - (iii) the Lessee's activities, operations or business on, or other use of any kind of, the Premises;
 - (iv) the presence of any Contamination, pollution or environmental harm in on or under the Premises or adjoining land caused or contributed to by the act, neglect or omission of the Lessee or the Lessee's Agents;
 - (v) any default by the Lessee in the due and punctual performance, observance and compliance with any of the Lessee's covenants or obligations under this Lease; or
 - (vi) an act or omission of the Lessee.

9.3 Obligations continuing

The obligations of the Lessee under this clause:

- (a) are unaffected by the obligation of the Lessee to take out insurance, and the obligations of the Lessee to indemnify are paramount, however if insurance money is received by the Lessor for any of the obligations set out in this clause then the Lessee's obligations under **clause 9.2** will be reduced by the extent of such payment;
- (b) continue after the expiration or earlier determination of this Lease in respect of any act, deed, matter or thing occurring or arising as a result of an event which occurs before the expiration or earlier determination of this Lease.

9.4 No indemnity for Lessor's negligence

The parties agree that nothing in this clause shall require the Lessee to indemnify the Lessor against any loss, damage, expense, action or claim to the extent directly caused by, or contributed to by, the negligence of the Lessor.

9.5 Release

- (1) The Lessee:
- (a) agrees to occupy and use the Premises at the risk of the Lessee; and

- (b) releases to the full extent permitted by law, the Lessor and the Minister for Lands from:
 - (i) any liability which may arise in respect of any accident or damage to property, the death of any person, injury to any person, or illness suffered by any person, occurring on the Premises or arising from the Lessee's use or occupation of the Premises by;
 - (ii) loss of or damage to the Premises or personal property of the Lessee; and
 - (iii) all claims, actions, loss, damage, liability, costs and expenses arising from or connected with (directly or indirectly) the presence of any Contamination, pollution or environmental harm in, on or under the Premises or surrounding area,

except to the extent that such loss or damage is directly caused by the negligence of the Lessor.

- (2) The release by the Lessee continues after the expiration or earlier determination of this Lease in respect of any act, deed, matter or thing occurring or arising as a result of an event which occurs before the expiration or earlier determination of this Lease.

10. Limit of Lessor's Liability

10.1 No liability for loss on Premises

The Lessor will not be liable for loss, damage or injury to any person or property in or about the Premises however occurring.

10.2 Limit on liability for breach of Lessor's covenants

- (1) The Lessor is only liable for breaches of the Lessor's Covenants set out in this Lease which occur while the Lessor is the management body or registered proprietor of the Premises.
- (2) The Lessor will not be liable for any failure to perform and observe any of the Lessor's Covenants due to any cause beyond the Lessor's control.

11. Maintenance, Repair and Cleaning

11.1 Generally

- (1) The Lessee AGREES during the Term and for so long as the Lessee remains in possession or occupation of the Premises to maintain, replace, repair, clean and keep the Premises (which for the avoidance of doubt includes the Lessor's fixtures and any appurtenances) in Good Repair having regard to the age of the Premises at the Commencement Date.
- (2) To avoid doubt, the Lessee is responsible:
 - (a) for all minor maintenance, repairs and replacements to fencing on the Premises (for example repair and replacement broken posts, fence lines or gates which keep the property secured); and
 - (b) for the maintenance of all temporary fit-out elements and property installed by the Lessee, including all equipment and property installed or owned by the Lessee. The Lessee will also be responsible for any signage that may be installed on the exterior of the Premises.
- (3) The Lessee must take such reasonable action as is necessary to:
 - (a) prevent, if it has occurred as a result of the Lessee's use of the Premises; and
 - (b) rectify or otherwise ameliorate,

the effects of erosion, drift or movement of sand, soil, dust or water on or from the Premises.

11.2 Cleaning

The Lessee must at all times keep the Premises clean, tidy, unobstructed and free from dirt and rubbish.

11.3 Repair

Unless such damage is the Lessor's responsibility pursuant to the terms of the Lease, the Lessee must promptly repair at its own expense to the satisfaction of the Lessor, any damage to the Premises, regardless of how the damage is caused and replace any of the Lessor's fixtures which are or which become damaged.

11.4 Responsibility for securing the Premises

The Lessee must ensure the Premises, including Lessor's and Lessee's fixtures and fittings, are appropriately secured at all times.

11.5 Maintain surroundings

- (1) The Lessee must regularly inspect and maintain in good condition any part of the Premises, including but not limited to any flora, shrubs and trees.
- (2) The Lessee agrees that any pruning of trees must be undertaken by a qualified tree surgeon.
- (3) The Lessee must plant and care for such trees on the Premises as the Lessor may from time to time reasonably require.
- (4) The Lessee may not remove any trees or shrubs without first consulting with and obtaining the approval of the Lessor, except where necessary for urgent safety reasons.

11.6 Pest control

The Lessee must keep the Premises free of any pests and vermin and the cost of extermination will be borne by the Lessee.

11.7 Comply with all reasonable conditions

The Lessee must comply with all reasonable conditions that may be imposed by the Lessor from time to time in relation to the Lessee's maintenance of the Premises (and any structures or buildings constructed on the Premises).

11.8 Drains

- (1) The Lessee must keep and maintain the waste pipes drains and conduits originating in the Premises or connected thereto in a clean clear and free flowing condition and must pay to the Lessor upon demand the cost to the Lessor of clearing any blockage which may occur in such waste pipes, drains and conduits between the external boundaries of the Premises and the point of entry thereof into any trunk drain unless such blockage has been caused without neglect or default on the part of the Lessee.
- (2) The Lessee must not permit the drains, toilets, grease traps (if any) and other sanitary appliances on the Premises to be used for any purpose other than that for which they were constructed and must not allow any foreign matter or substance to be thrown therein.
- (3) The Lessee will be responsible to pump out any septic tanks on the Premises.

11.9 Acknowledgement of state of repair of Premises

- (1) The Lessee accepts the Premises in its present condition relying upon its own enquiries and investigations.
- (2) The Lessor does not expressly or impliedly warrant that the Premises is or will remain suitable or adequate for all or any of the purposes of the Lessee or for the business which the Lessee is authorised to conduct thereon and to the extent permitted by law, all warranties (if any) as to suitability and adequacy of the Premises implied by law are hereby expressly negated.

12. Use

12.1 Restrictions on use

(1) Generally

The Lessee must not and must not suffer or permit a person to:

- (a) use the Premises or any part of it for any purpose other than the Permitted Purpose; or
- (b) use the Premises for any purpose which is not permitted under any local or town planning scheme, local laws, acts, statutes or any law relating to health.

(2) No offensive or illegal acts

The Lessee must not and must not suffer or permit a person to do or carry out on the Premises any harmful, offensive or illegal act, matter or thing.

(3) No nuisance

The Lessee must not and must not suffer or permit a person to do or carry out on the Premises any thing which causes a nuisance, damage or disturbance to the Lessor, owners or occupiers of adjoining properties or other members of the public.

(4) No dangerous substances

The Lessee must not and must not suffer or permit a person to store any dangerous compound or substance on or in the Premises, otherwise than in accordance with the following provisions:

- (a) any such storage must comply with all relevant statutory provisions;
- (b) all applications for the approval or renewal of any licence necessary for such storage must be first referred to the Lessor;
- (c) the Lessor may within its absolute discretion refuse to allow the storage of any particular dangerous compound or substance on the Premises; and
- (d) upon the request of the Lessor, the Lessee will provide a list of all dangerous compounds or substances stored on the Premises.

(5) No harm or stress

The Lessee must not and must not suffer or permit a person to do any act or thing which might result in excessive stress or harm to any part of the Premises.

(6) No signs

The Lessee must not and must not suffer or permit a person to display from or affix any signs, notices or advertisements on the Premises without the prior written consent of the Lessor.

(7) **No smoking**

The Lessee must not suffer or permit a person to smoke inside any enclosed area on the Premises.

(8) **Consumption of alcohol**

The Lessee must not suffer or permit a person to use or allow the Premises to be used for the consumption of alcohol without first obtaining the written consent of the Lessor.

(9) **Sale of alcohol**

The Lessee will not sell or supply liquor from the Premises or allow liquor to be sold or supplied from the Premises without the prior written consent of the Lessor and then only in accordance with the provisions of the *Liquor Control Act 1988*, *Health (Food Hygiene) Regulations 1993*, *Liquor Licensing Regulations 1989* and any other relevant Written Laws that may be in force from time to time.

(10) **Removal of rubbish**

The Lessee must keep the Premises free from dirt and rubbish and to store and keep all trade waste and garbage in proper receptacles.

(11) **No pollution**

The Lessee must do all things necessary to prevent pollution or contamination of the Premises by garbage, refuse, waste matter, oil and other pollutants.

12.2 No warranty

The Lessor gives no warranty:

- (a) as to the use to which the Premises may be put; or
- (b) that the Lessor will issue any consents, approvals, authorities, permits or licences required by the Lessee under any statute for its use of the Premises.

12.3 Lessee to observe copyright

In the event that the Lessee or any person sub-leasing, hiring, or in temporary occupation of the Premises provides, contracts for, or arranges for the performance, exhibition or display of any music or work of art the copyright of which is not vested in the Lessee or that person, the Lessee shall ensure that all obligations in regard to payment of copyright or licensing fees with the owner or licensor of the copyright are met before any such performance, exhibition or display is held.

12.4 Premises subject to restriction

The Lessee accepts the Premises for the Term subject to any existing prohibition or restriction on the use of the Premises.

12.5 Indemnity for costs

The Lessee indemnifies the Lessor and the Minister for Lands against any claims or demands for all costs, on a solicitor client basis, reasonably incurred by the Lessor and/or the Minister for Lands by reason of any claim in relation to any matters set out in this **clause 12**.

13. Alterations

13.1 Restriction

The Lessee must not without prior written consent from the Lessor or from any other person from whom consent is required under this Lease or under a Written Law:

- (a) make or allow to be made any alteration, addition or improvements to or demolish any part of the Premises; or
- (b) subject to the performance of the Lessee's obligations in **clause 11**, remove any flora or fauna, alter or cut down any flora, or sell, remove or otherwise dispose of any flora, sand, gravel, timber or other materials from the Premises.

13.2 Consent

- (1) If the Lessor and any other person whose consent is required under this Lease or at law consents to any matter referred to in **clause 13.1** the Lessor may grant consent subject to conditions and:
 - (a) require that work be carried out in accordance with plans and specifications approved by the Lessor or any other person giving consent; and
 - (b) require that any alteration be carried out to the satisfaction of the Lessor under the supervision of an engineer or other consultant.
- (2) If the Lessor consents to any matter referred to in **clause 13.1**:
 - (a) the Lessor gives no warranty that the Lessor will issue any consents, approvals, authorities, permits or policies under any statute for such matters; and
 - (b) the Lessee must apply for and obtain all such consent approvals, authorities, permits or policies as are required at law before undertaking any alterations, additions, improvements or demolitions.

13.3 Cost of works

All works undertaken under this **clause 13** will be carried out at the Lessee's expense.

13.4 Conditions

If any of the consents given by the Lessor or other persons whose consent is required under this Lease or at law require other works to be done by the Lessee as a condition of giving consent, then the Lessee must at the option of the Lessor either:

- (a) carry out those other works at the Lessee's expense; or
- (b) permit the Lessor to carry out those other works at the Lessee's expense,

in accordance with the Lessor's requirements.

14. Lessor's Right of Entry

14.1 Entry on reasonable notice

The Lessee must permit entry by the Lessor or any Authorised Person onto the Premises without notice in the case of an emergency, and otherwise upon reasonable notice:

- (a) at all reasonable times;
- (b) with or without workmen and others; and
- (c) with or without plant, equipment, machinery and materials,

for each of the following purposes:

- (d) to inspect the state of repair of the Premises and to ensure compliance with the terms of this Lease;
- (e) to carry out any survey or works which the Lessor considers necessary, however the Lessor will not be liable to the Lessee for any compensation for such survey or works provided they are carried out in a manner which causes as little inconvenience as is reasonably possible to the Lessee;
- (f) to comply with the Lessor's Covenants or to comply with any notice or order of any authority in respect of the Premises for which the Lessor is liable; and
- (g) to do all matters or things to rectify any breach by the Lessee of any term of this Lease, but the Lessor is under no obligation to rectify any breach and any rectification is without prejudice to the Lessor's other rights, remedies or powers under this Lease.

14.2 Costs of rectifying breach

All costs and expenses incurred by the Lessor as a result of any breach referred to at **clause 14.1(g)** together with any interest payable on such sums will be a debt due to the Lessor and payable to the Lessor by the Lessee on demand.

15. Statutory Obligations and Notices

15.1 Comply with statutes

The Lessee must:

- (a) comply promptly with all statutes and local laws from time to time in force relating to the Premises;
- (b) apply for, obtain and maintain in force all consents, approvals, authorities, licences and permits required under any statute for the use of the Premises specified at **clause 12**;
- (c) ensure that all obligations in regard to payment for copyright or licensing fees are paid to the appropriate person for all performances, exhibitions or displays held on the Premises; and
- (d) comply promptly with all orders, notices, requisitions or directions of any competent authority relating to the Premises or to the business the Lessee carries on at the Premises.

15.2 Safety and testing obligations

- (1) The Lessee acknowledges and agrees that it is fully responsible at its cost for ensuring that the Premises, and any fixtures or equipment located on the Premises, are regularly tested, maintained and inspected to ensure that the Premises and such fixtures and fittings comply with all statutory requirements and are safe for use.
- (2) To comply with its obligation pursuant to **clause 15.2(1)** above, the Lessee acknowledges that it will be required to, amongst other things:

- (a) comply with the requirements of the *Occupational Safety and Health Act 1984 (WA)*, including without limitation the requirement for all portable plug-in electrical equipment and residual current devices to be safe and appropriately inspected, tested and maintained by a competent person;
- (b) comply with all relevant requirements of the Department of Fire & Emergency Services (DFES), including without limitation the requirement to ensure that all fire protection and firefighting equipment located, or installed at or on the Premises, is tested regularly for compliance with Australian Standards and DFES's requirements; and
- (c) ensure that the emergency/exit lighting systems on the Premises (if applicable) are adequately maintained in accordance with the requirements of the Building Code of Australia and relevant Australian Standards.

15.3 Indemnity if Lessee fails to comply

The Lessee indemnifies the Lessor and the Minister for Lands against:

- (a) failing to perform, discharge or execute any of the items referred to in **clause 15.1** and **clause 15.2**; and
- (b) any claims, demands, costs or other payments of or incidental to any of the items referred to in **clause 15.1** and **clause 15.2**.

16. Report to Lessor

The Lessee must immediately report to the Lessor:

- (a) any act of vandalism or any incident which occurs on or near the Premises which involves or is likely to involve a breach of the peace or become the subject of a report or complaint to the police and of which the Lessee is aware or should be aware;
- (b) any occurrence or circumstances in or near the Premises of which it becomes aware, which might reasonably be expected to cause, in or on the Premises, pollution of the environment; and
- (c) all notices, orders and summonses received by the Lessee and which affect the Premises and immediately deliver them to the Lessor.

17. Default

17.1 Events of default

A default occurs if:

- (a) any Amounts Payable remain unpaid for 14 days after a Notice has been given to the Lessee that an amount is outstanding;
- (b) the Lessee is in breach of any of the Lessee's Covenants for 28 days after a Notice has been given to the Lessee to rectify the breach or to pay compensation in money;
- (c) where the Lessee is an association which is incorporated under the *Associations Incorporation Act 2015*, the association is wound up whether voluntarily or otherwise;
- (d) where the Lessee is an association which is incorporated under the *Associations Incorporation Act 2015*, the Lessee passes a special resolution under the *Associations*

Incorporation Act 2015 altering its rules of association in a way that makes its objects or purposes inconsistent with the use permitted by this Lease;

- (e) where the Lessee is an individual, the Lessee dies or becomes of unsound mind, or is declared bankrupt;
- (f) where the Lessee is a partnership, the Lessee having a change in its constitution;
- (g) an application is made to a court for the Lessee to be wound up;
- (h) the appointment of a controller under section 9 of the *Corporations Act 2001* of any of the Lessee's assets;
- (i) the Lessee becomes an insolvent under administration under section 9 of the *Corporations Act 2001*;
- (j) the Lessee proposes to enter into or enters into any form of arrangement with any of its creditors;
- (k) the Lessee is unable to pay all its debts when they become due, it fails to comply with a statutory demand under section 459F of the *Corporations Act 2001*, or it is deemed to be unable to pay its debts under section 585 of the *Corporations Act 2001*;
- (l) a meeting is convened to place the Lessee in voluntary liquidation or to appoint an administrator;
- (m) a mortgagee takes possession of the property of the Lessee under this Lease;
- (n) any execution or similar process is made against the Premises on the Lessee's property;
- (o) the Premises are vacated, or otherwise not used, in the Lessor's reasonable opinion, for the Permitted Purpose for a six-month period; or
- (p) a person other than the Lessee or a permitted sublessee or assignee is in occupation or possession of the Premises or in receipt of a rent and profits.

17.2 Forfeiture

On the occurrence of any of the events of default specified in **clause 17.1** the Lessor may:

- (a) without notice or demand at any time enter the Premises and on re-entry the Term will immediately determine;
- (b) by notice to the Lessee determine this Lease and from the date of giving such notice this Lease will be absolutely determined; and
- (c) by notice to the Lessee elect to convert the unexpired portion of the Term into a tenancy from month to month when this Lease will be determined as from the giving of the notice and until the tenancy is determined the Lessee will hold the Premises from the Lessor as a tenant from month to month under **clause 18**,

but without affecting the right of action or other remedy which the Lessor has in respect of any other breach by the Lessee of the Lessee's Covenants or releasing the Lessee from liability in respect of the Lessee's Covenants.

17.3 Lessor may remedy breach

If the Lessee:

- (a) fails or neglects to pay the Amounts Payable by the Lessee under this Lease; or
- (b) does or fails to do anything which constitutes a breach of the Lessee's Covenants,

then, after the Lessor has given to the Lessee notice of the breach and the Lessee has failed to rectify the breach within a reasonable time, the Lessor may without affecting any right, remedy or power arising from that default pay the money due or do or cease the doing of the breach as if it were the Lessee and the Lessee must pay to the Lessor on demand the Lessor's cost and expenses of remedying each breach or default.

17.4 Acceptance of Amount Payable by Lessor

Demand for or acceptance of the Amounts Payable by the Lessor after an event of default has occurred will not affect the exercise by the Lessor of the rights and powers conferred on the Lessor by the terms of the Lease or at law and will not operate as an election by the Lessor to exercise or not to exercise any right or power.

17.5 Essential terms

Each of the Lessee's Covenants in clauses **6** (Rent and Other Payments), **8** (Insurance), **9** (Indemnity), **11** (Maintenance, Repair and Cleaning), **12** (Use), **23** (Assignment, Subletting and Charging) and **28** (Goods and Services Tax), is an essential term of this Lease but this **clause 17.5** does not mean or imply that there are no other essential terms in this Lease.

17.6 Breach of essential terms

If the Lessee breaches an essential term of this Lease then, in addition to any other remedy or entitlement of the Lessor:

- (a) the Lessee must compensate the Lessor for the loss or damage suffered by reason of the breach of that essential term;
- (b) the Lessor will be entitled to recover damages against the Lessee in respect of the breach of an essential term; and
- (c) the Lessee covenants with the Lessor that if the Term is determined:
 - (i) for breach of an essential term or the acceptance by the Lessor of a repudiation of this Lease by the Lessee; or
 - (ii) following the failure by the Lessee to comply with any notice given to the Lessee to remedy any default,

the Lessee must pay to the Lessor on demand the total of the Amounts Payable under this Lease which would have been payable by the Lessee for the unexpired balance of the Term as if the Term had expired by effluxion of time together with the losses incurred or reasonably expected to be incurred by the Lessor as a result of the early determination including but not limited to the costs of re-letting or attempting to re-let the Premises;

- (d) the Lessee agrees that the covenant set out in this **clause 17.6(c)** will survive termination or any deemed surrender at law of the estate granted by this Lease; and
- (e) the Lessor must take reasonable steps to mitigate its losses and endeavour to re-let the Premises at a reasonable rent and on reasonable terms but the Lessor is not required to offer or accept rent or terms which are the same or similar to the rent or terms contained or implied in this Lease.

18. Repudiation by Lessee

18.1 Compensation

In the event that the Lessee's conduct (whether by acts or omissions) constitutes a repudiation of the Lease (or of the Lessee's obligations under the Lease) or constitutes a breach of any Lease covenants, it is agreed that:

- (a) the Lessee shall compensate the Lessor for the loss or damage suffered by reason of the repudiation or breach; and
- (b) the Lessor shall be entitled to recover damages against the Lessee in respect of the repudiation or breach of covenant for the damage suffered by the Lessor during the entire Term of this Lease.

18.2 Entitlement to recover damages

The Lessor's entitlement to recover damages shall not be affected or limited in the event that:

- (a) the Lessee abandons or vacates the Land;
- (b) the Lessor elects to re-enter or to terminate the Lease;
- (c) the Lessor accepts the Lessee's repudiation; or
- (d) the Parties' conduct constitutes a surrender by operation of law.

18.3 Legal proceedings

The Lessor shall be entitled to institute legal proceedings claiming damages against the Lessee in respect of the entire Term, including the periods before and after the Lessee has vacated the Land, and before and after the abandonment, termination, repudiation, acceptance of repudiation or surrender by operation of law referred to in **clause 18.2**, whether the proceedings are instituted either before or after such conduct.

19. Damage or Destruction of Premises

19.1 Abatement of Rent

If the Premises are at any time during the Term, without neglect or default of the Lessee, destroyed or damaged by fire or other risk covered by insurance so as to render the same unfit for the occupation and use of the Lessee, then the Rent or a proportionate part thereof (according to the nature and extent of the damage) shall abate until the Premises have been made fit for the occupation and use of the Lessee, and in case of any dispute arising under this provision the same will be referred to arbitration under the provisions of the *Commercial Arbitration Act 2012* and the full Rent must be paid without any deduction or abatement until the date of the arbitrator's award whereupon the Lessor will refund to the Lessee any Rent which according to the award appears to have been overpaid.

19.2 Total damage or destruction

If the premises are at any time during the Term destroyed or damaged to an extent as to be wholly unfit for the occupation and use of the Lessee either party may give notice in writing to the other of them given within sixty (60) days after the event elect to cancel and terminate this lease. The term will terminate upon such notice being given and the Lessee must vacate the premises and surrender the same to the Lessor, but such termination will be without prejudice however to the liability of the Lessee under this Lease up to the date of termination.

20. Option to Renew

If the Lessee at least one month, but not earlier than 6 months, prior to the date for commencement of the Further Term gives the Lessor a Notice to grant the Further Term and:

- (a) all consents and approvals required by the terms of this Lease or at law have been obtained; and
- (b) there is no subsisting default by the Lessee at the date of service of the Notice in:
 - (i) the payment of Amounts Payable; or
 - (ii) the performance or observance of the Lessee's Covenants,

the Lessor shall grant to the Lessee a lease for the Further Term at the Rent and on terms and conditions similar to this Lease other than this **clause 20** in respect of any Further Term previously taken or the subject of the present exercise and on such other terms and conditions as the Lessor may consider appropriate.

21. Holding Over

- (1) If the Lessee remains in possession of the Premises after the expiry of the Term with the consent of the Lessor, the Lessee will be a monthly tenant of the Lessor at a rent equivalent to one twelfth of the Rent for the period immediately preceding expiry of the Term and otherwise on the same terms and conditions of this Lease provided that all consents required under this Lease or at law have been obtained to the Lessee being in possession of the Premises as a monthly tenant.
- (2) To avoid doubt, the Lessee is obliged during any holding over period to pay any Amounts Payable by the Lessee under this Lease as if the holding over period was included in the Term.

22. Obligations on Termination

22.1 Yielding up

- (1) On the expiration of the Term or within 1 month after the earlier determination of this Lease, the Lessee at the Lessee's expense and to the Lessor's reasonable satisfaction must:
 - (a) surrender peaceably and yield up the Premises to the Lessor:
 - (i) clean;
 - (ii) free from rubbish, debris and other material; and
 - (iii) in a state of repair and condition,

consistent with the performance by the Lessee of the Lessee's Covenants under this Lease and give to the Lessor all keys, security devices, and combinations for locks providing access to or within the Premises held by the Lessee whether or not provided by the Lessor;

- (b) fill in, consolidate and level off any unevenness, excavation or hole caused by the Lessee or by the Lessee's use of the Premises;
- (c) remove all property and equipment of the Lessee including all signs, fixtures, fittings, plant, equipment, chattels, stock and other articles brought upon the Premises by the Lessee and other loose property and items owned by the Lessee (the **Lessee's Property**);

- (d) promptly make good to the reasonable satisfaction of the Lessor any damage caused to the Premises by the removal of anything referred to in **clause 22.1(1)(c)**; and
 - (e) promptly make good and rehabilitate the Premises and remediate any Environmental Contamination and pollution of or to the Premises or the surrounding land to the extent arising from, or connected with, the use and occupation of the Premises by the Lessee from the Commencement Date.
- (2) If the Lessee fails to comply with **clause 22.1(1)**, the Lessor may at its option:
- (a) cause the Lessee's Property to be removed and stored at the cost of the Lessee; and/or
 - (b) make good, rehabilitate and remediate the Premises,
- and recover the cost of doing so from the Lessee as a liquidated debt payable on demand.

22.2 Lessor can remove Lessee's Property on re-entry

- (1) On re-entry, the Lessor will have the right to remove from the Premises any of the Lessee's Property and the Lessee indemnifies the Lessor against all damage caused by the removal of and the cost of storing that property.
- (2) The Lessor may, at any time after the expiration or sooner determination of the Term, give the Lessee a notice (**Abandonment Notice**) requiring the Lessee to remove all of the Lessee's Property not previously removed by the Lessee in accordance with the requirements of this clause (**Remaining Items**). On the Lessee's receipt of an Abandonment Notice, the Lessee shall have 28 days within which to remove all Remaining Items and failing removal within that 28 day period, all Remaining Items still on the Premises or in the Lessor's custody shall be deemed absolutely abandoned by the Lessee and shall automatically become the absolute property of the Lessor and may be sold by the Lessor or disposed of at any time and without further notice or obligation to the Lessee. The Lessor shall be entitled to keep the proceeds of any sales and those proceeds shall not be taken into account to reduce any arrears, damages or other moneys for which the Lessee may be liable.

22.3 Clause to survive termination

The Lessee's obligations under this **clause 22** will continue, notwithstanding the end or Termination of this Lease.

23. Assignment, Subletting and Charging

23.1 No assignment or sub-letting without consent

The Lessee must not assign the leasehold estate in the Premises nor Sub-let, part with possession, or dispose of the Premises or any part of the Premises without the prior written consent of the Lessor, the Minister for Lands and any other persons whose consent is required under the terms of this Lease or at law.

23.2 Lessor's consent to assignment and sub-letting

Provided all parties whose consent is required, under this Lease or at law, to an assignment or Sub-letting, give their consent and any assignment or sublease is for a purpose consistent with the use of the Premises permitted by this Lease then the Lessor may not unreasonably withhold its consent to the assignment or sub-letting of the leasehold estate created by this Lease if:

- (a) the proposed assignee or sublessee is a respectable and responsible person of good financial standing capable of continuing the Permitted Purpose in a manner which continues to benefit of the wider community;
- (b) all Amounts Payable due and payable have been paid and there is no existing unremedied breach, whether notified to the Lessee or not, of any of the Lessee's Covenants;
- (c) the Lessee procures the execution by:
 - (i) the proposed assignee of a deed of assignment; or
 - (ii) the proposed sublessee of a deed of sublease,to which the Lessor is a party and which deed is prepared and completed by the Lessor's solicitors; and
- (d) the assignment contains a covenant by the assignee or sublessee with the Lessor to pay all Amounts Payable and to perform and observe all the Lessee's Covenants.

23.3 Consents of assignee supplementary

The covenants and agreements on the part of any assignee will be supplementary to the Lessee's Covenants and will not release the assigning lessee from the Lessee's Covenants.

23.4 *Property Law Act 1969*

Sections 80 and 82 of the *Property Law Act 1969* are excluded.

23.5 Costs for assignment and sub-letting

If the Lessee wishes to assign or sub-let the leasehold estate created by this Lease the Lessee must pay all reasonable professional and other costs, charges and expenses, incurred by the Lessor or other person whose consent is required under this Lease, of and incidental to:

- (a) the enquiries made by or on behalf of the Lessor as to the respectability, responsibility and financial standing of each proposed assignee or sublessee;
- (b) any consents required under this Lease or at law; and
- (c) all other matters relating to the proposed assignment or sub-letting,

whether or not the assignment or sub-letting proceeds.

23.6 No mortgage or charge

The Lessee must not mortgage nor charge the Premises.

24. Disputes

- (1) Until the Parties have complied with this clause, a Party must not commence any action, bring any proceedings or seek any relief or remedy in a court, except seeking interlocutory or equitable relief from a court.
- (2) Where any Dispute arises, a party may give notice in writing of the Dispute to the other party's representative setting out the material particulars of the Dispute. The representatives must act in good faith to try to resolve the Dispute quickly.

- (3) If the Dispute has not been resolved within 14 days of the Dispute Notice (or any longer period the Representatives agree), each party must refer the Dispute to its Dispute Resolution Representative who must act in good faith to try to resolve the Dispute quickly.
- (4) If the parties have not:
- (a) resolved the Dispute; or
 - (b) agreed to an alternative method of resolving the Dispute,
- within 14 days after the Dispute is referred to the Dispute Resolution Representatives (or any longer period the Dispute Resolution Representatives agree), either party may submit the Dispute to mediation.
- (5) If the Dispute is submitted to mediation and the parties do not, within 14 days (or any longer period the parties agree) after the Dispute is submitted to mediation, agree on:
- (a) a mediator and the mediator's compensation;
 - (b) the procedure for the mediation; or
 - (c) the timetable of each step of the procedure,
- the mediation will be conducted in accordance with the 'Australian Commercial Dispute Centre's Mediation Guidelines' in force at the time that the Dispute is referred.
- (6) If a Dispute is not resolved within 30 days after the Dispute Notice or, where a Party has submitted the dispute to mediation, 60 days after the Dispute Notice (or any longer period the parties agree), either party who has complied with this clause may end this dispute resolution process and commence court proceedings in relation to the Dispute.

25. Prior Notice of Proposal to Change Rules

The Lessee agrees that it will not change its rules of association under the *Associations Incorporations Act 2015* without notifying the Lessor of its intention to make such a change prior to consideration of the required special resolution.

26. Provision of Information

The Lessee agrees to provide to the Lessor:

- (a) a copy of the Lessee's audited annual statement of accounts for each year;
- (b) advice of any changes in its office holders during the Term; and
- (c) any information reasonably required by the Lessor.

27. Caveat

27.1 No absolute caveat

The Lessee nor any person on behalf of the Lessee will, without the prior written consent of the Lessor, lodge any absolute caveat at Landgate against the Certificate of Title for the Land, to protect the interests of the Lessee under this Lease.

27.2 CEO & Lessor as attorney

In consideration of the Lessor having granted this Lease to the Lessee, the Lessee irrevocably appoints the Lessor and the CEO of the Lessor jointly and severally:

- (a) for the Term of this Lease;
- (b) for any holding over under this Lease; and
- (c) for a period of 6 months after Termination,

to be the agent and attorney of the Lessee in its name and on its behalf to sign and lodge at Landgate:

- (d) a withdrawal of any absolute caveat lodged by or on behalf of the Lessee;
- (e) a withdrawal of any caveat lodged by or on behalf of the Lessee and not withdrawn on Termination; and
- (f) a surrender of the estate granted by this Lease,

and the costs of withdrawing any caveat or surrendering this Lease (including the Lessor's solicitor's costs and registration fees) will be borne by the Lessee.

27.3 Ratification

The Lessee undertakes to ratify all the acts performed by or caused to be performed by the Lessor, its agent or attorney under this clause.

27.4 Indemnity

The Lessee indemnifies the Lessor [and the Minister for Lands] against:

- (a) any loss arising directly from any act done under this clause. and
- (b) all costs and expenses incurred in connection with the performance of any act by the attorney on behalf of the Lessee under this clause.

28. Goods and Services Tax

28.1 Definitions

The following definitions apply for the purpose of this clause:

- (a) **Act** means the Commonwealth's *A New Tax System (Goods and Services Tax) Act 1999* and associated Acts and subsidiary legislation;
- (b) **Consideration** means the Amounts Payable or any other money payable to the Lessor under this Lease, but does not include the amount of the GST which may apply to the Amounts Payable or other money payable under the Act;
- (c) **GST** means a tax under the Act levied on a Supply including but not limited to the Amounts Payable or other money payable to the Lessor for goods or services or property or any other thing under this Lease; and
- (d) **Supply** means a good or service or any other thing supplied by the Lessor under this Lease and includes but is not limited to a grant of a right to possession of the Premises.

28.2 Lessee to pay GST

- (1) The Consideration will be increased by the amount of the GST, if any, which the Lessor is required under the Act to pay on any Supply made under this Lease.
- (2) The Lessee must pay any increase referred to at **clause 28.2(1)** whether it is the Lessee or any other person who takes the benefit of any Supply.
- (3) The Lessee must pay the amount of the GST to the Lessor at the same time and in the same manner as the Lessee is required to pay the Consideration under this Lease.

28.3 Consideration in kind

If consideration in kind is accepted by the Lessor for any Supply made under this Lease, the GST amount payable to the Lessor under **clause 28.2(2)** in respect of the consideration in kind will be calculated by using the prevailing market value of the consideration in kind as determined by the Lessor.

28.4 No contribution from Lessor

If the Lessee is required under this Lease to make any payment of money or give other consideration to a third party for outgoings, goods, services and benefits of any kind, the Lessee is not entitled to any contribution from the Lessor for any GST payable by it to any person.

28.5 Statement of GST paid is conclusive

A written statement given to the Lessee by the Lessor of the amount of the GST that the Lessor pays or is liable to pay or account for is conclusive as between the Parties except in the case of an obvious error.

28.6 Tax invoices

For each payment by the Lessee under this clause the Lessor agrees to promptly deliver to the Lessee, as required under the Act, tax invoices and adjustment notes in a form which complies with the Act, so as to enable the Lessee to claim input tax credits or decreasing adjustments for Supplies.

28.7 Reciprocity

If the Lessee furnishes any Supplies to the Lessor under this Lease, then the requirements set out in this clause with respect to the Lessee will apply to the Lessor with the necessary changes.

29. No Fetter

The Lessee acknowledges and agrees:

- (a) that the Lessor is a local government established by *the Local Government Act 1995* (WA);
- (b) in its capacity as a local government, the Lessor will be obliged to comply with statutory obligations imposed by Written Law; and
- (c) no provision of this Lease may unlawfully restrict or otherwise fetter the discretion of the Lessor in the lawful exercise of any of its functions and powers as a local government (as distinct from a commercial participant in the terms and conditions of this Lease),

provided that this **clause 29** will not serve to relieve the Lessor from responsibility for performance of its obligations arising pursuant to this Lease, except to the extent necessary to avoid any unlawful restriction or fetter of the Lessor's discretion.

30. Additional Terms Covenants and Conditions

Each of the terms, covenants and conditions (if any) specified in **Item 10** of the Schedule are part of this Lease and are binding on the Lessor and the Lessee as if incorporated into the body of this Lease.

31. Commercial Tenancy Act

If at any time and for so long as the *Commercial Tenancy (Retail Shops) Agreements Act 1985* applies to this Lease and a provision of that Act conflicts with a provision of this Lease, then each conflicting provision of this Lease is deemed to be amended to the extent necessary to comply with that Act.

32. Notice

32.1 Form of delivery

A Notice to a Party must be in writing and may be given or made:

- (a) by delivery to the Party personally; or
- (b) by addressing it to the Party and leaving it at or posting it by prepaid post to the address of the Party appearing in this Lease or any other address nominated by a Party by Notice to the other;
- (c) by addressing it to the Party and faxing it to the facsimile number appearing in this Lease or any other facsimile number nominated by a Party by Notice to the other; or
- (d) by addressing it to the Party and emailing it to the email address appearing in this Lease or any other email address nominated by a Party by Notice to the other.

32.2 Service of notice

A Notice to a Party is deemed to be given or made:

- (a) if by personal delivery, when delivered;
- (b) if by leaving the Notice at an address specified in **clause 32.1(b)** at the time of leaving the Notice, provided the Notice is left during normal business hours; and
- (c) if by post to an address specified in **clause 32.1(b)**, on the third business day following the date of posting of the Notice.
- (d) if by facsimile, when despatched by facsimile to a facsimile number specified in **clause 32.1(c)** of this Lease unless the time of dispatch is not on a business day or after 5 pm on a business day, in which case it will be deemed to be given or made on the next following business day; and
- (e) if by email, when despatched by email to an email address specified in **clause 32.1(d)** of this Lease unless the time of dispatch is not on a business day or after 5 pm on a business day, in which case it will be deemed to be given or made on the next following business day.

32.3 Signing of notice

A Notice to a Party may be signed:

- (a) if given by an individual, by the person giving the Notice;

- (b) if given by a corporation, by a director, secretary or manager of that corporation;
- (c) if given by a local government, by the CEO;
- (d) if given by an association incorporated under the *Associations Incorporation Act 2015*, by any person authorised to do so by the board or committee of management of the association; or
- (e) by a solicitor or other agent of the individual, corporation, local government or association giving the Notice.

33. General

33.1 Acts by agents

All acts and things which the Lessor is required to do under this Lease may be done by the Lessor, the CEO, an officer or the agent, solicitor, contractor or employee of the Lessor.

33.2 Governing law

This Lease is governed by and is to be interpreted in accordance with the laws of Western Australia and, where applicable, the laws of the Commonwealth of Australia.

33.3 Statutory powers

The powers conferred on the Lessor by or under any statutes for the time being in force are, except to the extent that they are inconsistent with the terms and provisions expressed in this Lease, in addition to the powers conferred on the Lessor in this Lease.

33.4 Severance

If any part of this Lease is or becomes void or unenforceable, that part is or will be severed from this Lease to the intent that all parts that are not or do not become void or unenforceable remain in full force and effect and are unaffected by that severance.

33.5 Variation

This Lease may be varied only by deed executed by the parties subject to such consents as are required by this Lease or at law.

33.6 Moratorium

The provisions of a statute which would but for this clause extend or postpone the date of payment of money, reduce the rate of interest or abrogate, nullify, postpone or otherwise affect the terms of this Lease do not, to the fullest extent permitted by law, apply to limit the terms of this Lease.

33.7 Further assurance

The Parties must execute and do all acts and things necessary or desirable to implement and give full effect to the terms of this Lease.

33.8 Payment of money

Any Amounts Payable to the Lessor under this Lease must be paid to the Lessor at the address of the Lessor referred to in the Lease or as otherwise directed by the Lessor by Notice from time to time.

33.9 Waiver

(1) **No general waiver**

Failure to exercise or delay in exercising any right, power or privilege in this Lease by a Party does not operate as a waiver of that right, power or privilege.

(2) **Partial exercise of right power or privilege**

A single or partial exercise of any right, power or privilege does not preclude any other or further exercise of that right, power or privilege or the exercise of any other right, power or privilege.

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Schedule

Item 1 Land and Premises

(a) Land

Reserve 46614, Lot 12100 on Deposited Plan 192839 being the whole of the land comprised in Crown Land Title Volume LR3107 Folio 738.

(b) Premises

The whole of the Land together with all buildings, structures, alterations, additions and improvements on the Land or erected on the Land during the term.

Item 2 Term

10 years commencing on 31 January 2023 and expiring on 30 January 2033.

Item 3 Further Term

10 years commencing on 31 January 2033 and expiring on 30 January 2043.

Item 4 Commencement Date

31 January 2023

Item 5 Rent

\$1 plus GST per annum, payable annually in advance with the first payment due on the Commencement Date and reviewed annually in accordance with the terms of this Lease.

Item 6 Rent Review

Not applicable, or: On anniversary of Commencement Date

Item 7 Permitted Purpose

Rifle and Pistol Range and uses reasonably ancillary thereto.

Item 8 Public liability insurance

Twenty million dollars (\$20,000,000.00).

Item 9 Repainting Dates

Not Applicable.

Item 10 Additional terms and conditions

10.1 Casual hire of Premises

- (1) The Lessee may hire out the Premises or any part thereof on a casual basis only PROVIDED:
 - (a) such use is consistent at all times with the Permitted Purpose;
 - (b) the Lessee ensures any hirer complies strictly with the relevant terms of this Lease; and
- (2) A written record of all income derived from hire charges shall be forwarded to the Lessor on a quarterly basis. Income from hire charges can be retained by the Lessee as a management fee, less the GST which is payable to the Lessor.
- (3) The Lessee is to provide prior written advice to the Lessor of all events held within the premises. The Lessor may stipulate additional restrictions or conditions on the holding of any event in the Premises.
- (4) For the purposes of this Lease, "casual hire" means any hire of the Premises by the Lessee to a third party for a period of no more than 48 hours in any calendar month and does not include any formal transfer, assignment or sublease of the Premises.
- (5) The Lessee acknowledges and agrees that at all times, including when the Premises are hired to a third party, it remains responsible for the Premises, including without limitation any damage that may be caused or occurs during any hire period.

10.2 Fire Mitigation

(1) Fire Prevention

Without limiting any other provision of this Lease, the Lessee must in relation to the Premises promptly comply with:

- (a) the *Bush Fires Act 1954* and any other laws relating to the prevention and control of fires; and
- (b) all proper directions concerning fire prevention and control given to the Lessee by the Lessor or any statutory authority.

(2) Fire Control

The Lessee must immediately :

- (a) notify the Lessor as soon as a fire is detected on the Premises; and
- (b) take all reasonable and safe action which the Lessee is able to take to try to extinguish any unauthorised or uncontrolled fire on the Premises.

(3) Authorised Fires

The Lessee must not do anything which causes or may cause a fire on the Premises unless the fire is:

- (a) not prohibited by law or by a direction of the Lessor or a statutory authority; and
- (b) the fire is not dangerous and is properly controlled so that it cannot become dangerous.

(4) Liability for Fires

The Lessee is responsible for and must pay or reimburse the Lessor for all loss, expenses or liability incurred by the Lessor as a result of any fire which starts on the Premises unless the Lessee can prove to the reasonable satisfaction of the Lessor that the fire:

- (a) was not caused by the Lessee's negligent or unlawful act or omission or the Lessee's default under this Lease; or
- (b) was started by a cause beyond the Lessee's reasonable control.

(5) **Risk Management Plan**

The Lessor may require the Lessee to prepare a Risk Management Plan for activities and/or events undertaken within the Premises. Failure to comply with a Risk Management Plan approved by the Lessor will constitute a default for the purposes of **clause 17**.

10.3 Anti-social behaviour

The Lessee is not to allow any anti-social behaviour in or around the Premises including but not limited to loud music, foul language, drunken behaviour, uncontrollable parties, fighting, acts of physical violence and unwanted entry onto neighbouring properties.

10.4 Liquor Licence

The Lessee COVENANTS AND AGREES that if a licence or permit is granted under the *Liquor Control Act 1988* for the Premises it must:

- (a) comply with any requirements attaching to the licence or permit at its cost and where any alteration is required to the Premises **clause 13** shall apply;
- (b) comply with the requirements of the Harm Minimisation Policy (as amended from time to time) of the Department of Racing, Gaming & Liquor, which will require, without limitation the following:
 - (i) the development and implementation of a House Management Policy and Code of Conduct (as defined by the Harm Minimisation Policy) for the Premises, and such policies must be displayed in a prominent position on the Premises at all times; and
 - (ii) the development and implementation of a Management Plan (as defined by the Harm Minimisation Policy) for the Premises.
- (c) provide a copy of the licence or permit (as well as a copy of any document referred to in the licence or permit, including without limitation a copy of the House Management Policy, Code of Conduct and Management Plan (as defined by the Harm Minimisation Policy)) to the Lessor as soon as practicable after the date of grant; and
- (d) indemnify and keep indemnified the Lessor from and against any breach of the *Liquor Control Act 1988*, *Health (Food Hygiene) Regulations 1993*, *Liquor Control Regulations 1989* or the licence or permit or any conditions imposed thereupon for which it may be liable as the owner of the Premises.

10.5 Right to Terminate upon Notice

Notwithstanding any other provision of this Lease, the Parties AGREE that either party may terminate this Lease for any reason upon 6 months written notice to the other party. If this Lease is terminated in accordance with this clause, **clause 22** will apply.

10.6 Acknowledgement of Possession of Premises

- (1) The Lessee and the Lessor covenant and agree that the Lessee has been possession of the Premises as a monthly tenant of the Lessor since in or about December 2007, without a formal lease agreement in place between the parties (**Possession Date**).
- (2) The Lessee has been, and is fully responsible, for the Premises from the Possession Date until the Commencement Date of this Lease.

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Signing page

EXECUTED by the parties as a deed on **[insert date]**

THE COMMON SEAL of the **SHIRE OF MORAWA** was hereunto affixed in the presence of:

Signature of Shire President

Full Name of Shire President

Signature of Chief Executive Officer

Full Name of Chief Executive Officer

THE COMMON SEAL of Sporting Shooters Association of Australia Morawa Branch Inc] was hereunto affixed pursuant to the constitution of the Lessee in the presence of each of the undersigned each of whom hereby declares by the execution of this document that he or she holds the office in the Lessee indicated under his or her name-

Office Holder Sign

Office Holder Sign

Full Name

Full Name

Address

Address

Office Held

Office Held

DRAFT

Annexure 1 – Approval of Minister for Lands

Insert a scanned copy of the Minister for Lands' consent letter for Reserve Land. Consent should be obtained, through the Department of Lands, prior to signing of the lease.

DRAFT

Ordinary Council Meeting 15 December 2022

Attachment 1- 11.2.1a Monthly Financial Report for the period ending 31 December 2022

Attachment 2- 11.2.1b Bank Reconciliation for the period ending 31 December 2022

Attachment 3- 11.2.1c List of Accounts Paid for the period ending 31 December 2022

Item 11.2.1- Statement of Financial Activity – December 2022



SHIRE OF MORAWA

STATEMENT OF FINANCIAL ACTIVITY

FOR THE YEAR ENDING
30 JUNE 2023



SHIRE OF MORAWA
MONTHLY FINANCIAL REPORT
(Containing the Statement of Financial Activity)
For the Period Ended 31 December 2022

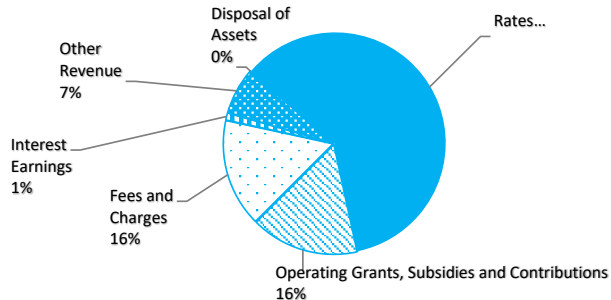
LOCAL GOVERNMENT ACT 1995
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

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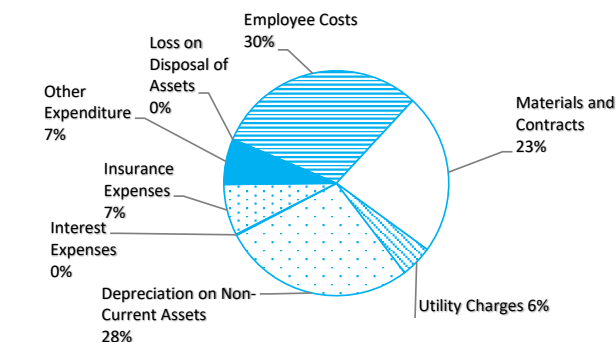
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OPERATING ACTIVITIES

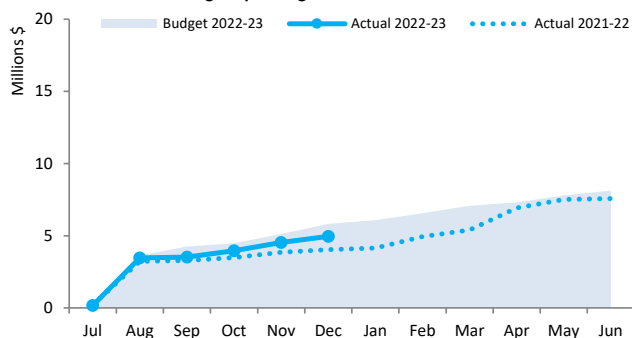
OPERATING REVENUE



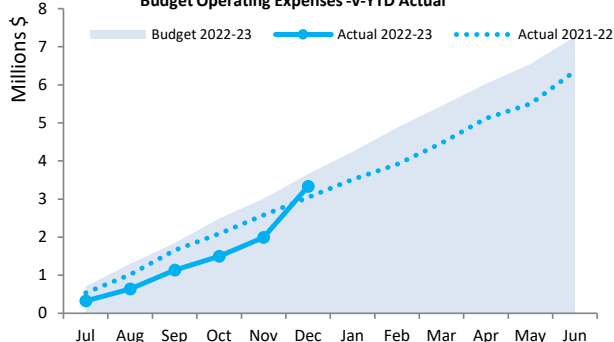
OPERATING EXPENSES



Budget Operating Revenues -v- Actual

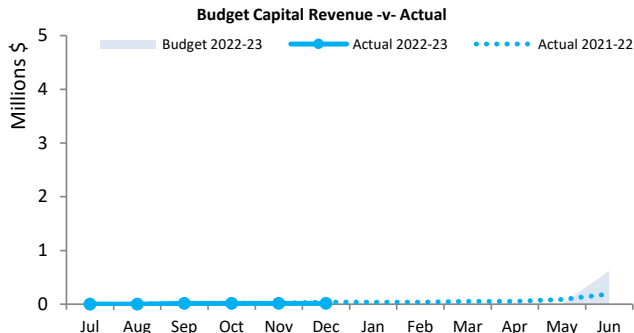


Budget Operating Expenses -v- YTD Actual

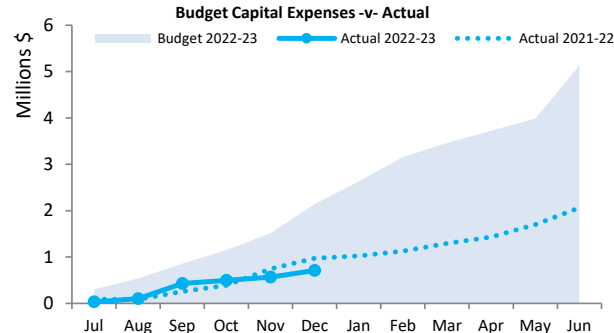


INVESTING ACTIVITIES

CAPITAL REVENUE



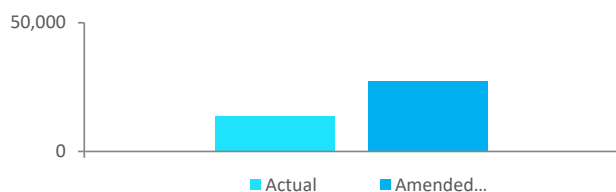
CAPITAL EXPENSES



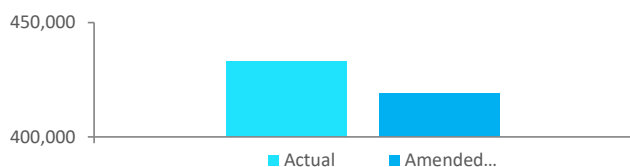
FINANCING ACTIVITIES

BORROWINGS

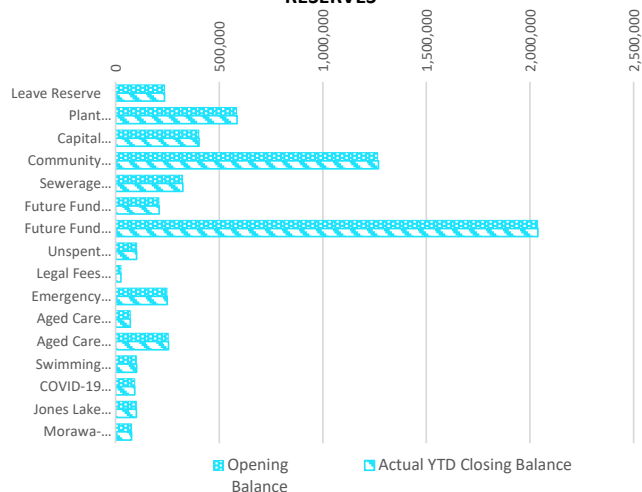
Principal Repayments



Principal Outstanding



RESERVES



This information is to be read in conjunction with the accompanying Financial Statements and Notes.

Funding surplus / (deficit) Components

Funding surplus / (deficit)				
	Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
Opening	\$2.38 M	\$2.38 M	\$2.38 M	\$0.00 M
Closing	\$0.33 M	\$3.19 M	\$4.18 M	\$0.99 M
Refer to Statement of Financial Activity				

Cash and cash equivalents		
	\$10.29 M	% of total
Unrestricted Cash	\$4.14 M	40.3%
Restricted Cash	\$6.15 M	59.7%
Refer to Note 2 - Cash and Financial Assets		

Payables		
	\$0.22 M	% Outstanding
Trade Payables	\$0.00 M	
0 to 30 Days		100.0%
30 to 90 Days		0.0%
Over 90 Days		0%
Refer to Note 5 - Payables		

Receivables		
	\$0.91 M	% Collected
Rates Receivable	\$0.80 M	77.9%
Trade Receivable	\$0.11 M	% Outstanding
30 to 90 Days		6.5%
Over 90 Days		14.8%
Refer to Note 3 - Receivables		

Key Operating Activities

Amount attributable to operating activities			
Amended Budget	YTD Budget (a)		Var. \$ (b)-(a)
\$0.33 M	\$1.68 M	\$1.87 M	\$0.18 M
Refer to Statement of Financial Activity			

Rates Revenue		
YTD Actual	\$2.58 M	% Variance
YTD Budget	\$2.56 M	0.7%
Refer to Note 6 - Rate Revenue		

Operating Grants and Contributions		
YTD Actual	\$0.68 M	% Variance
YTD Budget	\$0.97 M	(29.7%)
Refer to Note 13 - Operating Grants and Contributions		

Fees and Charges		
YTD Actual	\$0.68 M	% Variance
YTD Budget	\$0.71 M	(4.0%)
Refer to Statement of Financial Activity		

Key Investing Activities

Amount attributable to investing activities			
Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
(\$2.11 M)	(\$0.84 M)	(\$0.02 M)	\$0.83 M
Refer to Statement of Financial Activity			

Proceeds on sale		
YTD Actual	\$0.01 M	%
Amended Budget	\$0.18 M	(92.1%)
Refer to Note 7 - Disposal of Assets		

Asset Acquisition		
YTD Actual	\$0.71 M	% Spent
Amended Budget	\$4.42 M	(84.0%)
Refer to Note 8 - Capital Acquisitions		

Capital Grants		
YTD Actual	\$0.68 M	% Received
Amended Budget	\$2.14 M	(68.3%)
Refer to Note 8 - Capital Acquisitions		

Key Financing Activities

Amount attributable to financing activities			
Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
(\$0.27 M)	(\$0.03 M)	(\$0.05 M)	(\$0.02 M)
Refer to Statement of Financial Activity			

Borrowings	
Principal repayments	\$0.01 M
Interest expense	\$0.01 M
Principal due	\$0.43 M
Refer to Note 9 - Borrowings	

Reserves		
Reserves balance	\$6.15 M	
Interest earned	\$0.02 M	0.0%
Refer to Note 11 - Cash Reserves		

Lease Liability	
Principal repayments	\$0.01 M
Interest expense	\$0.00 M
Principal due	\$0.01 M
Refer to Note 10 - Lease Liabilities	

This information is to be read in conjunction with the accompanying Financial Statements and notes.

Shire operations as disclosed in these financial statements encompass the following service orientated activities/programs.

PROGRAM NAME AND OBJECTIVES	ACTIVITIES
GOVERNANCE To manage Councils' Elected Members	Includes Members of Council, Civic Functions and Public Relations, Council Elections, Training/Education of members.
GENERAL PURPOSE FUNDING To manage Council's finances	Includes Rates, Loans, Investments & Grants.
LAW, ORDER, PUBLIC SAFETY To provide, develop & manage services in response to community needs.	Includes Emergency Services, Fire Services and Animal Control
HEALTH To provide, develop & manage services in response to community needs.	Includes Environmental Health, Medical and Health facilities and providers
EDUCATION AND WELFARE To provide, develop & manage services in response to community needs.	Includes Education, Welfare & Children's Services, Youth Development
HOUSING To ensure quality housing and appropriate infrastructure is maintained.	Includes Staff and other housing, including aged care units and Dreghorn Street units.
COMMUNITY AMENITIES To provide, develop & manage services in response to community needs.	Includes Refuse Collection, Sewerage, Cemetery, Building Control and Town Planning.
RECREATION AND CULTURE To ensure the recreational & cultural needs of the community are met.	Includes the Swimming Pool, Halls, Library, Oval, Parks and Gardens and Recreational Facilities.
TRANSPORT To effectively manage transport infrastructure within the shire.	Includes Roads, Footpaths, Private Works, Plant Operating Costs, Outside Crew wages and maintenance of the Airstrip.
ECONOMIC SERVICES To foster economic development, tourism & rural services in the district.	Includes Tourism, Rural Services, Economic Development & Caravan Park.
OTHER PROPERTY AND SERVICES To provide control accounts and reporting facilities for all other operations.	Includes Private Works, Public Works Overheads, Plant Recovery Costs, Administration Overheads and Unclassified Items

**STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 DECEMBER 2022**

STATUTORY REPORTING PROGRAMS

	Ref Note	Adopted Budget	Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	\$	%	
Opening funding surplus / (deficit)	1(c)	2,025,977	2,379,523	2,379,523	2,379,523	0	0.00%	
Revenue from operating activities								
Governance		25	25	0	1,585	1,585	0.00%	
General purpose funding - general rates	6	2,556,796	2,556,796	2,557,298	2,575,938	18,640	0.73%	
General purpose funding - other		1,348,320	1,348,320	674,496	312,473	(362,023)	(53.67%)	▼
Law, order and public safety		176,435	176,435	90,735	162,184	71,449	78.74%	▲
Health		7,050	7,050	2,550	3,339	789	30.92%	
Education and welfare		7,000	13,000	10,496	14,124	3,628	34.57%	
Housing		100,800	106,800	52,872	48,935	(3,937)	(7.45%)	
Community amenities		493,741	493,741	474,570	466,970	(7,600)	(1.60%)	
Recreation and culture		86,200	102,200	69,788	92,050	22,262	31.90%	▲
Transport		700,326	730,326	400,350	349,563	(50,787)	(12.69%)	▼
Economic services		239,572	239,572	119,730	123,563	3,833	3.20%	
Other property and services		219,300	219,300	99,144	127,800	28,656	28.90%	▲
		5,935,565	5,993,565	4,552,029	4,278,523	(273,506)		
Expenditure from operating activities								
Governance		(527,195)	(527,195)	(291,278)	(176,508)	114,770	39.40%	▲
General purpose funding		(283,311)	(283,311)	(138,270)	(130,444)	7,826	5.66%	
Law, order and public safety		(260,489)	(260,489)	(133,647)	(108,897)	24,750	18.52%	▲
Health		(195,834)	(195,834)	(101,059)	(80,394)	20,665	20.45%	▲
Education and welfare		(195,625)	(201,625)	(103,177)	(52,843)	50,334	48.78%	▲
Housing		(219,445)	(219,445)	(119,119)	(148,377)	(29,258)	(24.56%)	▼
Community amenities		(775,914)	(775,914)	(359,333)	(252,499)	106,834	29.73%	▲
Recreation and culture		(1,564,330)	(1,575,330)	(809,899)	(830,524)	(20,625)	(2.55%)	
Transport		(2,322,932)	(2,322,932)	(1,148,132)	(1,069,891)	78,241	6.81%	
Economic services		(801,809)	(801,809)	(390,065)	(317,144)	72,921	18.69%	▲
Other property and services		(102,215)	(102,215)	(64,836)	(166,466)	(101,630)	(156.75%)	▼
		(7,249,099)	(7,266,099)	(3,658,815)	(3,333,986)	324,829		
Non-cash amounts excluded from operating activities	1(a)	1,601,192	1,601,192	791,298	921,338	130,040	16.43%	▲
Amount attributable to operating activities		287,658	328,658	1,684,512	1,865,876	181,364		
Investing Activities								
Proceeds from non-operating grants, subsidies and contributions	14	2,083,602	2,137,330	1,269,658	678,101	(591,557)	(46.59%)	▼
Proceeds from disposal of assets	7	178,200	178,200	0	14,000	14,000	0.00%	▲
Payments for Infrastructure	9	(2,529,370)	(2,648,698)	(1,420,324)	(554,618)	865,706	60.95%	▲
Payments for property, plant and equipment	8	(1,774,867)	(1,774,867)	(693,268)	(155,243)	538,025	77.61%	▲
		(2,042,435)	(2,108,035)	(843,934)	(17,760)	826,174		
Amount attributable to investing activities		(2,042,435)	(2,108,035)	(843,934)	(17,760)	826,174		
Financing Activities								
Transfer from reserves	11	441,640	441,640	0	0	0	0.00%	
Payments for principal portion of lease liabilities	10	(28,922)	(28,922)	(14,460)	(14,479)	(19)	(0.13%)	
Repayment of debentures	9	(27,355)	(27,355)	(13,675)	(13,579)	96	0.70%	
Transfer to reserves	11	(656,564)	(656,564)	(732)	(18,538)	(17,806)	(2432.49%)	▼
Amount attributable to financing activities		(271,201)	(271,201)	(28,867)	(46,596)	(17,729)		
Closing funding surplus / (deficit)	1(c)	0	328,945	3,191,234	4,181,043			

KEY INFORMATION

▲ ▼ Indicates a variance between Year to Date (YTD) Actual and YTD Actual data as per the adopted materiality threshold.

Refer to Note ` for an explanation of the reasons for the variance.

The material variance adopted by Council for the 2022-23 year is \$10,000 or 10.00% whichever is the greater.

This statement is to be read in conjunction with the accompanying Financial Statements and notes.

KEY TERMS AND DESCRIPTIONS FOR THE PERIOD ENDED 31 DECEMBER 2022

REVENUE

RATES

All rates levied under the *Local Government Act 1995*. Includes general, differential, specified area rates, minimum rates, interim rates, back rates, ex-gratia rates, less discounts and concessions offered. Exclude administration fees, interest on instalments, interest on arrears, service charges and sewerage rates.

OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

Refers to all amounts received as grants, subsidies and contributions that are not non-operating grants.

NON-OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

Amounts received specifically for the acquisition, construction of new or the upgrading of identifiable non financial assets paid to a local government, irrespective of whether these amounts are received as capital grants, subsidies, contributions or donations.

REVENUE FROM CONTRACTS WITH CUSTOMERS

Revenue from contracts with customers is recognised when the local government satisfies its performance obligations under the contract.

FEES AND CHARGES

Revenues (other than service charges) from the use of facilities and charges made for local government services, sewerage rates, rentals, hire charges, fee for service, photocopying charges, licences, sale of goods or information, fines, penalties and administration fees. Local governments may wish to disclose more detail such as rubbish collection fees, rental of property, fines and penalties, other fees and charges.

SERVICE CHARGES

Service charges imposed under *Division 6 of Part 6 of the Local Government Act 1995*. *Regulation 54 of the Local Government (Financial Management) Regulations 1996* identifies these as television and radio broadcasting, underground electricity and neighbourhood surveillance services. Exclude rubbish removal charges. Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

INTEREST EARNINGS

Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

OTHER REVENUE / INCOME

Other revenue, which can not be classified under the above headings, includes dividends, discounts, rebates etc.

PROFIT ON ASSET DISPOSAL

Excess of assets received over the net book value for assets on their disposal.

NATURE OR TYPE DESCRIPTIONS

EXPENSES

EMPLOYEE COSTS

All costs associate with the employment of person such as salaries, wages, allowances, benefits such as vehicle and housing, superannuation, employment expenses, removal expenses, relocation expenses, worker's compensation insurance, training costs, conferences, safety expenses, medical examinations, fringe benefit tax, etc.

MATERIALS AND CONTRACTS

All expenditures on materials, supplies and contracts not classified under other headings. These include supply of goods and materials, legal expenses, consultancy, maintenance agreements, communication expenses, advertising expenses, membership, periodicals, publications, hire expenses, rental, leases, postage and freight etc. Local governments may wish to disclose more detail such as contract services, consultancy, information technology, rental or lease expenditures.

UTILITIES (GAS, ELECTRICITY, WATER, ETC.)

Expenditures made to the respective agencies for the provision of power, gas or water. Exclude expenditures incurred for the reinstatement of roadwork on behalf of these agencies.

INSURANCE

All insurance other than worker's compensation and health benefit insurance included as a cost of employment.

LOSS ON ASSET DISPOSAL

Shortfall between the value of assets received over the net book value for assets on their disposal.

DEPRECIATION ON NON-CURRENT ASSETS

Depreciation expense raised on all classes of assets.

INTEREST EXPENSES

Interest and other costs of finance paid, including costs of finance for loan debentures, overdraft accommodation and refinancing expenses.

OTHER EXPENDITURE

Statutory fees, taxes, allowance for impairment of assets, member's fees or State taxes. Donations and subsidies made to community groups.

**STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 DECEMBER 2022**

BY NATURE OR TYPE

	Ref Note	Adopted Budget	Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	\$	%	
Opening funding surplus / (deficit)	1(c)	2,025,977	2,379,523	2,379,523	2,379,523	0	0.00%	
Revenue from operating activities								
Rates	6	2,556,796	2,556,796	2,557,298	2,575,938	18,640	0.73%	
Operating grants, subsidies and contributions	13	1,795,291	1,831,291	967,768	680,808	(286,960)	(29.65%)	▼
Fees and charges		918,363	939,363	708,995	680,289	(28,706)	(4.05%)	
Interest earnings		63,564	63,564	31,620	44,445	12,825	40.56%	▲
Other revenue		571,425	572,425	286,348	293,843	7,495	2.62%	
Profit on disposal of assets	7	30,126	30,126	0	3,200	3,200	0.00%	
		5,935,565	5,993,565	4,552,029	4,278,523	(273,506)		
Expenditure from operating activities								
Employee costs		(2,122,849)	(2,122,849)	(1,034,040)	(1,016,340)	17,700	1.71%	
Materials and contracts		(2,386,532)	(2,403,532)	(1,179,731)	(771,931)	407,800	34.57%	▲
Utility charges		(377,375)	(377,375)	(188,424)	(153,803)	34,621	18.37%	▲
Depreciation on non-current assets		(1,582,699)	(1,582,699)	(791,298)	(923,472)	(132,174)	(16.70%)	▼
Interest expenses		(16,757)	(16,757)	(8,370)	(5,464)	2,906	34.71%	
Insurance expenses		(243,898)	(243,898)	(230,818)	(244,154)	(13,336)	(5.78%)	
Other expenditure		(476,318)	(476,318)	(226,134)	(218,822)	7,312	3.23%	
Loss on disposal of assets	7	(42,671)	(42,671)	0	0	0	0.00%	
		(7,249,099)	(7,266,099)	(3,658,815)	(3,333,986)	324,829		
Non-cash amounts excluded from operating activities	1(a)	1,601,192	1,601,192	791,298	921,338	130,040	16.43%	▲
Amount attributable to operating activities		287,658	328,658	1,684,512	1,865,876	181,364		
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Amount attributable to investing activities		(2,042,435)	(2,108,035)	(843,934)	(17,760)	826,174		
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Refer to Note ` for an explanation of the reasons for the variance.

This statement is to be read in conjunction with the accompanying Financial Statements and Notes.

BASIS OF PREPARATION

The financial report has been prepared in accordance with Australian Accounting Standards (as they apply to local governments and not-for-profit entities) and interpretations of the Australian Accounting Standards Board, and the *Local Government Act 1995* and accompanying regulations.

The *Local Government Act 1995* and accompanying Regulations take precedence over Australian Accounting Standards where they are inconsistent.

The *Local Government (Financial Management) Regulations 1996* specify that vested land is a right-of-use asset to be measured at cost. All right-of-use assets (other than vested improvements) under zero cost concessionary leases are measured at zero cost rather than at fair value. The exception is vested improvements on concessionary land leases such as roads, buildings or other infrastructure which continue to be reported at fair value, as opposed to the vested land which is measured at zero cost. The measurement of vested improvements at fair value is a departure from AASB 16 which would have required the Shire to measure any vested improvements at zero cost.

Accounting policies which have been adopted in the preparation of this financial report have been consistently applied unless stated otherwise. Except for cash flow and rate setting information, the financial report has been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

THE LOCAL GOVERNMENT REPORTING ENTITY

All funds through which the Shire controls resources to carry on its functions have been included in the financial statements forming part of this financial report.

In the process of reporting on the local government as a single unit, all transactions and balances between those funds (for example, loans and transfers between funds) have been eliminated.

All monies held in the Trust Fund are excluded from the financial statements. A separate statement of those monies appears at Note 15 to these financial statements.

SIGNIFICANT ACCOUNTING POLICES

CRITICAL ACCOUNTING ESTIMATES

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses.

The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

GOODS AND SERVICES TAX

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO). Receivables and payables are stated inclusive of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with receivables or payables in the statement of financial position. Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities which are recoverable from, or payable to, the ATO are presented as operating cash flows.

ROUNDING OFF FIGURES

All figures shown in this statement are rounded to the nearest dollar.

PREPARATION TIMING AND REVIEW

Date prepared: All known transactions up to 31 December 2022

(a) Non-cash items excluded from operating activities

The following non-cash revenue and expenditure has been excluded from operating activities within the Statement of Financial Activity in accordance with Financial Management Regulation 32.

	Notes	Adopted Budget	Amended Budget	YTD Budget (a)	YTD Actual (b)
Non-cash items excluded from operating activities		\$	\$	\$	\$
Adjustments to operating activities					
Less: Profit on asset disposals	7	(30,126)	(30,126)	0	(3,200)
Less: Movement in liabilities associated with restricted cash		5,948	5,948	0	1,065
Add: Loss on asset disposals	7	42,671	42,671	0	0
Add: Depreciation on assets		1,582,699	1,582,699	791,298	923,472
Total non-cash items excluded from operating activities		1,601,192	1,601,192	791,298	921,338

(b) Adjustments to net current assets in the Statement of Financial Activity

The following current assets and liabilities have been excluded from the net current assets used in the Statement of Financial Activity in accordance with *Financial Management Regulation* 32.

		Last Year Closing	This Time Last Year	Year to Date
		30 June 2022	31 Dec 2021	31 Dec 2022
Adjustments to net current assets				
Less: Reserves - restricted cash	11	(6,127,967)	(5,540,003)	(6,146,505)
Add Back: Component of Leave Liability not Required to be Fun	12	235,895	230,675	236,960
Add: Borrowings	9	27,355	13,385	13,776
Add: Lease liabilities	10	28,922	28,778	14,443
Total adjustments to net current assets		(5,835,795)	(5,267,164)	(5,881,326)

(c) Net current assets used in the Statement of Financial Activity

Current assets				
Cash and cash equivalents	2	9,144,743	8,253,244	10,289,304
Rates receivables	3	519,427	766,080	762,145
Receivables	3	25,085	12,978	107,015
Other current assets	4	113,542	13,879	32,546
Less: Current liabilities				
Payables	5	(646,048)	(213,835)	(215,317)
Borrowings	9	(27,355)	(13,385)	(13,776)
Contract liabilities	12	(528,111)	(146,702)	(528,111)
Lease liabilities	10	(28,922)	(28,778)	(14,443)
Provisions	12	(357,043)	(325,812)	(357,043)
Less: Total adjustments to net current assets	1(b)	(5,835,795)	(5,267,164)	(5,881,326)
Closing funding surplus / (deficit)		2,379,523	3,050,505	4,180,994

CURRENT AND NON-CURRENT CLASSIFICATION

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. Unless otherwise stated assets or liabilities are classified as at current if expected to be settled within the next 12 months, being the Council's operational cycle.

Description	Classification	Unrestricted \$	Restricted \$	Total Cash \$	Trust \$	Institution	Interest Rate	Maturity Date
Cash on hand								
Cash On Hand	Cash and cash equivalents	400		400			NIL	On Hand
At Call Deposits								
Municipal Cash at Bank	Cash and cash equivalents	3,110,102		3,110,102		Bankwest	0.10%	At Call
Muni Business Telenet Saver	Cash and cash equivalents	1,032,296		1,032,296		Bankwest	0.10%	At Call
CAB - Future Fund Grant (Interest) Reserve	Cash and cash equivalents	0	211,049	211,049		Bankwest	0.10%	At Call
CAB - Leave Reserve Account	Cash and cash equivalents	0	236,960	236,960		Bankwest	0.10%	At Call
CAB - Swimming Pool Reserve	Cash and cash equivalents	0	101,401	101,401		Bankwest	0.10%	At Call
CAB - Plant Replacement Reserve	Cash and cash equivalents	0	586,935	586,935		Bankwest	0.10%	At Call
CAB - Capital Works Reserve	Cash and cash equivalents	0	402,985	402,985		Bankwest	0.10%	At Call
CAB - Sewerage Reserve	Cash and cash equivalents	0	325,040	325,040		Bankwest	0.10%	At Call
CAB - Unspent Loans Reserve	Cash and cash equivalents	0	101,640	101,640		Bankwest	0.10%	At Call
CAB - Community & Economic Development Reserve	Cash and cash equivalents	0	768,609	768,609		Bankwest	0.10%	At Call
CAB - Future Funds (Principal) Reserve	Cash and cash equivalents	0	438,330	438,330		Bankwest	0.10%	At Call
CAB - Legal Reserve	Cash and cash equivalents	0	26,314	26,314		Bankwest	0.10%	At Call
CAB - Emergency Response Reserve	Cash and cash equivalents	0	248,910	248,910		Bankwest	0.10%	At Call
CAB - Aged Care Units 1-4 (JVA) Reserve	Cash and cash equivalents	0	71,190	71,190		Bankwest	0.10%	At Call
CAB - Aged Care Units (Excl. 1-4) Reserve	Cash and cash equivalents	0	255,748	255,748		Bankwest	0.10%	At Call
CAB - COVID-19 Emergency Response Reserve	Cash and cash equivalents	0	93,149	93,149		Bankwest	0.10%	At Call
CAB - Jones Lake Road Rehab Reserve	Cash and cash equivalents	0	100,537	100,537		Bankwest	0.10%	At Call
CAB - Morawa-Yalgoo Road Maintenance Reserve	Cash and cash equivalents	0	77,708	77,708		Bankwest	0.10%	At Call
Term Deposits		0						
TD: ... 8410 (Future Funds 1)	Cash and cash equivalents	0	800,000	800,000		Bankwest	0.15%	31/12/2022
TD: ... 8428 (Future Funds 2)	Cash and cash equivalents	0	800,000	800,000		Bankwest	0.15%	31/12/2022
TD: ... 8436 (Community Development Fund)	Cash and cash equivalents	0	500,000	500,000		Bankwest	0.15%	31/12/2022
Trust Deposits								
Trust Bank	Cash and cash equivalents	0			8,179		0.10%	At Call
Total		4,142,799	6,146,505	10,289,304	8,179			
Comprising								
Cash and cash equivalents		4,142,799	6,146,505	10,289,304	8,179			
		4,142,799	6,146,505	10,289,304	8,179			

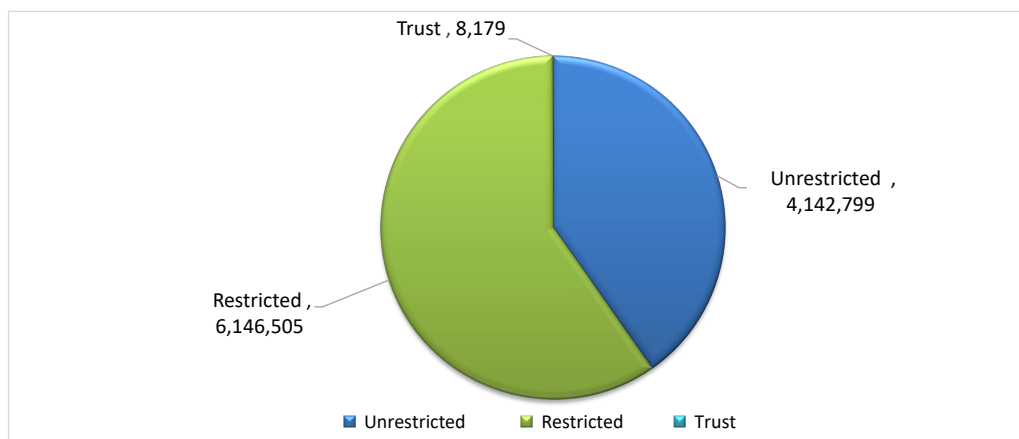
KEY INFORMATION

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value and bank overdrafts. Bank overdrafts are reported as short term borrowings in current liabilities in the statement of net current assets.

The local government classifies financial assets at amortised cost if both of the following criteria are met:

- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal and interest.

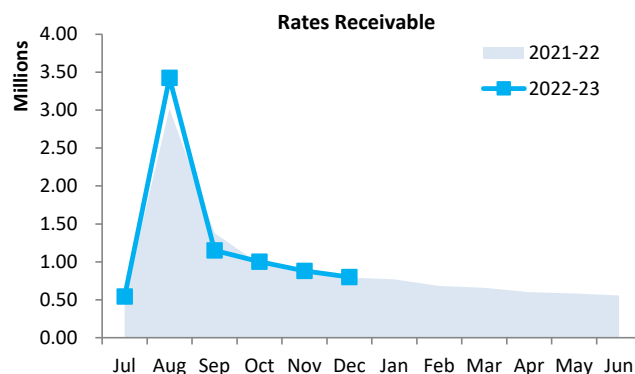
Financial assets at amortised cost held with registered financial institutions are listed in this note other financial assets at amortised cost are provided in Note 4 - Other assets.



**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 DECEMBER 2022**

**OPERATING ACTIVITIES
NOTE 3
RECEIVABLES**

Rates receivable	30 Jun 2022	31 Dec 2022
	\$	\$
Opening arrears previous years	527,201	555,518
Levied this year	2,590,351	3,057,137
Less - collections to date	(2,562,035)	(2,814,419)
Equals current outstanding	555,518	798,236
Net rates collectable	555,518	798,236
% Collected	82.2%	77.9%



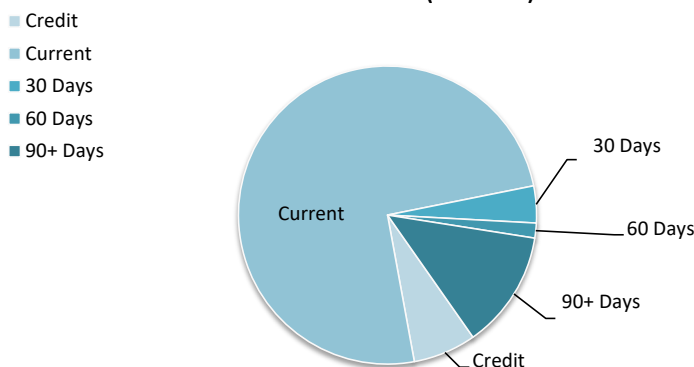
Receivables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Receivables - general	(2,592)	28,320	1,518	615	4,850	32,710
Percentage	(7.9%)	86.6%	4.6%	1.9%	14.8%	
Balance per trial balance						
Sundry receivable						32,710
GST receivable						76,416
Increase in Allowance for impairment of receivables from contracts with customers						(25,012)
Total receivables general outstanding						107,015

Amounts shown above include GST (where applicable)

KEY INFORMATION

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business. Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets. Collectability of trade and other receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for impairment of receivables is raised when there is objective evidence that they will not be collectible.

Accounts Receivable (non-rates)



	Opening Balance 1 July 2022	Asset Increase	Asset Reduction	Closing Balance 31 Dec 2022
Other current assets	\$	\$	\$	\$
Inventory				
Fuel, Oils and Materials on Hand	20,965	0	0	20,965
Other current assets				
Accrued income	92,578	0	(80,997)	11,581
Total other current assets	113,543	0	(80,997)	32,546
Amounts shown above include GST (where applicable)				

KEY INFORMATION

Inventory

Inventories are measured at the lower of cost and net realisable value.

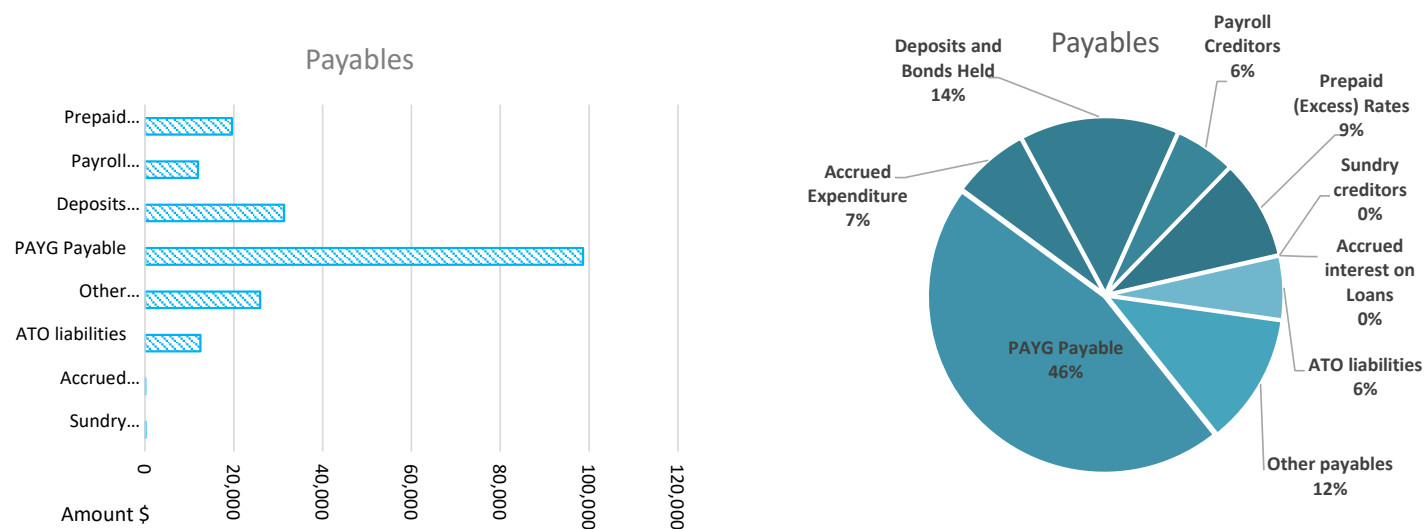
Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

Payables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Payables - general	0	39	0	0	0	39
Percentage	0%	100%	0%	0%	0%	
Balance per trial balance						
Sundry creditors						88
Accrued interest on Loans						27
ATO liabilities						12,486
Other payables						25,929
PAYG Payable						98,647
Accrued Expenditure						15,193
Deposits and Bonds Held						31,345
Payroll Creditors						11,972
Prepaid (Excess) Rates						19,630
Total payables general outstanding						215,317

Amounts shown above include GST (where applicable)

KEY INFORMATION

Trade and other payables represent liabilities for goods and services provided to the Shire that are unpaid and arise when the Shire becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition.



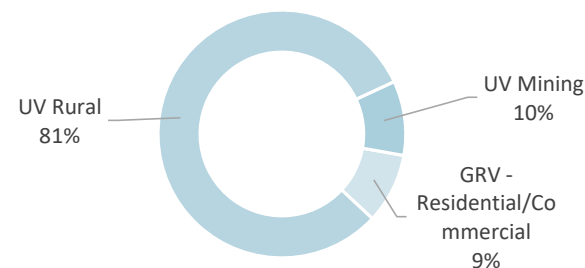
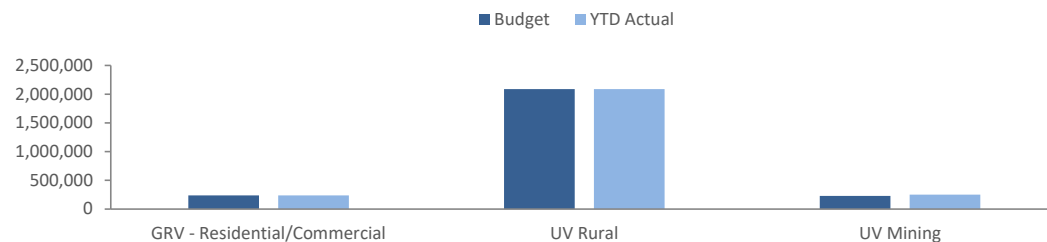
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 DECEMBER 2022

OPERATING ACTIVITIES
NOTE 6
RATE REVENUE

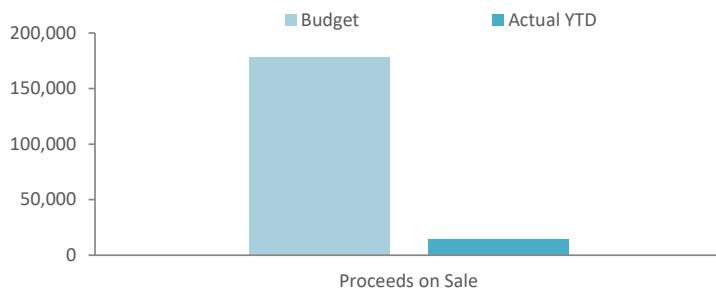
General rate revenue	Budget							YTD Actual			
	Rate in \$ (cents)	Number of Properties	Rateable Value	Rate Revenue	Interim Rate	Back Rate	Total Revenue	Rate Revenue	Interim Rates	Back Rates	Total Revenue
RATE TYPE				\$	\$	\$	\$	\$	\$	\$	\$
General Rate											
Gross rental valuations											
GRV - Residential/Commercial	0.084538	268	2,799,272	236,645	0	0	236,645	236,645	0.00	0.00	236,645
Unimproved value											
UV Rural	0.024439	207	85,452,000	2,088,313	0	0	2,088,313	2,088,362	0.00	0.00	2,088,362
UV Mining	0.301974	31	827,575	231,376	0	0	231,376	249,906	0.00	0.00	249,906
Sub-Total		506	89,078,847	2,556,334	0	0	2,556,334	2,574,912	0	0	2,574,912
Minimum payment	Minimum \$										
Gross rental valuations											
GRV - Residential/Commercial	324.50	46	27,993	14,927	0	0	14,927	14,927	0	0	14,927
Unimproved value											
UV Rural	324.50	9	54,070	2,920	0	0	2,920	2,921	0	0	2,921
UV Mining	683.00	9	9,082	6,147	0	0	6,147	6,147	0	0	6,147
Sub-total		64	91,145	23,994	0	0	23,994	23,995	0	0	23,995
		570	89,169,992	2,580,328	0	0	2,580,328	2,598,907	0	0	2,598,907
Discount							(29,200)				(31,610)
Amount from general rates							2,551,128				2,567,297
Rates Written Off							(1,000)				(1,125)
Ex-gratia rates							6,668				9,766
Total general rates							2,556,796				2,575,938

KEY INFORMATION

Prepaid rates are, until the taxable event for the rates has occurred, refundable at the request of the ratepayer. Rates received in advance give rise to a financial liability. On 1 July 2022 the prepaid rates were recognised as a financial asset and a related amount was recognised as a financial liability and no income was recognised. When the taxable event occurs the financial liability is extinguished and income recognised for the prepaid rates that have not been refunded.



Asset Ref.	Asset description	Updated Budget				YTD Actual			
		Value	Proceeds	Profit	(Loss)	Value	Proceeds	Profit	(Loss)
		\$	\$	\$	\$	\$	\$	\$	\$
	Plant and equipment								
	Transport								
	Iveco 6700 Powerstar	24,252	45,000	20,748	0	0	0	0	0
	Isuzu Truck	6,261	13,200	6,939	0	0	0	0	0
	Kubota F3680 & Catcher	11,561	14,000	2,439	0	10,800	14,000	3,200	0
	Nissan Navara - 000 MO	20,065	15,000	0	(5,065)	0	0	0	0
	Fuel Tanker	1,046	1,000	0	(46)	0	0	0	0
	John Deere Grader 670 GP	127,560	90,000	0	(37,560)	0	0	0	0
		190,745	178,200	30,126	(42,671)	10,800	14,000	3,200	0



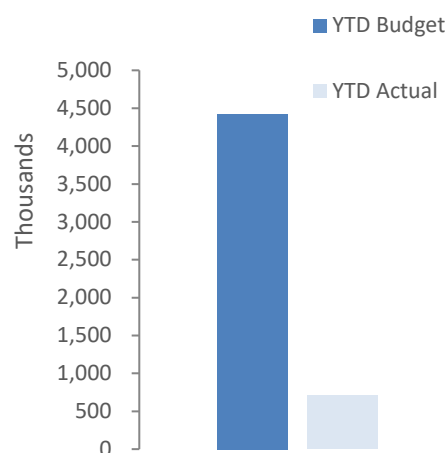
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 DECEMBER 2022**

**INVESTING ACTIVITIES
NOTE 8
CAPITAL ACQUISITIONS**

Capital acquisitions	Adopted Budget	Amended Budget	YTD Budget	YTD Actual	YTD Actual Variance
		\$	\$	\$	\$
Land and Buildings	870,000	870,000	331,324	121,743	(209,581)
Plant and equipment	904,867	904,867	361,944	33,500	(328,444)
Infrastructure - roads	1,632,000	1,677,000	1,038,486	405,638	(632,848)
Infrastructure - Footpaths	126,520	126,520	126,520	122,007	(4,513)
Infrastructure - Drainage	50,000	50,000	50,000	0	(50,000)
Infrastructure - Parks & Ovals	131,640	131,640	50,820	32	(50,788)
Infrastructure - Sewerage	60,000	60,000	0	0	0
Infrastructure - Playground Equipment	90,000	90,000	0	0	0
Infrastructure - Other	275,854	350,182	89,162	26,940	(62,222)
Infrastructure - Airfields	163,356	163,356	65,336	0	(65,336)
Payments for Capital Acquisitions	4,304,237	4,423,565	2,113,592	709,861	(1,403,731)
Total Capital Acquisitions	4,304,237	4,423,565	2,113,592	709,861	(1,403,731)
Capital Acquisitions Funded By:					
		\$	\$	\$	\$
Capital grants and contributions	2,083,602	2,137,330	1,269,658	678,101	(591,557)
Other (disposals & C/Fwd)	178,200	178,200	0	14,000	14,000
Cash backed reserves					
Plant Replacement Reserve	300,000	300,000	0	0	0
Contribution - operations	1,742,435	1,666,395	843,934	17,760	(826,174)
Capital funding total	4,304,237	4,423,565	2,113,592	709,861	(1,403,731)

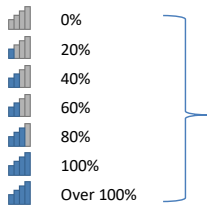
SIGNIFICANT ACCOUNTING POLICIES

All assets are initially recognised at cost. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the local government includes the cost of all materials used in the construction, direct labour on the project and an appropriate proportion of variable and fixed overhead. Certain asset classes may be revalued on a regular basis such that the carrying values are not materially different from fair value. Assets carried at fair value are to be revalued with sufficient regularity to ensure the carrying amount does not differ materially from that determined using fair value at reporting date.



Capital expenditure total

Level of completion indicators



Percentage Year to Date Actual to Annual Budget expenditure where the expenditure over budget highlighted in red.

Level of completion indicator, please see table at the end of this note for further detail.

		Adopted	Amended		
Account/Job Description		Budget	Budget	YTD Budget	YTD Actual
					Variance (Under)/ Over
Buildings					
Land & Buildings Renewal - Other Culture		(20,000)	(20,000)	0	0
Purchase Land & Buildings		(70,000)	(70,000)	(27,996)	(87,758)
Purchase Land & Buildings - Other Housing		0	0	0	(777)
Town Hall & Old Chambers		0	0	0	(16)
Old Roads Board Building - Storage, entrance, water tank		(200,000)	(200,000)	(66,663)	(64)
Recreation Centre - Renewals		(500,000)	(500,000)	(166,665)	0
Purchase Land and Buildings		(20,000)	(20,000)	(10,000)	0
Caravan Park Chalets/Units - Renewals		(60,000)	(60,000)	(60,000)	(33,127)
		(870,000)	(870,000)	(331,324)	(121,743)
Plant & Equipment					
Purchase Plant & Equipment - Road Plant Purchases		(904,867)	(904,867)	(361,944)	(33,500)
		(904,867)	(904,867)	(361,944)	(33,500)
Furniture & Equipment					
Purchase Playground Equipment		(90,000)	(90,000)	0	0
		(90,000)	(90,000)	0	0
Infrastructure Other					
Other Infrastructure		(80,000)	(80,000)	(32,000)	0
Other Infrastructure - Fire Prevention		0	(74,328)	(37,164)	(9,981)
Infrastructure Other - Solar Initiatives		(20,000)	(20,000)	(19,998)	(1,731)
Cemetery Entrance & Landscaping		(175,854)	(175,854)	0	(15,228)
Capital Expense - Cemetery		0	0	0	0
		(275,854)	(350,182)	(89,162)	(26,940)
Infrastructure Sewerage					
Sewerage Upgrade		(60,000)	(60,000)	0	0
		(60,000)	(60,000)	0	0
Infrastructure Parks & Ovals					
Electric Vehicle Charging Stations		(30,000)	(30,000)	0	0
Netball Courts - Shed Replacement		(101,640)	(101,640)	(50,820)	(32)
		(131,640)	(131,640)	(50,820)	(32)
Infrastructure Roads					
Morawa Yalgoo Road		(450,000)	(450,000)	(224,996)	0
Nanekine Road		(450,000)	(450,000)	(149,999)	(18,313)
Canna North East Road		(300,000)	(300,000)	(299,997)	(116,991)
Gutha West Rd		(100,000)	(100,000)	(99,999)	(137,653)
White Road - Gravel Resheeting		(112,000)	(112,000)	(111,995)	(86,597)
Black Spot Evaside Rd Expenditure		0	(45,000)	(22,500)	0
Main Street Lighting Upgrade		(110,000)	(110,000)	(55,000)	(194)
Townsite Construction - Valentine Street		(60,000)	(60,000)	(24,000)	0
Kerbing Construction - Townsite Roads		(50,000)	(50,000)	(50,000)	(45,890)
		(1,632,000)	(1,677,000)	(1,038,486)	(405,638)
Infrastructure Footpaths					
Granville Street - Footpath		(65,584)	(65,584)	(65,584)	(61,493)
Shared Pathway Construction - Grant Funded		0	0	0	(3,597)
Dreghorn Street - Footpath		(60,936)	(60,936)	(60,936)	(56,917)
		(126,520)	(126,520)	(126,520)	(122,007)
Infrastructure Drainage					
Drainage Construction		(50,000)	(50,000)	(50,000)	0
		(50,000)	(50,000)	(50,000)	0
Infrastructure Aerodrome					
Community Stewardship Grant Exp - Airport Vermin Fencing		(163,356)	(163,356)	(65,336)	0
		(163,356)	(163,356)	(65,336)	0
		(4,304,237)	(4,423,565)	(2,113,592)	(709,861)
					1,403,731

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 DECEMBER 2022**

FINANCING ACTIVITIES

NOTE 9

BORROWINGS

Repayments - borrowings

Information on borrowings			New Loans			Principal Repayments			Principal Outstanding			Interest Repayments		
Particulars	Loan No.	1 July 2022	Actual	Amended Budget	Adopted Budget	Actual	Amended Budget	Adopted Budget	Actual	Amended Budget	Adopted Budget	Actual	Amended Budget	Adopted Budget
		\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Housing														
24 Harley Street - Staff Housing	136	264,472	0	0	0	7,519	15,186	15,186	256,952	249,286	249,286	4,884	12,046	12,046
Recreation and culture														
Netball Courts Redevelopment	139	182,112	0	0	0	6,060	12,169	12,169	176,053	169,943	169,943	556	4,509	4,509
Total		446,584	0	0	0	13,579	27,355	27,355	433,005	419,229	419,229	5,440	16,555	16,555
Current borrowings		27,355							13,776					
Non-current borrowings		419,229							419,229					
		446,584							433,005					

All debenture repayments were financed by general purpose revenue.

Unspent borrowings

Particulars	Date Borrowed	Unspent Balance 30 June 2022	Borrowed During Year	Expended During Year	Unspent Balance 31 Dec 2022
		\$	\$	\$	\$
New Shed	1 Sep 2020	89,613	0	0	89,613
		89,613	0	0	89,613

KEY INFORMATION

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs. After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost using the effective interest method. Fees paid on the establishment of loan facilities that are yield related are included as part of the carrying amount of the loans and borrowings.

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 DECEMBER 2022**

**FINANCING ACTIVITIES
NOTE 10
LEASE LIABILITIES**

Movement in carrying amounts

Information on leases			New Leases			Principal Repayments			Principal Outstanding			Interest Repayments		
Particulars	Lease No.	1 July 2022	Actual	Amended Budget	Adopted Budget	Actual	Amended Budget	Adopted Budget	Actual	Amended Budget	Adopted Budget	Actual	Amended Budget	Adopted Budget
		\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Recreation and culture														
Lease - Gymnasium Equipment		28,922	0	0	0	14,479	28,922	28,922	14,443	0	0	24	202	202
Total		28,922	0	0	0	14,479	28,922	28,922	14,443	0	0	24	202	202
Current lease liabilities		28,922							14,443					
Non-current lease liabilities		0							0					
		28,922							14,443					

All lease repayments were financed by general purpose revenue.

KEY INFORMATION

At inception of a contract, the Shire assesses if the contract contains or is a lease. A contract is, or contains, a lease if the contract conveys the right to control the use of an identified asset for a period of time in exchange for consideration. At the commencement date, a right of use asset is recognised at cost and lease liability at the present value of the lease payments that are not paid at that date. The lease payments are discounted using that date. The lease payments are discounted using the interest rate implicit in the lease, if that rate can be readily determined. If that rate cannot be readily determined, the Shire uses its incremental borrowing rate.

All contracts classified as short-term leases (i.e. a lease with a remaining term of 12 months or less) and leases of low value assets are recognised as an operating expense on a straight-line basis over the term of the lease.

Cash backed reserve

Reserve name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Budget Transfers In (+)	Actual Transfers In (+)	Budget Transfers Out (-)	Actual Transfers Out (-)	Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Leave Reserve	235,895	948	1,065	5,000	0	0	0	241,843	236,960
Plant Replacement Reserve	584,297	1,734	2,638	300,000	0	(300,000)	0	586,031	586,935
Capital Works Reserve	401,174	1,912	1,811	100,000	0	0	0	503,086	402,985
Community & Economic Development Reserve	1,264,779	5,010	3,830	0	0	0	0	1,269,789.32	1,268,609
Sewerage Reserve	323,579	1,125	1,461	60,000	0	0	0	384,703.57	325,040
Future Fund Grants (Interest) Reserve	209,080	6,660	1,969	0	0	(40,000)	0	175,740	211,049
Future Fund (Principal) Reserve	2,036,179	2,049	2,150	0	0	0	0	2,038,228	2,038,330
Unspent Loans Reserve	101,640	0	0	0	0	(101,640)	0	(0)	101,640
Legal Fees Reserve	26,196	107	118	10,000	0	0	0	36,303	26,314
Emergency Response Reserve	247,792	813	1,119	10,000	0	0	0	258,605	248,910
Aged Care Units 1-4 (JVA) Reserve	70,870	291	320	0	0	0	0	71,161	71,190
Aged Care Units (Excl. 1-4) Reserve	254,599	375	1,149	10,000	0	0	0	264,974	255,748
Swimming Pool Reserve	100,945	333	456	20,000	0	0	0	121,278	101,401
COVID-19 Emergency Response Reserve	93,149	0	0	0	0	0	0	93,149	93,149
Jones Lake Road Rehab Reserve	100,085	207	452	50,000	0	0	0	150,292	100,537
Morawa-Yalgoo Road Maintenance Reserve	77,708	0	0	70,000	0	0	0	147,708	77,708
	6,127,967	21,564	18,538	635,000	0	(441,640)	0	6,342,891	6,146,505

		Opening Balance	Liability transferred from/(to) non current	Liability Increase	Liability Reduction	Closing Balance
Other current liabilities	Note	1 July 2022				31 Dec 2022
		\$		\$	\$	\$
Other liabilities						
- Contract liabilities		528,111	0	0	0	528,111
Total other liabilities		528,111	0	0	0	528,111
Provisions						
Provision for annual leave		186,070	0	0	0	186,070
Provision for long service leave		170,973	0	0	0	170,973
Total Provisions		357,043	0	0	0	357,043
Total other current liabilities		885,154	0	0	0	885,154
Amounts shown above include GST (where applicable)						

KEY INFORMATION

Provisions

Provisions are recognised when the Shire has a present legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured.

Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.

Employee benefits

Short-term employee benefits

Provision is made for the Shire's obligations for short-term employee benefits. Short-term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries and sick leave. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled.

The Shire's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current trade and other payables in the calculation of net current assets.

Other long-term employee benefits

The Shire's obligations for employees' annual leave and long service leave entitlements are recognised as provisions in the statement of financial position.

Long-term employee benefits are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations of service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any remeasurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur. The Shire's obligations for long-term employee benefits are presented as non-current provisions in its statement of financial position, except where the Shire does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.

Contract liabilities

An entity's obligation to transfer goods or services to a customer for which the entity has received consideration (or the amount is due) from the customer. Grants to acquire or construct recognisable non-financial assets to identified specifications be constructed to be controlled by the Shire are recognised as a liability until such time as the Shire satisfies its obligations under the agreement.

Operating grants, subsidies and contributions revenue					
Provider	Adopted Budget Revenue	Amended YTD Budget	Annual Budget	Budget Variations	YTD Revenue Actual
	\$	\$	\$	\$	\$
Operating grants, contributions and subsidies					
General purpose funding					
Grants- FAGS WALGGC - General	842,773	421,386	842,773	225,103	196,284
Grants- FAGS WALGGC - Local Roads	427,983	213,992	427,983	144,008	69,984
Law, order, public safety					
Grant - ESL BFB Operating Grant	20,000	10,000	20,000	(2,034)	12,034
Grant - ESL BFB Operating Grant - Bushfire Risk Planning	149,785	74,892	149,785	(74,893)	149,785
Education and welfare					
Grant - Youth Events	2,000	8,000	8,000	500	7,500
Other Income	1,500	750	1,500	(4,250)	5,000
Community amenities					
Grants/Contributions	20,000	10,000	20,000	5,455	4,545
Drummuster Contribution	250	0	250	0	0
Recreation and culture					
Grant - NAIDOC week	2,000	0	2,000	0	0
Australia Day Grant	12,000	6,000	12,000	(18,000)	24,000
Transport					
Black Spot Grant Income	0	30,000	30,000	30,000	0
Grant - Main Roads - Direct	151,000	151,000	151,000	(13,489)	164,489
Street Light Subsidy	10,000	2,500	10,000	2,500	0
Maintenance Contribution -Silverlake - Morawa Yalgoo Road	100,000	25,000	100,000	(22,187)	47,187
Road Maintenance Contribution	55,000	13,750	55,000	13,750	0
Other property and services					
Income related to Unclassified	1,000	498	1,000	498	0
TOTALS	1,795,291	967,768	1,831,291	286,960	680,808

Non operating grants, subsidies and contributions revenue

Provider	Adopted Budget Revenue	Amended Budget Revenue	Amended YTD Budget	Budget Variations	YTD Revenue Actual
	\$	\$	\$	\$	\$
Non-operating grants and subsidies					
Law, order, public safety					
Grant - Dept Water & Environment	0	53,728	26,862	26,862	0
Community amenities					
Grants - LRCIP GEN	175,854	175,854	87,924	87,924	0
Recreation and culture					
Grant - LRCIP - Old Roads Board Building	200,000	200,000	99,996	71,630	28,366
Grant Income - LRCIP	422,000	422,000	210,996	182,629	28,367
Transport					
Grant - Regional Road Group - Road Projects	600,000	600,000	600,000	312,000	288,000
Grant - Roads to Recovery	499,971	499,971	149,991	(128,393)	278,384
Grant - WA Bicycle Network	63,260	63,260	63,260	8,276	54,984
CSG Grant - Airport Vermin Fencing	122,517	122,517	30,629	30,629	0
	2,083,602	2,137,330	1,269,658	591,557	678,101

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 DECEMBER 2022**

**NOTE 15
TRUST FUND**

Funds held at balance date which are required by legislation to be credited to the trust fund and which are not included in the financial statements are as follows:

Description	Opening Balance 1 July 2022	Amount Received	Amount Paid	Closing Balance 31 Dec 2022
	\$	\$	\$	\$
Drug Action Group	660	0	0	660
Youth Fund Raising	865	0		865
BRB/BCITF	3,144	3,510	0	6,654
	4,669	3,510	0	8,179

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 DECEMBER 2022**

EXPLANATION OF MATERIAL VARIANCES

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date Actual materially.

The material variance adopted by Council for the 2022-23 year is \$10,000 or 10.00% whichever is the greater.

Explanation of positive variances				Explanation of negative variances		
Reporting Program	Var. \$	Var. %	Timing	Permanent	Timing	Permanent
	\$	%				
Revenue from operating activities						
General purpose funding - other	(362,023)	(53.67%)	▼		The phasing of the Financial Assistance Grant income budget differs from the actuals.	
Law, order and public safety	71,449	78.74%	▲	ESL Grant funding received in October phasing over 12 months.		
Recreation and culture	22,262	31.90%	▲	Music, Art Fest and Swimming Pool Admissions coming in higher than budget at this point in time.		
Transport	(50,787)	(12.69%)	▼		The phasing of the MRWA Direct Grant income budget differs from the actuals.	
Other property and services	28,656	28.90%	▲	DRFAWA Claims received in November 22, budgeted for in Dec 22 & June 23.		
Expenditure from operating activities						
Governance	114,770	39.40%	▲	The phasing of various expenditure account budgets differ from the actuals and Audit fee accrual reversal \$35,300 causing negative expenditure.		
Law, order and public safety	24,750	18.52%	▲	Fire Services Manager x4, Fire Hydrate Maintenance and Bushfire Risk Planning Co-Ordinator tracking GL's tracking lower than budgeted. This should be reviewed as part of the 22/23 Mid Year Budget Review.		
Health	20,665	20.45%	▲	Environmental Health Officer and various Other Health GL's are tracking lower than budgeted. Drs Surgery Operating Exp are excess in of budget and need to be reviewed as part of the 22/23 Mid Year Budget Review.		
Education and welfare	50,334	48.78%	▲	Other Welfare expenditure is tracking lower than budgeted.		
Housing	(29,258)	(24.56%)	▼		Housing Depreciation cost tracking higher than YTB Budget. This should be reviewed as part of the 22/23 Mid Year Budget Review.	
Community amenities	106,834	29.73%	▲	Various Other Sanitation expenditure tracking lower than budgeted. Their is no YTD expenditure for a \$30,000 YTD budget for Transfer Station Bins, this should be review as part of the 22/23 Mid Year Budget Review.		
Recreation and culture	(20,625)	(2.55%)		The phasing of various expenditure account budgets differ from the actuals, Employee expenses at Swimming Pool are substantially lower than budgeted and will need to be review as part of the Midyear budget review.		
Economic services	72,921	18.69%	▲	The phasing of various expenditure account budgets differ from the actuals. Maintenance cost on Unit 4 - C/Park - Pintharuka are tracking substantially higher than budget and should be review as part of the 22/23 Mid Year Budget Review.		
Other property and services	(101,630)	(156.75%)	▼		Public Works Overheads and Plant Operation Cost are tracking substantially higher than budgeted. These should be reviewed as part of the 22/23 Mid Year Budget Review.	
Investing activities						
Proceeds from non-operating grants, subsidies and contributions	(591,557)	(46.59%)	▼		The phasing of the LRCIP Grant income budgets differs from the actuals.	
Payments for Infrastructure	865,706	60.95%	▲	The phasing of various expenditure account budgets differ from the actuals. Should be reviewed as part of the 22/23 Mid Year Budget Review.		
Payments for property, plant and equipment	538,025	77.61%	▲	The phasing of various expenditure account budgets differ from the actuals. Should be reviewed as part of the 22/23 Mid Year Budget Review.		

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 DECEMBER 2022

EXPLANATION OF MATERIAL VARIANCES

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date Actual materially.
The material variance adopted by Council for the 2022-23 year is \$10,000 or 10.00% whichever is the greater.

Reporting Program			Explanation of positive variances		Explanation of negative variances	
	Var. \$	Var. %	Timing	Permanent	Timing	Permanent
Financing activities	\$	%				
Transfer to reserves	(17,806)	(2432.49%)			Transfer to Reserve happens at end on year.	

NOTE 17
BUDGET AMENDMENTS

[illegible]

Shire of Morawa

SCHEDULE 02 - GENERAL FUND SUMMARY Financial Statement for Period Ended 31 December 2022

			2022-23 Adopted Budget		2022-23 Amended Budget		2022-23 YTD Budget		2022-23 YTD Actuals	
			Income	Expense	Income	Expense	Income	Expense	Income	Expense
			\$	\$	\$	\$	\$	\$	\$	\$
OPERATING										
General Purpose Funding	03		3,905,116	283,311	3,905,116	283,311	3,231,794	138,270	2,888,412	130,444
Governance	04		25	527,195	25	527,195	-	291,278	1,585	176,508
Law, Order, Public Safety	05		176,435	260,489	230,163	260,489	117,597	133,647	162,184	108,897
Health	07		7,050	195,834	7,050	195,834	2,550	101,059	3,339	80,394
Education & Welfare	08		7,000	195,625	13,000	201,625	10,496	103,177	14,124	52,843
Housing	09		100,800	219,445	106,800	219,445	52,872	119,119	48,935	148,377
Community Amenities	10		669,595	775,914	669,595	775,914	562,494	359,333	466,970	252,499
Recreation & Culture	11		708,200	1,564,330	724,200	1,575,330	380,780	809,899	148,783	830,524
Transport	12		1,986,074	2,322,932	2,016,074	2,322,932	1,244,230	1,148,132	970,930	1,069,891
Economic Services	13		239,572	801,809	239,572	801,809	119,730	390,065	123,563	317,144
Other Property & Services	14		219,300	102,215	219,300	102,215	99,144	64,836	127,800	166,466
TOTAL - OPERATING			8,019,167	7,249,099	8,130,895	7,266,099	5,821,687	3,658,815	4,956,624	3,333,986
CAPITAL										
General Purpose Funding	03		0	10,107	0	10,107	0	0	0	118
Governance	04		0	0	0	0	0	0	0	0
Law, Order, Public Safety	05		0	0	0	74,328	0	37,164	0	9,981
Health	07		0	446	0	446	0	0	0	0
Education & Welfare	08		0	0	0	0	0	0	0	0
Housing	09		0	95,852	0	95,852	0	35,586	0	97,524
Community Amenities	10		0	347,186	0	347,186	0	0	0	17,141
Recreation & Culture	11		101,640	1,023,064	101,640	1,023,064	0	324,691	0	22,838
Transport	12		300,000	3,279,290	300,000	3,324,290	0	1,652,286	0	564,903
Economic Services	13		40,000	153,719	40,000	153,719	0	92,000	0	41,076
Other Property & Services	14		0	107,414	0	107,414	0	732	0	2,876
TOTAL - CAPITAL			441,640	5,017,078	441,640	5,136,406	0	2,142,459	0	756,457
			8,460,807	12,266,177	8,572,535	12,402,505	5,821,687	5,801,274	4,956,624	4,090,442
Less Depreciation Written Back				(1,582,699)		(1,582,699)		(791,298)		(923,472)
Less Profit/Loss Written Back			(30,126)	(42,671)	(30,126)	(42,671)	0	0	(3,200)	0
Less Movement in Leave Reserve - REC INT	72101			(5,948)		(5,948)		0		(1,065)
Plus Proceeds from Sale of Assets			178,200		178,200		0		14,000	
TOTAL REVENUE & EXPENDITURE			8,608,881	10,634,858	8,720,609	10,771,187	5,821,687	5,009,976	4,967,425	3,165,905
Surplus/Deficit July 1st B/Fwd			2,025,977		2,379,523		2,379,523		2,379,523	
			10,634,858	10,634,858	11,100,132	10,771,187	8,201,210	5,009,976	7,346,948	3,165,905
Surplus/Deficit C/Fwd				(0)		328,945		3,191,234		4,181,043
			10,634,858	10,634,858	11,100,132	11,100,132	8,201,210	8,201,210	7,346,948	7,346,948

Shire of Morawa

SCHEDULE 03 - GENERAL PURPOSE FUNDING Financial Statement for Period Ended 31 December 2022

PROGRAMME SUMMARY	2022-23 Adopted Budget		2022-23 Amended Budget		2022-23 YTD Budget		2022-23 YTD Actuals	
	Income	Expense	Income	Expense	Income	Expense	Income	Expense
	\$	\$	\$	\$	\$	\$	\$	\$
<u>OPERATING EXPENDITURE</u>								
Rates		221,198		221,198		107,220		101,143
Other General Purpose Funding		62,113		62,113		31,050		29,301
<u>OPERATING REVENUE</u>								
Rates	2,602,796		2,602,796		2,580,636		2,597,837	
Other General Purpose Funding	1,302,320		1,302,320		651,158		290,575	
SUB-TOTAL	3,905,116	283,311	3,905,116	283,311	3,231,794	138,270	2,888,412	130,444
<u>CAPITAL EXPENDITURE</u>								
Rates		0		0		0		0
Other General Purpose Funding		10,107		10,107		0		118
<u>CAPITAL REVENUE</u>								
Rates	0		0		0		0	
Other General Purpose Funding	0		0		0		0	
SUB-TOTAL	0	10,107	0	10,107	0	0	0	118
TOTAL -	3,905,116	293,418	3,905,116	293,418	3,231,794	138,270	2,888,412	130,562

Shire of Morawa
SCHEDULE 04 - GOVERNANCE
Financial Statement for Period Ended
31 December 2022

PROGRAMME SUMMARY	2022-23 Adopted Budget		2022-23 Amended Budget		2022-23 YTD Budget		2022-23 YTD Actuals	
	Income	Expense	Income	Expense	Income	Expense	Income	Expense
	\$	\$	\$	\$	\$	\$	\$	\$
<u>OPERATING EXPENDITURE</u>								
Members of Council		423,495		423,495		235,604		207,492
Governance General		103,700		103,700		55,674		(30,984)
<u>OPERATING REVENUE</u>								
Members of Council	25		25		0		900	
Governance General	0		0		0		685	
SUB-TOTAL	25	527,195	25	527,195	0	291,278	1,585	176,508
<u>CAPITAL EXPENDITURE</u>								
Members of Council		0		0		0		0
Governance General		0		0		0		0
<u>CAPITAL REVENUE</u>								
Members of Council	0		0		0		0	
Governance General	0		0		0		0	
SUB-TOTAL	0	0	0	0	0	0	0	0
TOTAL - PROGRAMME SUMMARY	25	527,195	25	527,195	0	291,278	1,585	176,508

Shire of Morawa
SCHEDULE 05 - LAW, ORDER & PUBLIC SAFETY
Financial Statement for Period Ended
31 December 2022

PROGRAMME SUMMARY	2022-23 Adopted Budget		2022-23 Amended Budget		2022-23 YTD Budget		2022-23 YTD Actuals	
	Income	Expense	Income	Expense	Income	Expense	Income	Expense
	\$	\$	\$	\$	\$	\$	\$	\$
<u>OPERATING EXPENDITURE</u>								
Fire Prevention		218,628		218,628		112,737		89,780
Animal Control		40,856		40,856		20,412		17,005
Other Law, Order & Public Safety		1,005		1,005		498		2,111
<u>OPERATING REVENUE</u>								
Fire Prevention	173,785		227,513		115,754		161,819	
Animal Control	2,650		2,650		1,843		365	
Other Law, Order & Public Safety	0		0		0		0	
SUB-TOTAL	176,435	260,489	230,163	260,489	117,597	133,647	162,184	108,897
<u>CAPITAL EXPENDITURE</u>								
Fire Prevention		0		74,328		37,164		9,981
Animal Control		0		0		0		0
Other Law, Order & Public Safety		0		0		0		0
<u>CAPITAL REVENUE</u>								
Fire Prevention	0		0		0		0	
Animal Control	0		0		0		0	
Other Law, Order & Public Safety	0		0		0		0	
SUB-TOTAL	0	0	0	74,328	0	37,164	0	9,981
TOTAL - PROGRAMME SUMMARY	176,435	260,489	230,163	334,817	117,597	170,811	162,184	118,878

Shire of Morawa
SCHEDULE 07 - HEALTH
Financial Statement for Period Ended
31 December 2022

PROGRAMME SUMMARY	2022-23 Adopted Budget		2022-23 Amended Budget		2022-23 YTD Budget		2022-23 YTD Actuals	
	Income	Expense	Income	Expense	Income	Expense	Income	Expense
	\$	\$	\$	\$	\$	\$	\$	\$
OPERATING EXPENDITURE								
Preventative Services - Meat Inspection		350		350		174		0
Preventative Services - Inspections & Admin		52,251		52,251		26,124		6,896
Preventative Services - Pest Control		6,104		6,104		3,042		4,156
Other Health		137,129		137,129		71,719		69,342
OPERATING REVENUE								
Preventative Services - Meat Inspection	350		350		350		0	
Preventative Services - Inspections & Admin	700		700		700		348	
Preventative Services - Pest Control	0		0		0		0	
Other Health	6,000		6,000		1,500		2,990	
SUB-TOTAL	7,050	195,834	7,050	195,834	2,550	101,059	3,339	80,394
CAPITAL EXPENDITURE								
Preventative Services - Meat Inspection		0		0		0		0
Preventative Services - Inspections & Admin		0		0		0		0
Preventative Services - Pest Control		0		0		0		0
Other Health		446		446		0		0
CAPITAL REVENUE								
Preventative Services - Meat Inspection	0		0		0		0	
Preventative Services - Inspections & Admin	0		0		0		0	
Preventative Services - Pest Control	0		0		0		0	
Other Health	0		0		0		0	
SUB-TOTAL	0	446	0	446	0	0	0	0
TOTAL - PROGRAMME SUMMARY	7,050	196,280	7,050	196,280	2,550	101,059	3,339	80,394

Shire of Morawa
SCHEDULE 08 - EDUCATION & WELFARE
Financial Statement for Period Ended
31 December 2022

PROGRAMME SUMMARY	2022-23 Adopted Budget		2022-23 Amended Budget		2022-23 YTD Budget		2022-23 YTD Actuals	
	Income	Expense	Income	Expense	Income	Expense	Income	Expense
	\$	\$	\$	\$	\$	\$	\$	\$
<u>OPERATING EXPENDITURE</u>								
Other Education		6,976		6,976		4,920		4,803
Care of Families & Children		13,726		13,726		6,834		6,248
Other Welfare		174,923		180,923		91,423		41,792
<u>OPERATING REVENUE</u>								
Other Education	0		0		0		0	
Care of Families & Children	3,500		3,500		1,746		1,624	
Other Welfare	3,500		9,500		8,750		12,500	
SUB-TOTAL	7,000	195,625	13,000	201,625	10,496	103,177	14,124	52,843
<u>CAPITAL EXPENDITURE</u>								
Other Education		0		0		0		0
Care of Families & Children		0		0		0		0
Other Welfare		0		0		0		0
<u>CAPITAL REVENUE</u>								
Other Education	0		0		0		0	
Care of Families & Children	0		0		0		0	
Other Welfare	0		0		0		0	
SUB-TOTAL	0	0	0	0	0	0	0	0
TOTAL - PROGRAMME SUMMARY	7,000	195,625	13,000	201,625	10,496	103,177	14,124	52,843

Shire of Morawa
SCHEDULE 09 - HOUSING
Financial Statement for Period Ended
31 December 2022

PROGRAMME SUMMARY	2022-23 Adopted Budget		2022-23 Amended Budget		2022-23 YTD Budget		2022-23 YTD Actuals	
	Income	Expense	Income	Expense	Income	Expense	Income	Expense
	\$	\$	\$	\$	\$	\$	\$	\$
<u>OPERATING EXPENDITURE</u>								
Staff Housing		89,051		89,051		50,986		71,605
Other Housing		84,102		84,102		43,692		46,150
Aged Housing		46,292		46,292		24,441		30,622
<u>OPERATING REVENUE</u>								
Staff Housing	10,500		16,500		8,250		12,245	
Other Housing	22,300		22,300		10,644		7,484	
Aged Housing	68,000		68,000		33,978		29,206	
SUB-TOTAL	100,800	219,445	106,800	219,445	52,872	119,119	48,935	148,377
<u>CAPITAL EXPENDITURE</u>								
Staff Housing		85,186		85,186		35,586		95,277
Other Housing		0		0		0		777
Aged Housing		10,666		10,666		0		1,469
<u>CAPITAL REVENUE</u>								
Staff Housing	0		0		0		0	
Other Housing	0		0		0		0	
Aged Housing	0		0		0		0	
SUB-TOTAL	0	95,852	0	95,852	0	35,586	0	97,524
TOTAL - PROGRAMME SUMMARY	100,800	315,297	106,800	315,297	52,872	154,705	48,935	245,901

Shire of Morawa
SCHEDULE 10 - COMMUNITY AMENITIES
Financial Statement for Period Ended
31 December 2022

PROGRAMME SUMMARY	2022-23 Adopted Budget		2022-23 Amended Budget		2022-23 YTD Budget		2022-23 YTD Actuals	
	Income	Expense	Income	Expense	Income	Expense	Income	Expense
	\$	\$	\$	\$	\$	\$	\$	\$
<u>OPERATING EXPENDITURE</u>								
Sanitation - Household Refuse		232,324		232,324		116,130		102,484
Sanitation - Other		168,176		168,176		71,556		18,917
Sewerage		133,950		133,950		67,092		51,078
Urban Stormwater Drainage		9,500		9,500		24		0
Town Planning & Regional Development		66,003		66,003		32,994		33,775
Other Community Amenities		165,961		165,961		71,537		46,244
<u>OPERATING REVENUE</u>								
Sanitation - Household Refuse	111,903		111,903		111,147		109,657	
Sanitation - Other	73,288		73,288		73,037		72,108	
Sewerage	277,248		277,248		275,748		276,636	
Urban Stormwater Drainage	0		0		0		0	
Town Planning & Regional Development	4,000		4,000		1,998		3,151	
Other Community Amenities	203,156		203,156		100,564		5,418	
SUB-TOTAL	669,595	775,914	669,595	775,914	562,494	359,333	466,970	252,499
<u>CAPITAL EXPENDITURE</u>								
Sanitation - Household Refuse		50,207		50,207		0		452
Sanitation - Other		0		0		0		0
Sewerage		121,125		121,125		0		1,461
Urban Stormwater Drainage		0		0		0		0
Other Community Amenities		175,854		175,854		0		15,228
<u>CAPITAL REVENUE</u>								
SUB-TOTAL	0	347,186	0	347,186	0	0	0	17,141
TOTAL - PROGRAMME SUMMARY	669,595	1,123,100	669,595	1,123,100	562,494	359,333	466,970	269,639

Shire of Morawa
SCHEDULE 11 - RECREATION & CULTURE
Financial Statement for Period Ended
31 December 2022

PROGRAMME SUMMARY	2022-23 Adopted Budget		2022-23 Amended Budget		2022-23 YTD Budget		2022-23 YTD Actuals	
	Income	Expense	Income	Expense	Income	Expense	Income	Expense
	\$	\$	\$	\$	\$	\$	\$	\$
<u>OPERATING EXPENDITURE</u>								
Public Halls and Civic Centres		165,841		165,841		91,201		106,507
Swimming Areas & Beaches		338,998		338,998		169,479		170,819
Other Recreation and Sport		883,423		883,423		459,841		436,707
TV and Radio Re-broadcasting		2,000		2,000		996		0
Libraries		23,288		23,288		11,634		10,847
Other Culture		150,780		161,780		76,748		105,644
<u>OPERATING REVENUE</u>								
Public Halls and Civic Centres	201,500		201,500		100,746		28,366	
Swimming Areas & Beaches	18,000		18,000		7,300		10,490	
Other Recreation and Sport	447,500		447,500		223,734		34,900	
TV and Radio Re-broadcasting	0		0		0		0	
Libraries	200		200		0		0	
Other Culture	41,000		57,000		49,000		75,027	
SUB-TOTAL	708,200	1,564,330	724,200	1,575,330	380,780	809,899	148,783	830,524
<u>CAPITAL EXPENDITURE</u>								
Public Halls and Civic Centres		220,000		220,000		86,661		1,811
Swimming Areas & Beaches		20,333		20,333		0		456
Other Recreation and Sport		762,731		762,731		238,030		20,571
TV and Radio Re-broadcasting		0		0		0		0
Libraries		0		0		0		0
Other Culture		20,000		20,000		0		0
<u>CAPITAL REVENUE</u>								
Public Halls and Civic Centres	0		0		0		0	
Swimming Areas & Beaches	0		0		0		0	
Other Recreation and Sport	101,640		101,640		0		0	
TV and Radio Re-broadcasting	0		0		0		0	
Libraries	0		0		0		0	
Other Culture	0		0		0		0	
SUB-TOTAL	101,640	1,023,064	101,640	1,023,064	0	324,691	0	22,838
TOTAL - PROGRAMME SUMMARY	809,840	2,587,394	825,840	2,598,394	380,780	1,134,590	148,783	853,362

Shire of Morawa
SCHEDULE 12 - TRANSPORT
Financial Statement for Period Ended
31 December 2022

PROGRAMME SUMMARY	2022-23 Adopted Budget		2022-23 Amended		2022-23 YTD Budget		2022-23 YTD Actuals	
	Income	Expense	Income	Expense	Income	Expense	Income	Expense
	\$	\$	\$	\$	\$	\$	\$	\$
<u>OPERATING EXPENDITURE</u>								
Construction Roads, Bridges and Depots		0		0		0		0
Maintenance Roads, Bridges and Depots		1,818,116		1,818,116		913,791		861,710
MidWest Local Government Service Agreement		0		0		0		0
Plant Purchases		60,483		60,483		8,904		3,830
Transport Licensing		360,726		360,726		181,358		166,731
Aerodromes		83,607		83,607		44,079		37,620
<u>OPERATING REVENUE</u>								
Construction Roads, Bridges and Depots	1,163,231		1,193,231		843,251		621,368	
Maintenance Roads, Bridges and Depots	316,000		316,000		192,250		211,676	
MidWest Local Government Service Agreement	0		0		0		0	
Plant Purchases	30,126		30,126		0		3,200	
Transport Licensing	354,200		354,200		178,100		134,687	
Aerodromes	122,517		122,517		30,629		0	
SUB-TOTAL	1,986,074	2,322,932	2,016,074	2,322,932	1,244,230	1,148,132	970,930	1,069,891
<u>CAPITAL EXPENDITURE</u>								
Construction Roads, Bridges and Depots		1,819,333		1,864,333		1,215,006		528,764
Maintenance Roads, Bridges and Depots		90,000		90,000		10,000		0
MidWest Local Government Service Agreement		0		0		0		0
Plant Purchases		1,206,601		1,206,601		361,944		36,138
Transport Licensing		0		0		0		0
Aerodromes		163,356		163,356		65,336		0
<u>CAPITAL REVENUE</u>								
Construction Roads, Bridges and Depots	0		0		0		0	
Maintenance Roads, Bridges and Depots	0		0		0		0	
MidWest Local Government Service Agreement	0		0		0		0	
Plant Purchases	300,000		300,000		0		0	
Transport Licensing	0		0		0		0	
Aerodromes	0		0		0		0	
SUB-TOTAL	300,000	3,279,290	300,000	3,324,290	0	1,652,286	0	564,903
TOTAL - PROGRAMME SUMMARY	2,286,074	5,602,222	2,316,074	5,647,222	1,244,230	2,800,418	970,930	1,634,793

Shire of Morawa
SCHEDULE 13 - ECONOMIC SERVICES
Financial Statement for Period Ended
31 December 2022

PROGRAMME SUMMARY	2022-23 Adopted Budget		2022-23 Amended Budget		2022-23 YTD Budget		2022-23 YTD Actuals	
	Income	Expense	Income	Expense	Income	Expense	Income	Expense
	\$	\$	\$	\$	\$	\$	\$	\$
<u>OPERATING EXPENDITURE</u>								
Rural Services		35,983		35,983		17,958		7,237
Tourism & Area Promotion		367,839		367,839		180,883		133,547
Building Control		39,942		39,942		19,968		25,297
Other Economic Services		63,528		63,528		31,752		29,716
Economic Development		294,517		294,517		139,504		121,347
<u>OPERATING REVENUE</u>								
Rural Services	0		0		0		0	
Tourism & Area Promotion	187,000		187,000		93,474		101,511	
Building Control	6,500		6,500		3,246		5,892	
Other Economic Services	25,000		25,000		12,498		7,812	
Economic Development	21,072		21,072		10,512		8,348	
SUB-TOTAL	239,572	801,809	239,572	801,809	119,730	390,065	123,563	317,144
<u>CAPITAL EXPENDITURE</u>								
Rural Services		0		0		0		0
Tourism & Area Promotion		60,000		60,000		60,000		33,127
Building Control		0		0		0		0
Other Economic Services		80,000		80,000		32,000		0
Economic Development		13,719		13,719		0		7,948
<u>CAPITAL REVENUE</u>								
Rural Services	0		0		0		0	
Tourism & Area Promotion	0		0		0		0	
Building Control	0		0		0		0	
Other Economic Services	0		0		0		0	
Economic Development	40,000		40,000		0		0	
SUB-TOTAL	40,000	153,719	40,000	153,719	0	92,000	0	41,076
TOTAL - PROGRAMME SUMMARY	279,572	955,528	279,572	955,528	119,730	482,065	123,563	358,220

Shire of Morawa
SCHEDULE 14 - OTHER PROPERTY & SERVICES
Financial Statement for Period Ended
31 December 2022

PROGRAMME SUMMARY	2022-23 Adopted Budget		2022-23 Amended Budget		2022-23 YTD Budget		2022-23 YTD Actuals	
	Income	Expense	Income	Expense	Income	Expense	Income	Expense
	\$	\$	\$	\$	\$	\$	\$	\$
<u>OPERATING EXPENDITURE</u>								
Private Works		27,215		27,215		13,596		6,318
Public Works Overheads		0		0		(18,786)		115,087
Plant Operation Costs		0		0		22,069		127,543
Stock, Fuels and Oils		0		0		0		(31,740)
Administration		0		0		10,457		(69,706)
Unclassified		75,000		75,000		37,500		6,995
<u>OPERATING REVENUE</u>								
Private Works	40,000		40,000		19,998		1,002	
Public Works Overheads	1,000		1,000		500		0	
Plant Operation Costs	42,000		42,000		10,500		8,608	
Stock, Fuels and Oils	300		300		150		951	
Administration	10,000		10,000		4,998		21,894	
Unclassified	126,000		126,000		62,998		95,345	
SUB-TOTAL	219,300	102,215	219,300	102,215	99,144	64,836	127,800	166,466
<u>CAPITAL EXPENDITURE</u>								
Administration		107,414		107,414		732		2,876
<u>CAPITAL REVENUE</u>								
Administration	0		0		0		0	
SUB-TOTAL	0	107,414	0	107,414	0	732	0	2,876
TOTAL - PROGRAMME SUMMARY	219,300	209,629	219,300	209,629	99,144	65,568	127,800	169,342

Shire of Morawa
Bank Reconciliation Report
For Period Ending 31 December 2022

	Municipal Account	Municipal Online Saver	Trust Account	Reserve Account	Term Deposits - Reserves
Balance as per Bank Statement	3,170,094.02	1,032,296.47	7,165.83	4,045,719.57	2,100,000.00
Balance as per General Ledger	3,111,115.72	1,032,296.47	7,548.73	4,046,504.92	2,100,000.00
Unpresented Payments					
Superannuation Payment					
Payroll Payment in January	-59,982.45				
Outstanding Cheque	-250.00				
Outstanding Deposits					
Bank Deposits made after 30/12/2022	1,254.15				
Transfer From Municipal Outstanding			\$382.90		
Transfer from Holding Account				\$785.35	
Difference	3,111,115.72 0.00	1,032,296.47 0.00	7,548.73 0.00	4,046,504.92 0.00	2,100,000.00 0.00

Shire of Morawa List of Payments Report

For Period Ending 31 January 2023

Chq/EFT	Date	Name	Description	Amount	Bank
EFT16154	08/12/2022	Australian Services Union	Payroll Deductions	77.70	1
EFT16155	08/12/2022	Department of Human Services	Payroll Deductions	426.21	1
EFT16156	09/12/2022	WA Machinery Brokers	Belts For Flail Mower P999	120.00	1
EFT16157	09/12/2022	Rip-It Security Shredding (Primecode Pty Ltd)	Records Management Solutions November 2022	179.50	1
EFT16158	09/12/2022	Star Track Express	Freight Charges November 2022	48.53	1
EFT16159	09/12/2022	Morawa Medical Centre	Preemployment Medical Examination New Employee	350.00	1
EFT16160	09/12/2022	Morawa Drapery Store	Protective Clothing 5 Shorts, 5 Shirts, 2 Boots & Embroidery	466.40	1
EFT16161	09/12/2022	Morawa Traders	Refreshments For Council Meetings	56.99	1
EFT16162	09/12/2022	Nutrien Ag Solutions	Fast Set Cement 72 Bags Of 20Kg	944.24	1
EFT16163	09/12/2022	Refuel Australia	Supply Of Diesel 10,500 Ltrs @\$ 2.0945 Ltr	21,992.25	1
EFT16164	09/12/2022	Think Water Geraldton	Various Reticulation Parts For Oval/Recreation Grounds	408.55	1
EFT16165	09/12/2022	Hitachi Construction Machinery (Australia) Pty	2000Hr Filter Kit For Hitachi Wheel Loader	1,408.80	1
EFT16166	09/12/2022	Canine Control	Ranger Services For 21 November & 1 December 2022	1,970.98	1
EFT16167	09/12/2022	Sigma Companies Group Pty Ltd	Additional Pallet Required For Delivery	24.20	1
EFT16168	09/12/2022	Truckline	Breaks And Misc Items For P220, Radio & Gease Ext For P172	2,208.32	1
EFT16169	09/12/2022	Total Toilets	Trailer Mounted Port Toilet For Dates 01.11.22 To 30.11.22	935.00	1
EFT16170	09/12/2022	Dongara Body Builders	Annual Yearly Inspection Of Bus	233.40	1
EFT16171	09/12/2022	Porter Consulting Engineers	Morawa Cemetery Carpark Upgrade - Initial Claim	2,750.00	1
EFT16172	09/12/2022	Blackwoods - (J Blackwood & Son Pty Ltd)	Nut Hex Std, Bolt Hex, Washer X 25 For P138	157.65	1
EFT16173	09/12/2022	Protector Fire Services	Replacement of Fire Extinguisher at the Pool	389.40	1
EFT16174	09/12/2022	Abrolhos Steel	9 X 1800Mm & 6 X 1500Mm @ 30Mmx30Mmx2Mm Square Tubing	273.33	1
EFT16175	09/12/2022	Infinitum Technologies Pty Ltd	Monthly It Support 1/12/2022	5,531.93	1
EFT16176	09/12/2022	Avon Waste	279 Domestic General Waste Services Per Week (Mondays) X 4 Weeks	6,593.76	1
EFT16177	09/12/2022	Mitchell and Brown Communications	Complete Annual Security Maintenance Log At 80%	50.00	1
EFT16178	09/12/2022	Morawa Rural Pty Ltd T/AS Morawa Rural	2 X Batteries Mitsubishi Truck Mo223	452.30	1
EFT16179	09/12/2022	Element Advisory Pty Ltd	Final Consideration By Dph And Gazettal	280.50	1
EFT16180	09/12/2022	Pat's Mobile Mechanical	Repair Hyd Hose, Air Con Regas, New Breaks, New Seat Cat Truck	5,188.26	1
EFT16181	09/12/2022	Breeze Connect Pty Ltd	Admin Office Voip Telephone Lines1/11/2022 - 30/11/2022	232.00	1
EFT16182	09/12/2022	Red Dust Enterprises	Supply Of P&E For Road Maintenance On Mungada Road	34,606.00	1
EFT16183	09/12/2022	Bob Waddell Consultant	Assistance With Monthly Financial Statements November 2022	1,278.75	1

Shire of Morawa List of Payments Report

For Period Ending 31 January 2023

Chq/EFT	Date	Name	Description	Amount	Bank
EFT16184	09/12/2022	G W Mechanical (Glen Wallace)	73000 Klom Service On Ute Ford Ranger Double Cab	443.85	1
EFT16185	09/12/2022	Vitrum Works	Replacement of security doors, window screend and large door repalcement at 20 Barnes St	6,270.00	1
EFT16186	09/12/2022	LG Best Practices Pty Ltd	Rates Balancing, Reminder Notices & Debt Recovery Submission	450.00	1
EFT16187	09/12/2022	Purcher International WA	Sensor For Iveco Truck 2004	201.98	1
EFT16188	09/12/2022	Winc	Photocopier Usage Charges From October - November 2022	367.01	1
EFT16189	09/12/2022	Incite Security	Monthly Monitoring Service For Oval Function Room	117.00	1
EFT16190	09/12/2022	Bagoc Pty Ltd	Dr Ade Car Allowance 1/9/2022 - 30/11/2022	5,500.00	1
EFT16191	09/12/2022	The Collab Effect	3 Days: Wednesday 23 To Friday 25 November	2,387.37	1
EFT16192	21/12/2022	North Midlands Electrical	Install 3phase power point at depot, Lights At Pool, Oval Tank Switches & repairs at 20 Barnes Street	4,765.65	1
EFT16193	21/12/2022	Star Track Express	Freight Charges December 2022	61.55	1
EFT16194	21/12/2022	Kats Rural	X2 50000 Lt Poly Storage Tanks & Various Maintenance Items	18,213.40	1
EFT16195	21/12/2022	Nutrien Ag Solutions	1 Gas Bottle 9Kg & 2 Blue Line Joiner 40Mm Philmac	101.38	1
EFT16196	21/12/2022	WesTrac Equipment Pty Ltd	Oil Cap For Truck P221 & Air Freight Cost	100.54	1
EFT16197	21/12/2022	Refuel Australia	Adblue Bulk 40 Litres @2.65	106.00	1
EFT16198	21/12/2022	Think Water Geraldton	Sewerage Scheme Maintenance Items	1,430.80	1
EFT16199	21/12/2022	Hitachi Construction Machinery (Australia) Pty	Belt V Ribbed Hitachi For Wheel Loader	663.15	1
EFT16200	21/12/2022	GH Country Courier	Freight For The Period November 2022	462.00	1
EFT16201	21/12/2022	Cramer & Neill	Solenoids 4320 Male Inlet And Outlet - Oval House Maintenance	235.66	1
EFT16202	21/12/2022	Greenfield Technical Services	Consultants For Option For Rav 7 Road - Briefing	1,870.00	1
EFT16203	21/12/2022	McLeods Barristers and Solicitors	Costs Associated With A210 & A204 Rates Recovery Or Land Transfer	649.30	1
EFT16204	21/12/2022	A & M Medical Services Pty Ltd	Servicing Of Oxy Viva Swimming Pool	152.79	1
EFT16205	21/12/2022	Morawa Golf & Bowling Club Inc	Room Hire And Bar Tab For Shire Christmas Party	898.00	1
EFT16206	21/12/2022	Herrings Coastal Plumbing & Gas	Plumbing Repairs And Parts Replacement Caravan Park	638.13	1
EFT16207	21/12/2022	IGA Morawa	Iga Account For Second Half Of November 2022	251.48	1
EFT16208	21/12/2022	CJD Equipment PTY LTD	Service Truck And Road Sweeper, Rectify Fault Code & Derate	4,088.07	1
EFT16209	21/12/2022	Coastal Trimming	Restitch Lions Park Shade Sail Add Galvanised Cable And Refit	748.00	1
EFT16210	21/12/2022	Morawa Rural Pty Ltd T/AS Morawa Rural	V Belt , Reducing Brush & Brass Fittings For Vehicle Maintenance	493.70	1

Shire of Morawa List of Payments Report

For Period Ending 31 January 2023

Chq/EFT	Date	Name	Description	Amount	Bank
EFT16211	21/12/2022	Toll Transport Pty Ltd	Freight Charges For The Period Nov Dec 2022	86.52	1
EFT16212	21/12/2022	CORSIGN WA PTY LTD	D4 - 1 - 1 Hazard Boards For Rural Roads	2,761.00	1
EFT16213	21/12/2022	AFGRI Equipment	Parts For John Deere Grader 670Gp 2011 (P224) - Mo93	2,630.07	1
EFT16214	21/12/2022	Resonline Pty Ltd	Monthly Subscription To Room Manager Booking - November	134.31	1
EFT16215	21/12/2022	G W Mechanical (Glen Wallace)	Service Mitsubishi Canter Fit Two Rear Shock Adsorbers & Tyres	1,963.90	1
EFT16216	21/12/2022	Daphne's Timeless Treats	2022 Staff / Council Christmas Party - Catering Main Course And	1,820.00	1
EFT16217	21/12/2022	Barron Building Surveying	Preparation Of Documents For Building Certification & Travel	1,815.00	1
EFT16218	21/12/2022	IPWEA Institute of Public works engineering	Ipwea 2022 Conference - 2 Day Attendance	450.00	1
EFT16219	21/12/2022	Emerson Agar	Refund On Bond Toggle For Morawa Gym	10.00	1
EFT16220	21/12/2022	Fast Promos Barneys Print & Promo Pty Ltd	Australia Day Branding Coffee Cups X 70	709.81	1
EFT16221	21/12/2022	Makayla Milloy	Bond Refund On Oval Function Room	500.00	1
EFT16222	21/12/2022	Globe Pest Solutions	Py Fog 20Lt For Mosquito Fogger	2,613.60	1
EFT16223	23/12/2022	Star Track Express	Freight Charges December 2022	49.55	1
EFT16224	23/12/2022	Morawa Medical Centre	Pre Employment Medical For New Employee	332.50	1
EFT16225	23/12/2022	Hersey's Safety Pty Ltd	Nanekine Road Maintenance - Line Marking For Rrg	981.49	1
EFT16226	23/12/2022	WesTrac Equipment Pty Ltd	365 - 3760 Pipe As Tube Caterpillar Truck	473.70	1
EFT16227	23/12/2022	Refuel Australia	Modern 15W 40 Full Protection 208L & Mobi Grease 20Kg - Stock	2,661.28	1
EFT16228	23/12/2022	Marketforce	The West Australian - Local Government Vacancies (Doctor Ad)	2,317.06	1
EFT16229	23/12/2022	Cramer & Neill	Replace Solenoid On Aircon As It Was Leaking Water	1,277.44	1
EFT16230	23/12/2022	Local Government Professionals Australia WA	Lg Professionals - Community Development Network Meeting	30.00	1
EFT16231	23/12/2022	Truckline	Torque Rod Brush For Caterpillar Truck	132.00	1
EFT16232	23/12/2022	Shermac Engineering	7Ft Grader Blades	6,091.25	1
EFT16233	23/12/2022	Porter Consulting Engineers	Detailed Design And Documentation - Morawa Cemetery Carpark	9,900.00	1

Shire of Morawa List of Payments Report

For Period Ending 31 January 2023

Chq/EFT	Date	Name	Description	Amount	Bank
EFT16234	23/12/2022	IGA Morawa	IGA Account December 2022	293.51	1
EFT16235	23/12/2022	MEEDAC Incorporated	Mangement Of The Transfer Station To Receive Waste(4 X7007)	21,021.00	1
EFT16236	23/12/2022	Pat's Mobile Mechanical	Different Repairs For Oil Leaks	1,397.55	1
EFT16237	23/12/2022	Toll Transport Pty Ltd	Freight Charges For The Period December 2022	353.02	1
EFT16238	23/12/2022	Bob Waddell Consultant	Assistance With Monthly Financial Statements November 2023	907.50	1
EFT16239	23/12/2022	Core Business Australia PTY Ltd	Task 4 - Prepare Tender Documentation	8,140.00	1
EFT16240	23/12/2022	The Collab Effect	Consultancy Services - EMCCS Acting Role	4,499.36	1
EFT16241	23/12/2022	E & MJ Rosher Pty Ltd	Kabota Cartridge Oil Filter & Assey Element - Various Plant Items	199.41	1
EFT16242	23/12/2022	Australian Services Union	Payroll Deductions	77.70	1
EFT16243	23/12/2022	Department of Human Services	Payroll Deductions	426.21	1

Total Eft Payments 218,357.50

12041	06/12/2022	Shire of Morawa	12 Month Vehicle Registration	3,854.15	1
12042	16/12/2022	Shire of Morawa	12 Months Vehicle Registration	5,972.30	1
12043	21/12/2022	Water Corporation	Water Expenses 6/10/2022 - 13/12/2022	36,129.42	1

Total Cheque Payments 45,955.87

DD9013.1	01/12/2022	Westnet Pty Ltd	Monthly Charge On Internet1/11/2022 - 30/11/2022	29.95	1
DD9014.1	01/12/2022	Exetel Pty Ltd	Monthly Charge On Internet1/11/2022 - 30/11/2022	1,375.00	1
DD9016.1	01/12/2022	Synergy	Electricity Expenses 23/8/2022 - 20/10/2022	302.91	1
DD9031.1	05/12/2022	Synergy	Electricity Expenses 24/8/2022 - 20/10/2022	450.41	1
DD9033.1	06/12/2022	Telstra Corporation Limited	Telephone Expenses Tourist Centre November 2022	50.00	1
DD9035.1	07/12/2022	Aware Super	Payroll Deductions	6,336.60	1
DD9035.2	07/12/2022	HOSTPLUS Superannuation Fund	Superannuation Contributions	285.68	1
DD9035.3	07/12/2022	HESTA	Superannuation Contributions	251.29	1
DD9035.4	07/12/2022	Maritime Super	Superannuation Contributions	302.23	1
DD9035.5	07/12/2022	Australian Retirement Trust	Payroll Deductions	247.96	1
DD9035.6	07/12/2022	mobiSuper	Superannuation Contributions	258.66	1
DD9035.7	07/12/2022	Australian Super	Superannuation Contributions	1,320.47	1

Shire of Morawa List of Payments Report

For Period Ending 31 January 2023

Chq/EFT	Date	Name	Description	Amount	Bank
DD9035.8	07/12/2022	Hawkins Super	Superannuation Contributions	993.46	1
DD9035.9	07/12/2022	BT FINANCIAL GROUP	Superannuation Contributions	365.58	1
DD9043.1	12/12/2022	Synergy	Electricity Expenses 19/10/2022 - 15/11/2022	171.16	1
DD9046.1	14/12/2022	Synergy	Electricity Expenses 21/10/2022 - 17/11/2022	2,930.70	1
DD9049.1	16/12/2022	Fleet Partners Pty Limited	Monthly Lease On Bush Fire Planninig Officer	1,089.00	1
DD9053.1	19/12/2022	Telstra Corporation Limited	Telephone Expenses November 2022	934.87	1
DD9061.1	21/12/2022	Aware Super	Payroll Deductions	6,550.94	1
DD9061.2	21/12/2022	HOSTPLUS Superannuation Fund	Superannuation Contributions	285.68	1
DD9061.3	21/12/2022	HESTA	Superannuation Contributions	251.29	1
DD9061.4	21/12/2022	Maritime Super	Superannuation Contributions	302.23	1
DD9061.5	21/12/2022	Australian Retirement Trust	Payroll Deductions	466.40	1
DD9061.6	21/12/2022	mobiSuper	Superannuation Contributions	275.30	1
DD9061.7	21/12/2022	Australian Super	Superannuation Contributions	1,300.47	1
DD9061.8	21/12/2022	Hawkins Super	Superannuation Contributions	1,063.12	1
DD9061.9	21/12/2022	BT FINANCIAL GROUP	Superannuation Contributions	322.88	1
DD9095.1	23/12/2022	Synergy	Electricity Expenses 25/10/2022 - 24/11/2022	4,050.56	1
DD9096.1	28/12/2022	Synergy	Electricity Expenses 21/10/2022 17/11/2022	1,496.69	1
DD9097.1	28/12/2022	Telstra Corporation Limited	Telephone Expenses 2/12/2022 - 1/1/2023	510.84	1
DD9035.10	07/12/2022	MLC Super Fund	Superannuation Contributions	446.73	1
DD9035.11	07/12/2022	CBUS	Superannuation Contributions	208.25	1
DD9035.12	07/12/2022	MLC Super Fund	Superannuation Contributions	272.27	1
DD9035.13	07/12/2022	Commonwealth Bank Group Super	Superannuation Contributions	119.03	1
DD9061.10	21/12/2022	MLC Super Fund	Superannuation Contributions	479.27	1
DD9061.11	21/12/2022	CBUS	Superannuation Contributions	220.48	1
DD9061.12	21/12/2022	MLC Super Fund	Superannuation Contributions	277.70	1
DD9061.13	21/12/2022	Commonwealth Bank Group Super	Superannuation Contributions	99.19	1
2223-06.07	16/12/2022	WA Treasury Corporation	Payment For Loan 136 - 24 Harley Street Property	12,716.11	1
2223-06.04	31/12/2022	Department of Transport	Being Payment Of Licensing Collection	32,616.70	1

Total Direct Debit Payments 82,028.06

Shire of Morawa List of Payments Report

For Period Ending 31 January 2023

Chq/EFT	Date	Name	Description	Amount	Bank
2223-06.05	01/12/2022	Bank West	Bank Charges	74.60	1
2223-06.06	05/12/2022	Bank West	Merchant Fees	417.99	1
	08/12/2022	Payroll	Payroll For Pay Cycle 24/11/2022 To 7/12/2022	60,014.47	1
	22/12/2022	Payroll	Payroll For Pay Cycle 8/12/22 To 21/12/2022	61,902.62	1

Total Bank Transfers/ Payments 122,409.68

2223-06.01	05/12/2022	Bank West	Corporate Card Purchases Paid In December 2022	1,202.84	1
	EMCCS - Corporate Credit Card				
	7/11/2022	Office Works	Stationery Order	39.91	
	16/11/2022	Booking.com	Accommodation Booking For Staff Transport Agent Training	1123.63	
			Sub Total	1,163.54	
	CEO - Corporate Credit Card				
	5/10/2022	Colaba Social	Travel From Lg Pro Conference Dinner	17.69	
	5/10/2022	ZOOM.US	Zoom Standard Pro Monthly Subscription For Council	20.99	
	13/10/2022	Shire of morawa	Foreign Transaction Fee (Zoom)	0.62	
			Sub Total	39.30	

TOTAL Corporate Credit Card Payment 1,202.84

Ordinary Council Meeting 15 December 2022

Attachment 1- 11.2.2a Monthly Financial Report for the period ending 31 January 2023

Attachment 2- 11.2.2b Bank Reconciliation for the period ending 31 January 2023

Attachment 3- 11.2.2c List of Accounts Paid for the period ending 31 January 2023

Item 11.2.2- Statement of Financial Activity – January 2023



SHIRE OF MORAWA

STATEMENT OF FINANCIAL ACTIVITY

FOR THE YEAR ENDING
30 JUNE 2023



SHIRE OF MORAWA
MONTHLY FINANCIAL REPORT
(Containing the Statement of Financial Activity)
For the Period Ended 31 January 2023

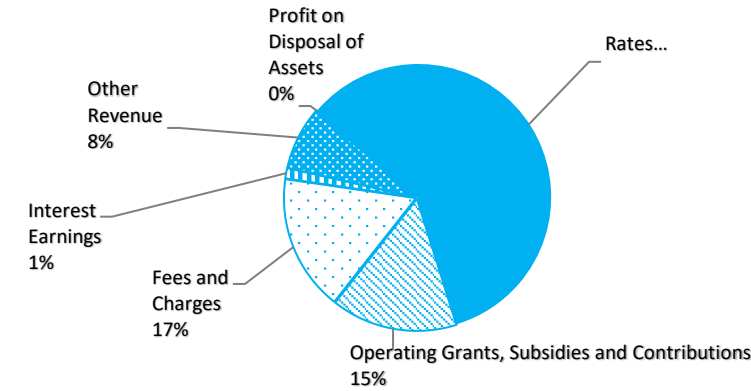
LOCAL GOVERNMENT ACT 1995
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

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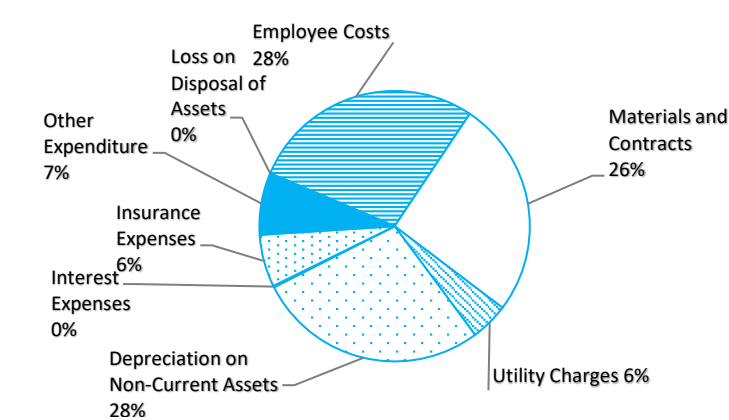
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OPERATING ACTIVITIES

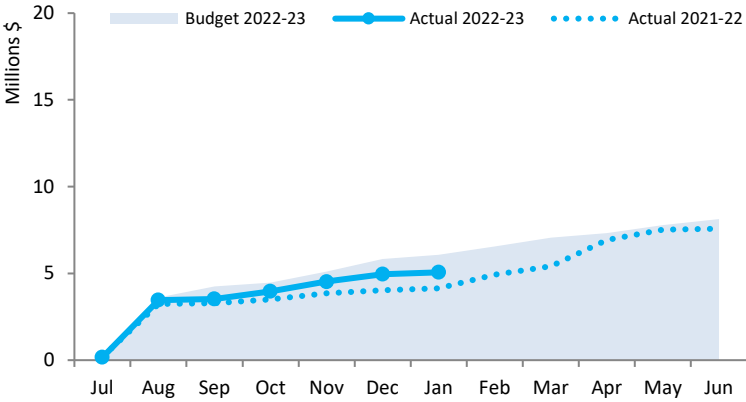
OPERATING REVENUE



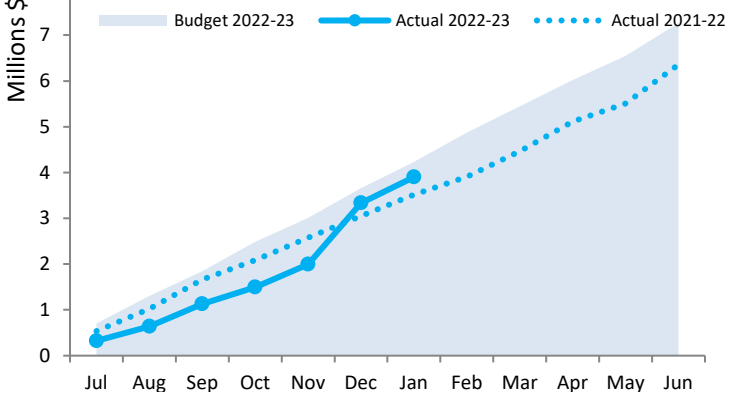
OPERATING EXPENSES



Budget Operating Revenues -v- Actual

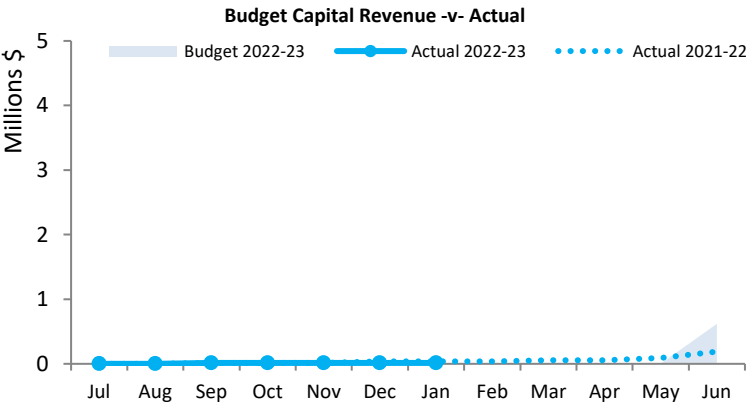


Budget Operating Expenses -v-YTD Actual

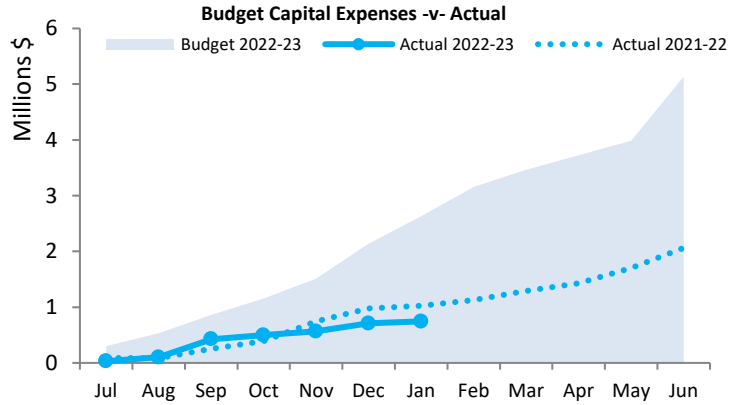


INVESTING ACTIVITIES

CAPITAL REVENUE



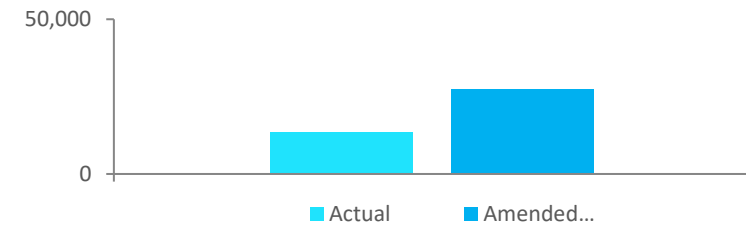
CAPITAL EXPENSES



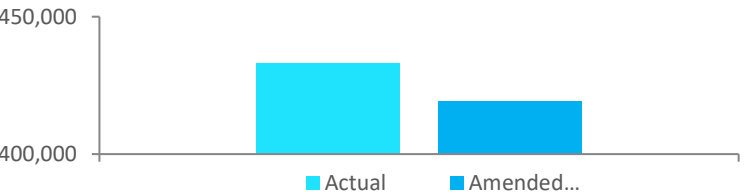
FINANCING ACTIVITIES

BORROWINGS

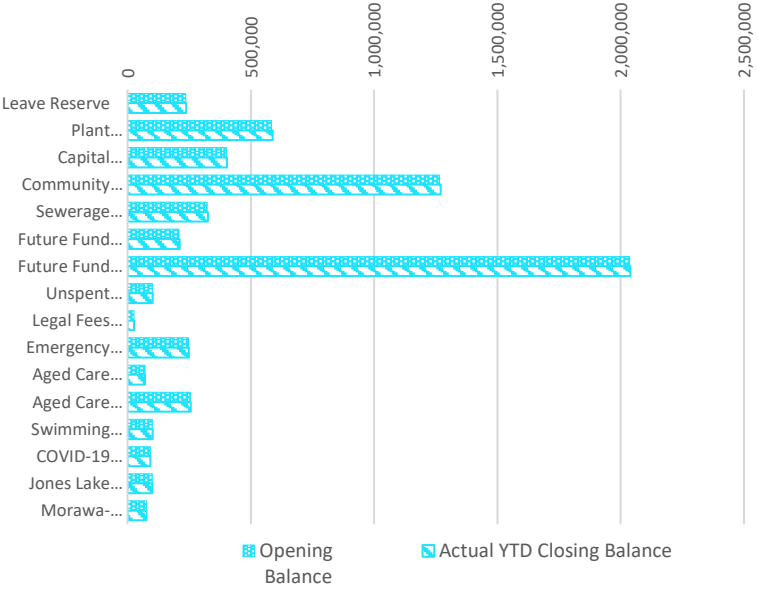
Principal Repayments



Principal Outstanding



RESERVES



This information is to be read in conjunction with the accompanying Financial Statements and Notes.

Funding surplus / (deficit) Components

Funding surplus / (deficit)				
	Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
Opening	\$2.38 M	\$2.38 M	\$2.38 M	\$0.00 M
Closing	\$0.33 M	\$2.52 M	\$3.83 M	\$1.32 M
Refer to Statement of Financial Activity				

Cash and cash equivalents		
	\$10.02 M	% of total
Unrestricted Cash	\$3.87 M	38.6%
Restricted Cash	\$6.15 M	61.4%
Refer to Note 2 - Cash and Financial Assets		

Payables		
	\$0.27 M	% Outstanding
Trade Payables	\$0.06 M	
0 to 30 Days		84.7%
30 to 90 Days		15.2%
Over 90 Days		0%
Refer to Note 5 - Payables		

Receivables		
	\$0.89 M	% Collected
Rates Receivable	\$0.77 M	78.6%
Trade Receivable	\$0.12 M	% Outstanding
30 to 90 Days		7.7%
Over 90 Days		20.3%
Refer to Note 3 - Receivables		

Key Operating Activities

Amount attributable to operating activities			
Amended Budget	YTD Budget (a)		Var. \$ (b)-(a)
\$0.33 M	\$1.40 M	\$1.56 M	\$0.16 M
Refer to Statement of Financial Activity			

Rates Revenue		
YTD Actual	\$2.58 M	% Variance
YTD Budget	\$2.56 M	0.7%
Refer to Note 6 - Rate Revenue		

Operating Grants and Contributions		
YTD Actual	\$0.68 M	% Variance
YTD Budget	\$1.03 M	(34.3%)
Refer to Note 13 - Operating Grants and Contributions		

Fees and Charges		
YTD Actual	\$0.73 M	% Variance
YTD Budget	\$0.75 M	(2.4%)
Refer to Statement of Financial Activity		

Key Investing Activities

Amount attributable to investing activities			
Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
(\$2.11 M)	(\$1.23 M)	(\$0.05 M)	\$1.18 M
Refer to Statement of Financial Activity			

Proceeds on sale		
YTD Actual	\$0.01 M	%
Amended Budget	\$0.18 M	(92.1%)
Refer to Note 7 - Disposal of Assets		

Asset Acquisition		
YTD Actual	\$0.75 M	% Spent
Amended Budget	\$4.42 M	(83.2%)
Refer to Note 8 - Capital Acquisitions		

Capital Grants		
YTD Actual	\$0.68 M	% Received
Amended Budget	\$2.14 M	(68.3%)
Refer to Note 8 - Capital Acquisitions		

Key Financing Activities

Amount attributable to financing activities			
Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
(\$0.27 M)	(\$0.03 M)	(\$0.05 M)	(\$0.02 M)
Refer to Statement of Financial Activity			

Borrowings	
Principal repayments	\$0.01 M
Interest expense	\$0.01 M
Principal due	\$0.43 M
Refer to Note 9 - Borrowings	

Reserves		
Reserves balance	\$6.15 M	
Interest earned	\$0.03 M	0.0%
Refer to Note 11 - Cash Reserves		

Lease Liability	
Principal repayments	\$0.01 M
Interest expense	\$0.00 M
Principal due	\$0.01 M
Refer to Note 10 - Lease Liabilities	

This information is to be read in conjunction with the accompanying Financial Statements and notes.

KEY TERMS AND DESCRIPTIONS
FOR THE PERIOD ENDED 31 JANUARY 2023

STATUTORY REPORTING PROGRAMS

Shire operations as disclosed in these financial statements encompass the following service orientated activities/programs.

PROGRAM NAME AND OBJECTIVES

ACTIVITIES

GOVERNANCE

To manage Councils' Elected Members

Includes Members of Council, Civic Functions and Public Relations, Council Elections, Training/Education of members.

GENERAL PURPOSE FUNDING

To manage Council's finances

Includes Rates, Loans, Investments & Grants.

LAW, ORDER, PUBLIC SAFETY

To provide, develop & manage services in response to community needs.

Includes Emergency Services, Fire Services and Animal Control

HEALTH

To provide, develop & manage services in response to community needs.

Includes Environmental Health, Medical and Health facilities and providers

EDUCATION AND WELFARE

To provide, develop & manage services in response to community needs.

Includes Education, Welfare & Children's Services, Youth Development

HOUSING

To ensure quality housing and appropriate infrastructure is maintained.

Includes Staff and other housing, including aged care units and Dreghorn Street units.

COMMUNITY AMENITIES

To provide, develop & manage services in response to community needs.

Includes Refuse Collection, Sewerage, Cemetery, Building Control and Town Planning.

RECREATION AND CULTURE

To ensure the recreational & cultural needs of the community are met.

Includes the Swimming Pool, Halls, Library, Oval, Parks and Gardens and Recreational Facilities.

TRANSPORT

To effectively manage transport infrastructure within the shire.

Includes Roads, Footpaths, Private Works, Plant Operating Costs, Outside Crew wages and maintenance of the Airstrip.

ECONOMIC SERVICES

To foster economic development, tourism & rural services in the district.

Includes Tourism, Rural Services, Economic Development & Caravan Park.

OTHER PROPERTY AND SERVICES

To provide control accounts and reporting facilities for all other operations.

Includes Private Works, Public Works Overheads, Plant Recovery Costs, Administration Overheads and Unclassified Items

**STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 JANUARY 2023**

STATUTORY REPORTING PROGRAMS

	Ref Note	Adopted Budget	Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	\$	%	
Opening funding surplus / (deficit)	1(c)	2,025,977	2,379,523	2,379,523	2,379,523	0	0.00%	
Revenue from operating activities								
Governance		25	25	0	1,598	1,598	0.00%	
General purpose funding - general rates	6	2,556,796	2,556,796	2,557,215	2,575,932	18,717	0.73%	
General purpose funding - other		1,348,320	1,348,320	686,209	341,962	(344,247)	(50.17%)	▼
Law, order and public safety		176,435	176,435	108,348	130,007	21,659	19.99%	▲
Health		7,050	7,050	4,050	3,339	(711)	(17.57%)	
Education and welfare		7,000	13,000	10,912	43,423	32,511	297.94%	▲
Housing		100,800	106,800	62,184	54,848	(7,336)	(11.80%)	
Community amenities		493,741	493,741	480,467	467,270	(13,197)	(2.75%)	
Recreation and culture		86,200	102,200	75,436	96,498	21,062	27.92%	▲
Transport		700,326	730,326	470,950	396,930	(74,020)	(15.72%)	▼
Economic services		239,572	239,572	139,685	141,268	1,583	1.13%	
Other property and services		219,300	219,300	114,168	129,967	15,799	13.84%	▲
		5,935,565	5,993,565	4,709,624	4,383,041	(326,583)		
Expenditure from operating activities								
Governance		(527,195)	(527,195)	(314,009)	(244,535)	69,474	22.12%	▲
General purpose funding		(283,311)	(283,311)	(161,315)	(130,874)	30,441	18.87%	▲
Law, order and public safety		(260,489)	(260,489)	(157,025)	(118,214)	38,811	24.72%	▲
Health		(195,834)	(195,834)	(115,171)	(93,998)	21,173	18.38%	▲
Education and welfare		(195,625)	(201,625)	(119,090)	(59,914)	59,176	49.69%	▲
Housing		(219,445)	(219,445)	(135,665)	(142,386)	(6,721)	(4.95%)	
Community amenities		(775,914)	(775,914)	(422,431)	(277,752)	144,679	34.25%	▲
Recreation and culture		(1,564,330)	(1,575,330)	(936,914)	(909,450)	27,464	2.93%	
Transport		(2,322,932)	(2,322,932)	(1,336,769)	(1,302,696)	34,073	2.55%	
Economic services		(801,809)	(801,809)	(462,914)	(341,262)	121,652	26.28%	▲
Other property and services		(102,215)	(102,215)	(74,080)	(279,044)	(204,964)	(276.68%)	▼
		(7,249,099)	(7,266,099)	(4,235,383)	(3,900,126)	335,257		
Non-cash amounts excluded from operating activities	1(a)	1,601,192	1,601,192	923,181	1,078,183	155,002	16.79%	▲
Amount attributable to operating		287,658	328,658	1,397,422	1,561,098	163,676		
Investing Activities								
Proceeds from non-operating grants, subsid	14	2,083,602	2,137,330	1,371,250	678,101	(693,149)	(50.55%)	▼
Proceeds from disposal of assets	7	178,200	178,200	0	14,000	14,000	0.00%	▲
Payments for Infrastructure	9	(2,529,370)	(2,648,698)	(1,733,100)	(582,343)	1,150,757	66.40%	▲
Payments for property, plant and equipmen	8	(1,774,867)	(1,774,867)	(868,529)	(162,672)	705,857	81.27%	▲
		(2,042,435)	(2,108,035)	(1,230,379)	(52,914)	1,177,465		
Amount attributable to investing		(2,042,435)	(2,108,035)	(1,230,379)	(52,914)	1,177,465		
Financing Activities								
Transfer from reserves	11	441,640	441,640	0	0	0	0.00%	
Payments for principal portion of lease liabilities	10	(28,922)	(28,922)	(14,460)	(14,479)	(19)	(0.13%)	
Repayment of debentures	9	(27,355)	(27,355)	(14,940)	(13,579)	1,361	9.11%	
Transfer to reserves	11	(656,564)	(656,564)	(854)	(25,166)	(24,312)	(2846.86%)	▼
Amount attributable to financing activities		(271,201)	(271,201)	(30,254)	(53,224)	(22,970)		
Closing funding surplus / (deficit)	1(c)	0	328,945	2,516,312	3,834,483			

KEY INFORMATION

▲ ▼ Indicates a variance between Year to Date (YTD) Actual and YTD Actual data as per the adopted materiality threshold.

Refer to Note ` for an explanation of the reasons for the variance.

The material variance adopted by Council for the 2022-23 year is \$10,000 or 10.00% whichever is the greater.

This statement is to be read in conjunction with the accompanying Financial Statements and notes.

KEY TERMS AND DESCRIPTIONS
FOR THE PERIOD ENDED 31 JANUARY 2023

REVENUE

RATES

All rates levied under the *Local Government Act 1995*. Includes general, differential, specified area rates, minimum rates, interim rates, back rates, ex-gratia rates, less discounts and concessions offered. Exclude administration fees, interest on instalments, interest on arrears, service charges and sewerage rates.

OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

Refers to all amounts received as grants, subsidies and contributions that are not non-operating grants.

NON-OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

Amounts received specifically for the acquisition, construction of new or the upgrading of identifiable non financial assets paid to a local government, irrespective of whether these amounts are received as capital grants, subsidies, contributions or donations.

REVENUE FROM CONTRACTS WITH CUSTOMERS

Revenue from contracts with customers is recognised when the local government satisfies its performance obligations under the contract.

FEES AND CHARGES

Revenues (other than service charges) from the use of facilities and charges made for local government services, sewerage rates, rentals, hire charges, fee for service, photocopying charges, licences, sale of goods or information, fines, penalties and administration fees. Local governments may wish to disclose more detail such as rubbish collection fees, rental of property, fines and penalties, other fees and charges.

SERVICE CHARGES

Service charges imposed under *Division 6 of Part 6 of the Local Government Act 1995*. *Regulation 54 of the Local Government (Financial Management) Regulations 1996* identifies these as television and radio broadcasting, underground electricity and neighbourhood surveillance services. Exclude rubbish removal charges. Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

INTEREST EARNINGS

Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

OTHER REVENUE / INCOME

Other revenue, which can not be classified under the above headings, includes dividends, discounts, rebates etc.

PROFIT ON ASSET DISPOSAL

Excess of assets received over the net book value for assets on their disposal.

NATURE OR TYPE DESCRIPTIONS

EXPENSES

EMPLOYEE COSTS

All costs associate with the employment of person such as salaries, wages, allowances, benefits such as vehicle and housing, superannuation, employment expenses, removal expenses, relocation expenses, worker's compensation insurance, training costs, conferences, safety expenses, medical examinations, fringe benefit tax, etc.

MATERIALS AND CONTRACTS

All expenditures on materials, supplies and contracts not classified under other headings. These include supply of goods and materials, legal expenses, consultancy, maintenance agreements, communication expenses, advertising expenses, membership, periodicals, publications, hire expenses, rental, leases, postage and freight etc. Local governments may wish to disclose more detail such as contract services, consultancy, information technology, rental or lease expenditures.

UTILITIES (GAS, ELECTRICITY, WATER, ETC.)

Expenditures made to the respective agencies for the provision of power, gas or water. Exclude expenditures incurred for the reinstatement of roadwork on behalf of these agencies.

INSURANCE

All insurance other than worker's compensation and health benefit insurance included as a cost of employment.

LOSS ON ASSET DISPOSAL

Shortfall between the value of assets received over the net book value for assets on their disposal.

DEPRECIATION ON NON-CURRENT ASSETS

Depreciation expense raised on all classes of assets.

INTEREST EXPENSES

Interest and other costs of finance paid, including costs of finance for loan debentures, overdraft accommodation and refinancing expenses.

OTHER EXPENDITURE

Statutory fees, taxes, allowance for impairment of assets, member's fees or State taxes. Donations and subsidies made to community groups.

**STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 JANUARY 2023**

BY NATURE OR TYPE

	Ref Note	Adopted Budget	Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	\$	%	
Opening funding surplus / (deficit)	1(c)	2,025,977	2,379,523	2,379,523	2,379,523	0	0.00%	
Revenue from operating activities								
Rates	6	2,556,796	2,556,796	2,557,215	2,575,932	18,717	0.73%	
Operating grants, subsidies and contributions	13	1,795,291	1,831,291	1,031,708	677,731	(353,977)	(34.31%)	▼
Fees and charges		918,363	939,363	749,045	730,906	(18,139)	(2.42%)	
Interest earnings		63,564	63,564	42,250	55,718	13,468	31.88%	▲
Other revenue		571,425	572,425	329,406	339,555	10,149	3.08%	
Profit on disposal of assets	7	30,126	30,126	0	3,200	3,200	0.00%	
		5,935,565	5,993,565	4,709,624	4,383,041	(326,583)		
Expenditure from operating activities								
Employee costs		(2,122,849)	(2,122,849)	(1,215,901)	(1,091,974)	123,927	10.19%	▲
Materials and contracts		(2,386,532)	(2,403,532)	(1,369,987)	(1,010,842)	359,145	26.22%	▲
Utility charges		(377,375)	(377,375)	(220,604)	(177,258)	43,346	19.65%	▲
Depreciation on non-current assets		(1,582,699)	(1,582,699)	(923,181)	(1,079,901)	(156,720)	(16.98%)	▼
Interest expenses		(16,757)	(16,757)	(9,765)	(7,024)	2,741	28.07%	
Insurance expenses		(243,898)	(243,898)	(233,071)	(244,154)	(11,083)	(4.76%)	
Other expenditure		(476,318)	(476,318)	(262,874)	(288,972)	(26,098)	(9.93%)	
Loss on disposal of assets	7	(42,671)	(42,671)	0	0	0	0.00%	
		(7,249,099)	(7,266,099)	(4,235,383)	(3,900,126)	335,257		
Non-cash amounts excluded from operating activities	1(a)	1,601,192	1,601,192	923,181	1,078,183	155,002	16.79%	▲
Amount attributable to operating activities		287,658	328,658	1,397,422	1,561,098	163,676		
Investing activities								
Proceeds from non-operating grants, subsidies and contributions	14	2,083,602	2,137,330	1,371,250	678,101	(693,149)	(50.55%)	▼
Proceeds from disposal of assets	7	178,200	178,200	0	14,000	14,000	0.00%	▲
Payments for infrastructure	8	(2,529,370)	(2,648,698)	(1,733,100)	(582,343)	1,150,757	(66.40%)	
Payments for property, plant and equipment	8	(1,774,867)	(1,774,867)	(868,529)	(162,672)	705,857	(81.27%)	▲
		(2,042,435)	(2,108,035)	(1,230,379)	(52,914)	1,177,465		
Amount attributable to investing activities		(2,042,435)	(2,108,035)	(1,230,379)	(52,914)	1,177,465		
Financing Activities								
Transfer from reserves	11	441,640	441,640	0	0	0	0.00%	
Payments for principal portion of lease liabilities	10	(28,922)	(28,922)	(14,460)	(14,479)	(19)	(0.13%)	
Repayment of debentures	9	(27,355)	(27,355)	(14,940)	(13,579)	1,361	9.11%	
Transfer to reserves	11	(656,564)	(656,564)	(854)	(25,166)	(24,312)	(2846.86%)	▼
Amount attributable to financing activities		(271,201)	(271,201)	(30,254)	(53,224)	(22,970)		
Closing funding surplus / (deficit)	1(c)	0	328,945	2,516,312	3,834,483			

KEY INFORMATION

▲ ▼ Indicates a variance between Year to Date (YTD) Actual and YTD Actual data as per the adopted materiality threshold.

Refer to Note ` for an explanation of the reasons for the variance.

This statement is to be read in conjunction with the accompanying Financial Statements and Notes.

BASIS OF PREPARATION

The financial report has been prepared in accordance with Australian Accounting Standards (as they apply to local governments and not-for-profit entities) and interpretations of the Australian Accounting Standards Board, and the *Local Government Act 1995* and accompanying regulations.

The *Local Government Act 1995* and accompanying Regulations take precedence over Australian Accounting Standards where they are inconsistent.

The *Local Government (Financial Management) Regulations 1996* specify that vested land is a right-of-use asset to be measured at cost. All right-of-use assets (other than vested improvements) under zero cost concessionary leases are measured at zero cost rather than at fair value. The exception is vested improvements on concessionary land leases such as roads, buildings or other infrastructure which continue to be reported at fair value, as opposed to the vested land which is measured at zero cost. The measurement of vested improvements at fair value is a departure from AASB 16 which would have required the Shire to measure any vested improvements at zero cost.

Accounting policies which have been adopted in the preparation of this financial report have been consistently applied unless stated otherwise. Except for cash flow and rate setting information, the financial report has been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

THE LOCAL GOVERNMENT REPORTING ENTITY

All funds through which the Shire controls resources to carry on its functions have been included in the financial statements forming part of this financial report.

In the process of reporting on the local government as a single unit, all transactions and balances between those funds (for example, loans and transfers between funds) have been eliminated.

All monies held in the Trust Fund are excluded from the financial statements. A separate statement of those monies appears at Note 15 to these financial statements.

SIGNIFICANT ACCOUNTING POLICES

CRITICAL ACCOUNTING ESTIMATES

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses.

The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

GOODS AND SERVICES TAX

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO). Receivables and payables are stated inclusive of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with receivables or payables in the statement of financial position. Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities which are recoverable from, or payable to, the ATO are presented as operating cash flows.

ROUNDING OFF FIGURES

All figures shown in this statement are rounded to the nearest dollar.

PREPARATION TIMING AND REVIEW

Date prepared: All known transactions up to 31 January 2023

(a) Non-cash items excluded from operating activities

The following non-cash revenue and expenditure has been excluded from operating activities within the Statement of Financial Activity in accordance with Financial Management Regulation 32.

	Notes	Adopted Budget	Amended Budget	YTD Budget (a)	YTD Actual (b)
Non-cash items excluded from operating activities					
		\$	\$	\$	\$
Adjustments to operating activities					
Less: Profit on asset disposals	7	(30,126)	(30,126)	0	(3,200)
Less: Movement in liabilities associated with restricted cash		5,948	5,948	0	1,481
Add: Loss on asset disposals	7	42,671	42,671	0	0
Add: Depreciation on assets		1,582,699	1,582,699	923,181	1,079,901
Total non-cash items excluded from operating activities		1,601,192	1,601,192	923,181	1,078,183

(b) Adjustments to net current assets in the Statement of Financial Activity

The following current assets and liabilities have been excluded from the net current assets used in the Statement of Financial Activity in accordance with *Financial Management Regulation 32*.

		Last Year Closing	This Time Last Year	Year to Date
		30 June 2022	31 Jan 2022	31 Jan 2023
Adjustments to net current assets				
Less: Reserves - restricted cash	11	(6,127,967)	(5,540,323)	(6,153,133)
Add Back: Component of Leave Liability not Required to be Fun	12	235,895	230,698	237,376
Add: Borrowings	9	27,355	13,385	13,776
Add: Lease liabilities	10	28,922	28,778	14,443
Total adjustments to net current assets		(5,835,795)	(5,267,462)	(5,887,538)

(c) Net current assets used in the Statement of Financial Activity

Current assets				
Cash and cash equivalents	2	9,144,743	8,054,569	10,019,561
Rates receivables	3	519,427	744,722	736,298
Receivables	3	25,085	21,435	121,916
Other current assets	4	113,542	13,879	32,546
Less: Current liabilities				
Payables	5	(646,048)	(238,435)	(274,976)
Borrowings	9	(27,355)	(13,385)	(13,776)
Contract liabilities	12	(528,111)	(146,702)	(528,111)
Lease liabilities	10	(28,922)	(28,778)	(14,443)
Provisions	12	(357,043)	(325,812)	(357,043)
Less: Total adjustments to net current assets	1(b)	(5,835,795)	(5,267,462)	(5,887,538)
Closing funding surplus / (deficit)		2,379,523	2,814,031	3,834,434

CURRENT AND NON-CURRENT CLASSIFICATION

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each

asset or liability is expected to be settled. Unless otherwise stated assets or liabilities are classified as at current if expected to be settled within the next 12 months, being the Council's operational cycle.

Description	Classification	Unrestricted	Restricted	Total Cash	Trust	Institution	Interest Rate	Maturity Date
		\$	\$	\$	\$			
Cash on hand								
Cash On Hand	Cash and cash equivalents	400		400			NIL	On Hand
At Call Deposits								
Municipal Cash at Bank	Cash and cash equivalents	2,832,040		2,832,040		Bankwest	0.10%	At Call
Muni Business Telenet Saver	Cash and cash equivalents	1,033,988		1,033,988		Bankwest	0.10%	At Call
CAB - Future Fund Grant (Interest) Reserve	Cash and cash equivalents	0	211,420	211,420		Bankwest	0.10%	At Call
CAB - Leave Reserve Account	Cash and cash equivalents	0	237,376	237,376		Bankwest	0.10%	At Call
CAB - Swimming Pool Reserve	Cash and cash equivalents	0	101,579	101,579		Bankwest	0.10%	At Call
CAB - Plant Replacement Reserve	Cash and cash equivalents	0	587,966	587,966		Bankwest	0.10%	At Call
CAB - Capital Works Reserve	Cash and cash equivalents	0	403,693	403,693		Bankwest	0.10%	At Call
CAB - Sewerage Reserve	Cash and cash equivalents	0	325,610	325,610		Bankwest	0.10%	At Call
CAB - Unspent Loans Reserve	Cash and cash equivalents	0	101,640	101,640		Bankwest	0.10%	At Call
CAB - Community & Economic Development Reserve	Cash and cash equivalents	0	769,959	769,959		Bankwest	0.10%	At Call
CAB - Future Funds (Principal) Reserve	Cash and cash equivalents	0	439,099	439,099		Bankwest	0.10%	At Call
CAB - Legal Reserve	Cash and cash equivalents	0	26,360	26,360		Bankwest	0.10%	At Call
CAB - Emergency Response Reserve	Cash and cash equivalents	0	249,348	249,348		Bankwest	0.10%	At Call
CAB - Aged Care Units 1-4 (JVA) Reserve	Cash and cash equivalents	0	71,315	71,315		Bankwest	0.10%	At Call
CAB - Aged Care Units (Excl. 1-4) Reserve	Cash and cash equivalents	0	256,197	256,197		Bankwest	0.10%	At Call
CAB - COVID-19 Emergency Response Reserve	Cash and cash equivalents	0	93,149	93,149		Bankwest	0.10%	At Call
CAB - Jones Lake Road Rehab Reserve	Cash and cash equivalents	0	100,714	100,714		Bankwest	0.10%	At Call
CAB - Morawa-Yalgoo Road Maintenance Reserve	Cash and cash equivalents	0	77,708	77,708		Bankwest	0.10%	At Call
Term Deposits		0						
TD: ... 8410 (Future Funds 1)	Cash and cash equivalents	0	800,000	800,000		Bankwest	1.85%	30/03/2023
TD: ... 8428 (Future Funds 2)	Cash and cash equivalents	0	800,000	800,000		Bankwest	1.85%	30/03/2023
TD: ... 8436 (Community Development Fund)	Cash and cash equivalents	0	500,000	500,000		Bankwest	1.85%	30/03/2023
Trust Deposits								
Trust Bank	Cash and cash equivalents	0			8,179		0.10%	At Call
Total		3,866,428	6,153,133	10,019,561	8,179			
Comprising								
Cash and cash equivalents		3,866,428	6,153,133	10,019,561	8,179			
		3,866,428	6,153,133	10,019,561	8,179			

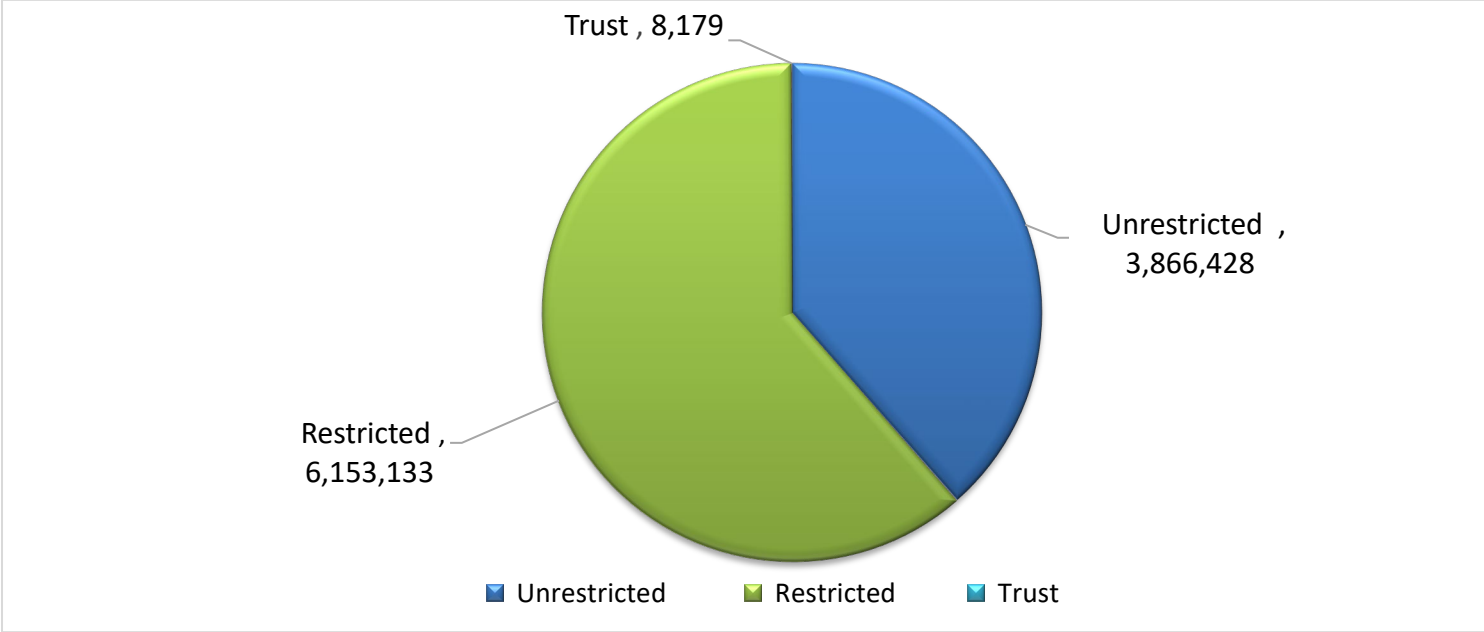
KEY INFORMATION

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes bank in value and bank overdrafts. Bank overdrafts are reported as short term borrowings in current liabilities in the statement of net current assets.

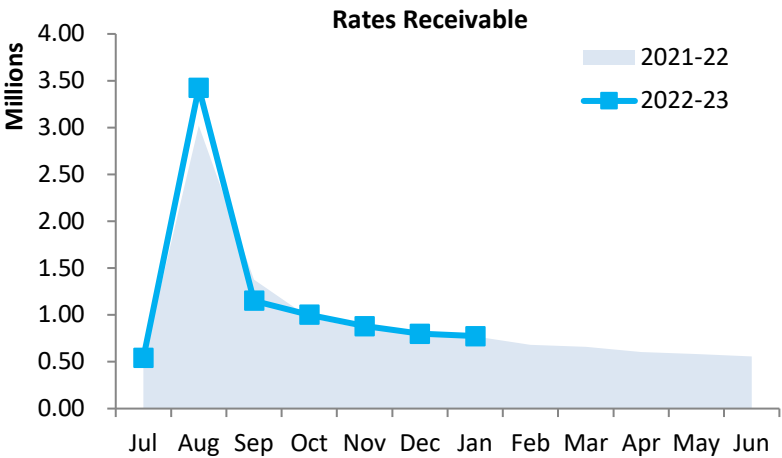
The local government classifies financial assets at amortised cost if both of the following criteria are met:

- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal and interest.

Financial assets at amortised cost held with registered financial institutions are listed in this note other financial assets at amortised cost are provided in Note 4 - Other assets.



Rates receivable	30 June 2022	31 Jan 2023
	\$	\$
Opening arrears previous years	527,201	555,518
Levied this year	2,590,351	3,057,137
Less - collections to date	(2,562,035)	(2,840,267)
Equals current outstanding	555,518	772,388
Net rates collectable	555,518	772,388
% Collected	82.2%	78.6%

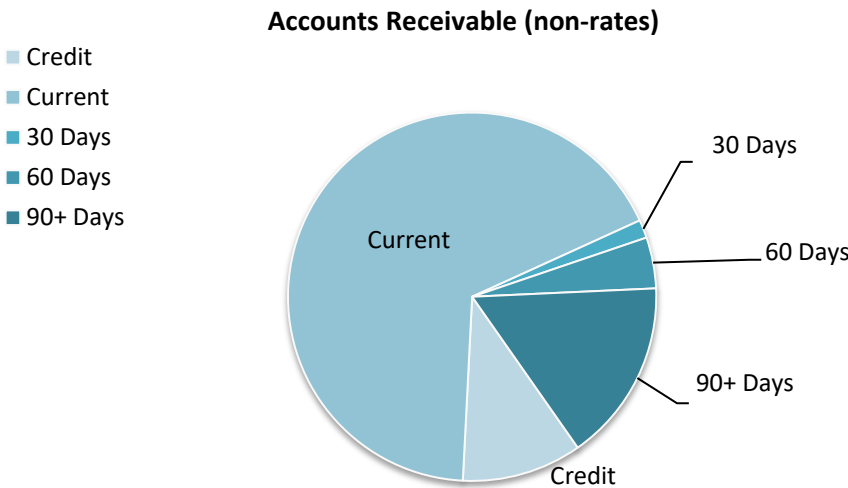


Receivables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Receivables - general	(2,908)	18,613	440	1,238	4,420	21,802
Percentage	(13.3%)	85.4%	2%	5.7%	20.3%	
Balance per trial balance						
Sundry receivable						21,802
GST receivable						102,225
Increase in Allowance for impairment of receivables from contracts with customers						(25,012)
Total receivables general outstanding						121,916

Amounts shown above include GST (where applicable)

KEY INFORMATION

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business. Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets. Collectability of trade and other receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for impairment of receivables is raised when there is objective evidence that they will not be collectible.



	Opening Balance 1 July 2022	Asset Increase	Asset Reduction	Closing Balance 31 Jan 2023
Other current assets	\$	\$	\$	\$
Inventory				
Fuel, Oils and Materials on Hand	20,965	0	0	20,965
Other current assets				
Accrued income	92,578	0	(80,997)	11,581
Total other current assets	113,543	0	(80,997)	32,546
Amounts shown above include GST (where applicable)				

KEY INFORMATION

Inventory

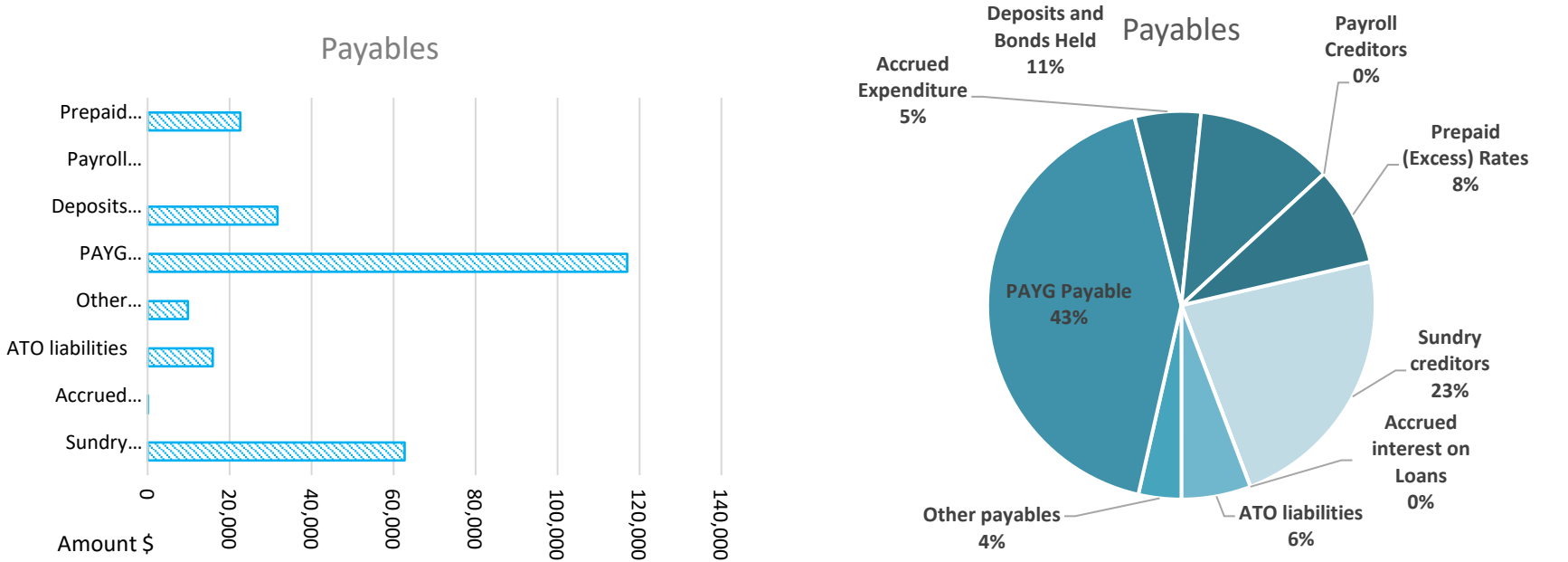
Inventories are measured at the lower of cost and net realisable value.

Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

Payables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Payables - general	0	53,110	9,304	272	0	62,686
Percentage	0%	84.7%	14.8%	0.4%	0%	
Balance per trial balance						
Sundry creditors						62,735
Accrued interest on Loans						27
ATO liabilities						15,909
Other payables						9,810
PAYG Payable						116,975
Accrued Expenditure						15,193
Deposits and Bonds Held						31,689
Payroll Creditors						0
Prepaid (Excess) Rates						22,637
Total payables general outstanding						274,975
Amounts shown above include GST (where applicable)						

KEY INFORMATION

Trade and other payables represent liabilities for goods and services provided to the Shire that are unpaid and arise when the Shire becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition.



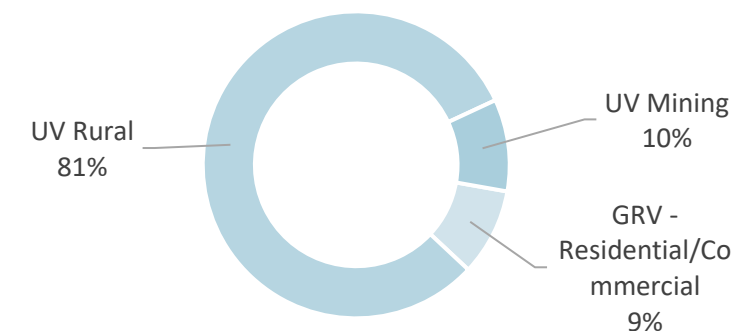
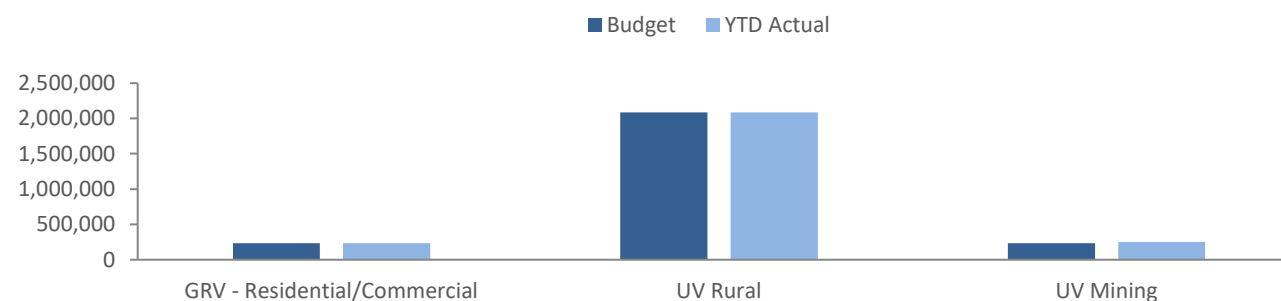
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 JANUARY 2023**

**OPERATING ACTIVITIES
NOTE 6
RATE REVENUE**

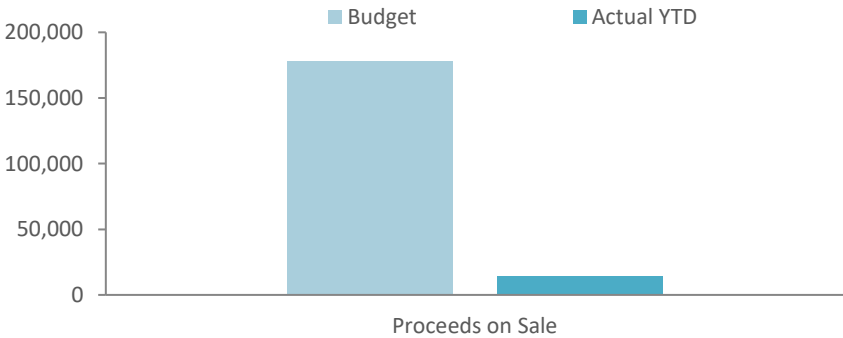
General rate revenue	Budget							YTD Actual			
	Rate in \$ (cents)	Number of Properties	Rateable Value	Rate Revenue	Interim Rate	Back Rate	Total Revenue	Rate Revenue	Interim Rates	Back Rates	Total Revenue
RATE TYPE				\$	\$	\$	\$	\$	\$	\$	\$
General Rate											
Gross rental valuations											
GRV - Residential/Commercial	0.084538	268	2,799,272	236,645	0	0	236,645	236,645	0.00	0.00	236,645
Unimproved value											
UV Rural	0.024439	207	85,452,000	2,088,313	0	0	2,088,313	2,088,362	0.00	0.00	2,088,362
UV Mining	0.301974	31	827,575	231,376	0	0	231,376	249,906	0.00	0.00	249,906
Sub-Total		506	89,078,847	2,556,334	0	0	2,556,334	2,574,912	0	0	2,574,912
Minimum payment	Minimum \$										
Gross rental valuations											
GRV - Residential/Commercial	324.50	46	27,993	14,927	0	0	14,927	14,927	0	0	14,927
Unimproved value											
UV Rural	324.50	9	54,070	2,920	0	0	2,920	2,921	0	0	2,921
UV Mining	683.00	9	9,082	6,147	0	0	6,147	6,147	0	0	6,147
Sub-total		64	91,145	23,994	0	0	23,994	23,995	0	0	23,995
		570	89,169,992	2,580,328	0	0	2,580,328	2,598,907	0	0	2,598,907
Discount							(29,200)				(31,610)
Amount from general rates							2,551,128				2,567,297
Rates Written Off							(1,000)				(1,132)
Ex-gratia rates							6,668				9,766
Total general rates							2,556,796				2,575,932

KEY INFORMATION

Prepaid rates are, until the taxable event for the rates has occurred, refundable at the request of the ratepayer. Rates received in advance give rise to a financial liability. On 1 July 2021 the prepaid rates were recognised as a financial asset and a related amount was recognised as a financial liability and no income was recognised. When the taxable event occurs the financial liability is extinguished and income recognised for the prepaid rates that have not been refunded.



Asset Ref.	Asset description	Updated Budget				YTD Actual			
		Value	Proceeds	Profit	(Loss)	Value	Proceeds	Profit	(Loss)
		\$	\$	\$	\$	\$	\$	\$	\$
	Plant and equipment								
	Transport								
	Iveco 6700 Powerstar	24,252	45,000	20,748	0	0	0	0	0
	Isuzu Truck	6,261	13,200	6,939	0	0	0	0	0
	Kubota F3680 & Catcher	11,561	14,000	2,439	0	10,800	14,000	3,200	0
	Nissan Navara - 000 MO	20,065	15,000	0	(5,065)	0	0	0	0
	Fuel Tanker	1,046	1,000	0	(46)	0	0	0	0
	John Deere Grader 670 GP	127,560	90,000	0	(37,560)	0	0	0	0
		190,745	178,200	30,126	(42,671)	10,800	14,000	3,200	0



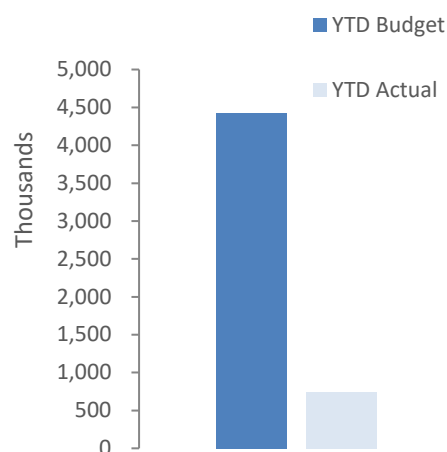
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 JANUARY 2023**

**INVESTING ACTIVITIES
NOTE 8
CAPITAL ACQUISITIONS**

Capital acquisitions	Adopted Budget	Amended Budget	YTD Budget	YTD Actual	YTD Actual Variance
		\$	\$	\$	\$
Land and Buildings	870,000	870,000	416,099	129,172	(286,927)
Plant and equipment	904,867	904,867	452,430	33,500	(418,930)
Infrastructure - roads	1,632,000	1,677,000	1,310,733	433,266	(877,467)
Infrastructure - Footpaths	126,520	126,520	126,520	122,007	(4,513)
Infrastructure - Drainage	50,000	50,000	50,000	0	(50,000)
Infrastructure - Parks & Ovals	131,640	131,640	50,820	32	(50,788)
Infrastructure - Sewerage	60,000	60,000	10,001	0	(10,001)
Infrastructure - Playground Equipment	90,000	90,000	0	0	0
Infrastructure - Other	275,854	350,182	103,356	26,940	(76,416)
Infrastructure - Airfields	163,356	163,356	81,670	98	(81,572)
Payments for Capital Acquisitions	4,304,237	4,423,565	2,601,629	745,015	(1,856,614)
Total Capital Acquisitions	4,304,237	4,423,565	2,601,629	745,015	(1,856,614)
Capital Acquisitions Funded By:					
		\$	\$	\$	\$
Capital grants and contributions	2,083,602	2,137,330	1,371,250	678,101	(693,149)
Other (disposals & C/Fwd)	178,200	178,200	0	14,000	14,000
Cash backed reserves					
Plant Replacement Reserve	300,000	300,000	0	0	0
Future Fund Grants (Interest) Reserve	0	40,000	0	0	0
ST-N/Midlands Solar Thermal Power Reserve	0	101,640	0	0	0
Contribution - operations	1,742,435	1,666,395	1,230,379	52,914	(1,177,465)
Capital funding total	4,304,237	4,423,565	2,601,629	745,015	(1,856,614)

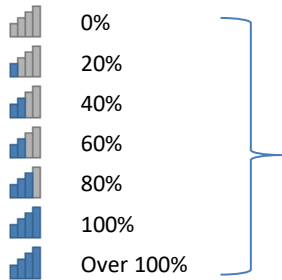
SIGNIFICANT ACCOUNTING POLICIES

All assets are initially recognised at cost. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the local government includes the cost of all materials used in the construction, direct labour on the project and an appropriate proportion of variable and fixed overhead. Certain asset classes may be revalued on a regular basis such that the carrying values are not materially different from fair value. Assets carried at fair value are to be revalued with sufficient regularity to ensure the carrying amount does not differ materially from that determined using fair value at reporting date.






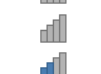












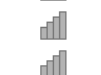









Capital expenditure total

Level of completion indicators



Percentage Year to Date Actual to Annual Budget expenditure where the expenditure over budget highlighted in red.

Level of completion indicator, please see table at the end of this note for further detail.

		Adopted	Amended		
Account/Job Description		Budget	Budget	YTD Budget	YTD Actual
					Variance (Under)/ Over
Buildings					
 Land & Buildings Renewal - Other Culture		(20,000)	(20,000)	0	0
 Purchase Land & Buildings		(70,000)	(70,000)	(34,995)	(95,187)
 Purchase Land & Buildings - Other Housing		0	0	0	(777)
 Town Hall & Old Chambers		0	0	0	(16)
 Old Roads Board Building - Storage, entrance, water tank		(200,000)	(200,000)	(88,884)	(64)
 Recreation Centre - Renewals		(500,000)	(500,000)	(222,220)	0
 Purchase Land and Buildings		(20,000)	(20,000)	(10,000)	0
 Caravan Park Chalets/Units - Renewals		(60,000)	(60,000)	(60,000)	(33,127)
		(870,000)	(870,000)	(416,099)	(129,172)
Plant & Equipment					
 Purchase Plant & Equipment - Road Plant Purchases		(904,867)	(904,867)	(452,430)	(33,500)
		(904,867)	(904,867)	(452,430)	(33,500)
Furniture & Equipment					
 Purchase Playground Equipment		(90,000)	(90,000)	0	0
		(90,000)	(90,000)	0	0
Infrastructure Other					
 Other Infrastructure		(80,000)	(80,000)	(40,000)	0
 Other Infrastructure - Fire Prevention		0	(74,328)	(43,358)	(9,981)
 Infrastructure Other - Solar Initiatives		(20,000)	(20,000)	(19,998)	(1,731)
 Cemetery Entrance & Landscaping		(175,854)	(175,854)	0	(15,228)
		(275,854)	(350,182)	(103,356)	(26,940)
Infrastructure Sewerage					
 Sewerage Upgrade		(60,000)	(60,000)	(10,001)	0
		(60,000)	(60,000)	(10,001)	0
Infrastructure Parks & Ovals					
 Electric Vehicle Charging Stations		(30,000)	(30,000)	0	0
 Netball Courts - Shed Replacement		(101,640)	(101,640)	(50,820)	(32)
		(131,640)	(131,640)	(50,820)	(32)
Infrastructure Roads					
 Morawa Yalgoo Road		(450,000)	(450,000)	(337,494)	0
 Nanekine Road		(450,000)	(450,000)	(299,998)	(41,727)
 Canna North East Road		(300,000)	(300,000)	(299,997)	(116,991)
 Gutha West Rd		(100,000)	(100,000)	(99,999)	(141,867)
 White Road - Gravel Resheeting		(112,000)	(112,000)	(111,995)	(86,597)
 Black Spot Evaside Rd Expenditure		0	(45,000)	(26,250)	0
 Main Street Lighting Upgrade		(110,000)	(110,000)	(55,000)	(194)
 Townsite Construction - Valentine Street		(60,000)	(60,000)	(30,000)	0
 Kerbing Construction - Townsite Roads		(50,000)	(50,000)	(50,000)	(45,890)
		(1,632,000)	(1,677,000)	(1,310,733)	(433,266)
Infrastructure Footpaths					
Granville Street - Footpath		(65,584)	(65,584)	(65,584)	(61,493)
Shared Pathway Construction - Grant Funded		0	0	0	(3,597)
Dreghorn Street - Footpath		(60,936)	(60,936)	(60,936)	(56,917)
		(126,520)	(126,520)	(126,520)	(122,007)
Infrastructure Drainage					
Drainage Construction		(50,000)	(50,000)	(50,000)	0
		(50,000)	(50,000)	(50,000)	0
Infrastructure Aerodrome					
Community Stewardship Grant Exp - Airport Vermin Fencing		(163,356)	(163,356)	(81,670)	(98)
		(163,356)	(163,356)	(81,670)	(98)
		(4,304,237)	(4,423,565)	(2,601,629)	(745,015)
					1,856,614

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 JANUARY 2023

FINANCING ACTIVITIES
NOTE 9
BORROWINGS

Repayments - borrowings

Information on borrowings			New Loans			Principal Repayments			Principal Outstanding			Interest Repayments		
Particulars	Loan No.	1 July 2022	Actual	Amended Budget	Adopted Budget	Actual	Amended Budget	Adopted Budget	Actual	Amended Budget	Adopted Budget	Actual	Amended Budget	Adopted Budget
		\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Housing														
24 Harley Street - Staff Housing	136	264,472	0	0	0	7,519	15,186	15,186	256,952	249,286	249,286	5,815	12,046	12,046
Recreation and culture														
Netball Courts Redevelopment	139	182,112	0	0	0	6,060	12,169	12,169	176,053	169,943	169,943	1,185	4,509	4,509
Total		446,584	0	0	0	13,579	27,355	27,355	433,005	419,229	419,229	7,000	16,555	16,555
Current borrowings		27,355							13,776					
Non-current borrowings		419,229							419,229					
		446,584							433,005					

All debenture repayments were financed by general purpose revenue.

Unspent borrowings

Particulars	Date Borrowed	Unspent Balance 30/06/2022	Borrowed During Year	Expended During Year	Unspent Balance 31 Jan 2023
		\$	\$	\$	\$
New Shed	1 Sep 2020	89,613	0	0	89,613
		89,613	0	0	89,613

KEY INFORMATION

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs. After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost using the effective interest method. Fees paid on the establishment of loan facilities that are yield related are included as part of the carrying amount of the loans and borrowings.

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 JANUARY 2023**

**FINANCING ACTIVITIES
NOTE 10
LEASE LIABILITIES**

Movement in carrying amounts

Information on leases			New Leases			Principal Repayments			Principal Outstanding			Interest Repayments		
Particulars	Lease No.	1 July 2022	Actual	Amended Budget	Adopted Budget	Actual	Amended Budget	Adopted Budget	Actual	Amended Budget	Adopted Budget	Actual	Amended Budget	Adopted Budget
		\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Recreation and culture														
Lease - Gymnasium Equipment		28,922	0	0	0	14,479	28,922	28,922	14,443	0	0	24	202	202
Total		28,922	0	0	0	14,479	28,922	28,922	14,443	0	0	24	202	202
Current lease liabilities		28,922							14,443					
Non-current lease liabilities		0							0					
		28,922							14,443					

All lease repayments were financed by general purpose revenue.

KEY INFORMATION

At inception of a contract, the Shire assesses if the contract contains or is a lease. A contract is, or contains, a lease if the contract conveys the right to control the use of an identified asset for a period of time in exchange for consideration. At the commencement date, a right of use asset is recognised at cost and lease liability at the present value of the lease payments that are not paid at that date. The lease payments are discounted using that date. The lease payments are discounted using the interest rate implicit in the lease, if that rate can be readily determined. If that rate cannot be readily determined, the Shire uses its incremental borrowing rate.

All contracts classified as short-term leases (i.e. a lease with a remaining term of 12 months or less) and leases of low value assets are recognised as an operating expense on a straight-line basis over the term of the lease.

Cash backed reserve

Reserve name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Budget Transfers In (+)	Actual Transfers In (+)	Budget Transfers Out (-)	Actual Transfers Out (-)	Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Leave Reserve	235,895	948	1,481	5,000	0	0	0	241,843	237,376
Plant Replacement Reserve	584,297	1,734	3,669	300,000	0	(300,000)	0	586,031	587,966
Capital Works Reserve	401,174	1,912	2,519	100,000	0	0	0	503,086	403,693
Community & Economic Development Reserve	1,264,779	5,010	5,180	0	0	0	0	1,269,789.32	1,269,959
Sewerage Reserve	323,579	1,125	2,032	60,000	0	0	0	384,703.57	325,610
Future Fund Grants (Interest) Reserve	209,080	6,660	2,339	0	0	(40,000)	0	175,740	211,420
Future Fund (Principal) Reserve	2,036,179	2,049	2,920	0	0	0	0	2,038,228	2,039,099
Unspent Loans Reserve	101,640	0	0	0	0	(101,640)	0	(0)	101,640
Legal Fees Reserve	26,196	107	165	10,000	0	0	0	36,303	26,360
Emergency Response Reserve	247,792	813	1,556	10,000	0	0	0	258,605	249,348
Aged Care Units 1-4 (JVA) Reserve	70,870	291	445	0	0	0	0	71,161	71,315
Aged Care Units (Excl. 1-4) Reserve	254,599	375	1,599	10,000	0	0	0	264,974	256,197
Swimming Pool Reserve	100,945	333	634	20,000	0	0	0	121,278	101,579
COVID-19 Emergency Response Reserve	93,149	0	0	0	0	0	0	93,149	93,149
Jones Lake Road Rehab Reserve	100,085	207	628	50,000	0	0	0	150,292	100,714
Morawa-Yalgoo Road Maintenance Reserve	77,708	0	0	70,000	0	0	0	147,708	77,708
	6,127,967	21,564	25,166	635,000	0	(441,640)	0	6,342,891	6,153,133

		Opening Balance	Liability transferred from/(to) non current	Liability Increase	Liability Reduction	Closing Balance
Other current liabilities	Note	1 July 2022				31 Jan 2023
		\$		\$	\$	\$
Other liabilities						
- Contract liabilities		528,111	0	0	0	528,111
Total other liabilities		528,111	0	0	0	528,111
Provisions						
Provision for annual leave		186,070	0	0	0	186,070
Provision for long service leave		170,973	0	0	0	170,973
Total Provisions		357,043	0	0	0	357,043
Total other current liabilities		885,154	0	0	0	885,154
Amounts shown above include GST (where applicable)						

KEY INFORMATION

Provisions

Provisions are recognised when the Shire has a present legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured.

Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.

Employee benefits

Short-term employee benefits

Provision is made for the Shire's obligations for short-term employee benefits. Short-term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries and sick leave. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled.

The Shire's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current trade and other payables in the calculation of net current assets.

Other long-term employee benefits

The Shire's obligations for employees' annual leave and long service leave entitlements are recognised as provisions in the statement of financial position.

Long-term employee benefits are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations of service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any remeasurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur. The Shire's obligations for long-term employee benefits are presented as non-current provisions in its statement of financial position, except where the Shire does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.

Contract liabilities

An entity's obligation to transfer goods or services to a customer for which the entity has received consideration (or the amount is due) from the customer. Grants to acquire or construct recognisable non-financial assets to identified specifications be constructed to be controlled by the Shire are recognised as a liability until such time as the Shire satisfies its obligations under the agreement.

Provider	Operating grants, subsidies and contributions revenue				
	Adopted Budget Revenue	Amended YTD Budget	Annual Budget	Budget Variations	YTD Revenue Actual
	\$	\$	\$	\$	\$
Operating grants, contributions and subsidies					
General purpose funding					
Grants- FAGS WALGGC - General	842,773	421,386	842,773	225,103	196,284
Grants- FAGS WALGGC - Local Roads	427,983	213,992	427,983	144,008	69,984
Law, order, public safety					
Grant - ESL BFB Operating Grant	20,000	15,000	20,000	(3,299)	18,299
Grant - ESL BFB Operating Grant - Bushfire Risk Planning	149,785	87,374	149,785	(23,969)	111,343
Education and welfare					
Grant - Youth Events	2,000	8,000	8,000	500	7,500
Other Income	1,500	875	1,500	(33,224)	34,099
Community amenities					
Grants/Contributions	20,000	15,000	20,000	10,455	4,545
Drummuster Contribution	250	0	250	0	0
Recreation and culture					
Grant - NAIDOC week	2,000	0	2,000	0	0
Australia Day Grant	12,000	6,000	12,000	(18,000)	24,000
Transport					
Black Spot Grant Income	0	30,000	30,000	30,000	0
Grant - Main Roads - Direct	151,000	151,000	151,000	(13,489)	164,489
Street Light Subsidy	10,000	5,000	10,000	5,000	0
Maintenance Contribution -Silverlake - Morawa Yalgoo Road	100,000	50,000	100,000	2,813	47,187
Road Maintenance Contribution	55,000	27,500	55,000	27,500	0
Other property and services					
Income related to Unclassified	1,000	581	1,000	581	0
TOTALS	1,795,291	1,031,708	1,831,291	353,977	677,731

Non operating grants, subsidies and contributions revenue

Provider	Adopted Budget Revenue	Amended Budget Revenue	Amended YTD Budget	Budget Variations	YTD Revenue Actual
	\$	\$	\$	\$	\$
Non-operating grants and subsidies					
Law, order, public safety					
Grant - Dept Water & Environment	0	53,728	31,339	31,339	0
Community amenities					
Grants - LRCIP GEN	175,854	175,854	102,578	102,578	0
Recreation and culture					
Grant - LRCIP - Old Roads Board Building	200,000	200,000	116,662	88,296	28,366
Grant Income - LRCIP	422,000	422,000	246,162	217,795	28,367
Transport					
Grant - Regional Road Group - Road Projects	600,000	600,000	600,000	312,000	288,000
Grant - Roads to Recovery	499,971	499,971	149,991	(128,393)	278,384
Grant - WA Bicycle Network	63,260	63,260	63,260	8,276	54,984
CSG Grant - Airport Vermin Fencing	122,517	122,517	61,258	61,258	0
	2,083,602	2,137,330	1,371,250	693,149	678,101

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 JANUARY 2023**

**NOTE 15
TRUST FUND**

Funds held at balance date which are required by legislation to be credited to the trust fund and which are not included in the financial statements are as follows:

Description	Opening Balance 1 July 2022	Amount Received	Amount Paid	Closing Balance 31 Jan 2023
	\$	\$	\$	\$
Drug Action Group	660	0	0	660
Youth Fund Raising	865	0		865
BRB/BCITF	3,144	3,510	0	6,654
	4,669	3,510	0	8,179

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 JANUARY 2023

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date Actual materially.
The material variance adopted by Council for the 2022-23 year is \$10,000 or 10.00% whichever is the greater.

EXPLANATION OF MATERIAL VARIANCES

Reporting Program	Explanation of positive variances		Explanation of negative variances	
	Var. \$	Var. %	Timing	Permanent
	\$	%		
Revenue from operating activities				
General purpose funding - other	(344,247)	(50.17%)	▼	
Law, order and public safety	21,659	19.99%	▲	ESL Grant funding received in October phasing over 12 months.
Education and welfare	32,511	297.94%	▲	Unbudgeted Income received from Silverlake
Recreation and culture	21,062	27.92%	▲	Music, Art Fest and Swimming Pool Admissions coming in higher than budget at this point in time.
Transport	(74,020)	(15.72%)	▼	
Other property and services	15,799	13.84%	▲	DRFAWA Claims received in November 22, budgeted for in Dec 22 & June 23.
Expenditure from operating activities				
Governance	69,474	22.12%	▲	The phasing of various expenditure account budgets differ from the actuals.
General purpose funding	30,441	18.87%	▲	All Rate Expenditure tracking lower than budget to date.
Law, order and public safety	38,811	24.72%	▲	Fire Services Manager x4, Fire Hydrate Maintenance and Bushfire Risk Planning Co-Ordinator tracking GL's tracking lower than budgeted. This should be reviewed as part of the 22/23 Mid Year Budget Review.
Health	21,173	18.38%	▲	Environmental Health Officer and various Other Health GL's are tracking lower than budgeted.
Education and welfare	59,176	49.69%	▲	Other Welfare expenditure is tracking lower than budgeted.
Community amenities	144,679	34.25%	▲	Various Sanitation-Other expenditure tracking lower than budgeted. Their is no YTD expenditure for a \$30,000 YTD budget for Transfer Station Bins, this should be review as part of the 22/23 Mid Year Budget Review.
Economic services	121,652	26.28%	▲	The phasing of various expenditure account budgets differ from the actuals. Maintenance cost on Unit 4 - C/Park - Pintharuka are tracking substantially higher than budget and should be review as part of the 22/23 Mid Year Budget Review.
Other property and services	(204,964)	(276.68%)	▼	
Investing activities				
Proceeds from non-operating grants, subsidies and contributions	(693,149)	(50.55%)	▼	
Payments for Infrastructure	1,150,757	66.40%	▲	The phasing of various expenditure account budgets differ from the actuals. Should be reviewed as part of the 22/23 Mid Year Budget Review.
Payments for property, plant and equipment	705,857	81.27%	▲	The phasing of various expenditure account budgets differ from the actuals. Should be reviewed as part of the 22/23 Mid Year Budget Review.
Financing activities				
Transfer to reserves	(24,312)	(2846.86%)	▼	

The phasing of the Financial Assistance Grant income budget differs from the actuals.

The phasing of the MRWA Direct Grant income budget differs from the actuals.

Public Works Overheads, Plant Operation Cost are tracking substantially higher than budgeted. These should be reviewed as part of the 22/23 Mid Year Budget Review.

The phasing of the LRCIP Grant income budgets differs from the actuals.

Transfer to Reserve happens at end on year.

NOTE 17

BUDGET AMENDMENTS

[illegible]

Shire of Morawa

SCHEDULE 02 - GENERAL FUND SUMMARY Financial Statement for Period Ended 31 January 2023

			2022-23 Adopted Budget		2022-23 Amended Budget		2022-23 YTD Budget		2022-23 YTD Actuals	
			Income	Expense	Income	Expense	Income	Expense	Income	Expense
			\$	\$	\$	\$	\$	\$	\$	\$
OPERATING										
General Purpose Funding	03		3,905,116	283,311	3,905,116	283,311	3,243,424	161,315	2,917,894	130,874
Governance	04		25	527,195	25	527,195	-	314,009	1,598	244,535
Law, Order, Public Safety	05		176,435	260,489	230,163	260,489	139,687	157,025	130,007	118,214
Health	07		7,050	195,834	7,050	195,834	4,050	115,171	3,339	93,998
Education & Welfare	08		7,000	195,625	13,000	201,625	10,912	119,090	43,423	59,914
Housing	09		100,800	219,445	106,800	219,445	62,184	135,665	54,848	142,386
Community Amenities	10		669,595	775,914	669,595	775,914	583,045	422,431	467,270	277,752
Recreation & Culture	11		708,200	1,564,330	724,200	1,575,330	438,260	936,914	153,231	909,450
Transport	12		1,986,074	2,322,932	2,016,074	2,322,932	1,345,459	1,336,769	1,018,298	1,302,696
Economic Services	13		239,572	801,809	239,572	801,809	139,685	462,914	141,268	341,262
Other Property & Services	14		219,300	102,215	219,300	102,215	114,168	74,080	129,967	279,044
TOTAL - OPERATING			8,019,167	7,249,099	8,130,895	7,266,099	6,080,874	4,235,383	5,061,142	3,900,126
CAPITAL										
General Purpose Funding	03		0	10,107	0	10,107	0	0	0	165
Governance	04		0	0	0	0	0	0	0	0
Law, Order, Public Safety	05		0	0	0	74,328	0	43,358	0	9,981
Health	07		0	446	0	446	0	0	0	0
Education & Welfare	08		0	0	0	0	0	0	0	0
Housing	09		0	95,852	0	95,852	0	43,850	0	105,527
Community Amenities	10		0	347,186	0	347,186	0	10,001	0	17,888
Recreation & Culture	11		101,640	1,023,064	101,640	1,023,064	0	402,467	0	23,016
Transport	12		300,000	3,279,290	300,000	3,324,290	0	2,031,353	0	594,096
Economic Services	13		40,000	153,719	40,000	153,719	0	100,000	0	43,566
Other Property & Services	14		0	107,414	0	107,414	0	854	0	4,000
TOTAL - CAPITAL			441,640	5,017,078	441,640	5,136,406	0	2,631,883	0	798,239
			8,460,807	12,266,177	8,572,535	12,402,505	6,080,874	6,867,266	5,061,142	4,698,365
Less Depreciation Written Back				(1,582,699)		(1,582,699)		(923,181)		(1,079,901)
Less Profit/Loss Written Back			(30,126)	(42,671)	(30,126)	(42,671)	0	0	(3,200)	0
Less Movement in Leave Reserve - REC INT	72101			(5,948)		(5,948)		0		(1,481)
Plus Proceeds from Sale of Assets			178,200		178,200		0		14,000	
TOTAL REVENUE & EXPENDITURE			8,608,881	10,634,858	8,720,609	10,771,187	6,080,874	5,944,085	5,071,943	3,616,983
Surplus/Deficit July 1st B/Fwd			2,025,977		2,379,523		2,379,523		2,379,523	
			10,634,858	10,634,858	11,100,132	10,771,187	8,460,397	5,944,085	7,451,466	3,616,983
Surplus/Deficit C/Fwd				0		328,945		2,516,312		3,834,483
			10,634,858	10,634,858	11,100,132	11,100,132	8,460,397	8,460,397	7,451,466	7,451,466

Shire of Morawa
SCHEDULE 03 - GENERAL PURPOSE FUNDING
Financial Statement for Period Ended
31 January 2023

PROGRAMME SUMMARY	2022-23 Adopted Budget		2022-23 Amended Budget		2022-23 YTD Budget		2022-23 YTD Actuals	
	Income	Expense	Income	Expense	Income	Expense	Income	Expense
	\$	\$	\$	\$	\$	\$	\$	\$
<u>OPERATING EXPENDITURE</u>								
Rates		221,198		221,198		125,090		101,675
Other General Purpose Funding		62,113		62,113		36,225		29,198
<u>OPERATING REVENUE</u>								
Rates	2,602,796		2,602,796		2,589,636		2,618,733	
Other General Purpose Funding	1,302,320		1,302,320		653,788		299,161	
SUB-TOTAL	3,905,116	283,311	3,905,116	283,311	3,243,424	161,315	2,917,894	130,874
<u>CAPITAL EXPENDITURE</u>								
Rates		0		0		0		0
Other General Purpose Funding		10,107		10,107		0		165
<u>CAPITAL REVENUE</u>								
Rates	0		0		0		0	
Other General Purpose Funding	0		0		0		0	
SUB-TOTAL	0	10,107	0	10,107	0	0	0	165
TOTAL -	3,905,116	293,418	3,905,116	293,418	3,243,424	161,315	2,917,894	131,038

Shire of Morawa
SCHEDULE 04 - GOVERNANCE
Financial Statement for Period Ended
31 January 2023

PROGRAMME SUMMARY	2022-23 Adopted Budget		2022-23 Amended Budget		2022-23 YTD Budget		2022-23 YTD Actuals	
	Income	Expense	Income	Expense	Income	Expense	Income	Expense
	\$	\$	\$	\$	\$	\$	\$	\$
<u>OPERATING EXPENDITURE</u>								
Members of Council		423,495		423,495		257,445		229,320
Governance General		103,700		103,700		56,564		15,216
<u>OPERATING REVENUE</u>								
Members of Council	25		25		0		900	
Governance General	0		0		0		698	
SUB-TOTAL	25	527,195	25	527,195	0	314,009	1,598	244,535
<u>CAPITAL EXPENDITURE</u>								
Members of Council		0		0		0		0
Governance General		0		0		0		0
<u>CAPITAL REVENUE</u>								
Members of Council	0		0		0		0	
Governance General	0		0		0		0	
SUB-TOTAL	0	0	0	0	0	0	0	0
TOTAL - PROGRAMME SUMMARY	25	527,195	25	527,195	0	314,009	1,598	244,535

Shire of Morawa
SCHEDULE 05 - LAW, ORDER & PUBLIC SAFETY
Financial Statement for Period Ended
31 January 2023

PROGRAMME SUMMARY	2022-23 Adopted Budget		2022-23 Amended Budget		2022-23 YTD Budget		2022-23 YTD Actuals	
	Income	Expense	Income	Expense	Income	Expense	Income	Expense
	\$	\$	\$	\$	\$	\$	\$	\$
<u>OPERATING EXPENDITURE</u>								
Fire Prevention		218,628		218,628		132,630		98,093
Animal Control		40,856		40,856		23,814		17,884
Other Law, Order & Public Safety		1,005		1,005		581		2,237
<u>OPERATING REVENUE</u>								
Fire Prevention	173,785		227,513		137,713		129,642	
Animal Control	2,650		2,650		1,974		365	
Other Law, Order & Public Safety	0		0		0		0	
SUB-TOTAL	176,435	260,489	230,163	260,489	139,687	157,025	130,007	118,214
<u>CAPITAL EXPENDITURE</u>								
Fire Prevention		0		74,328		43,358		9,981
Animal Control		0		0		0		0
Other Law, Order & Public Safety		0		0		0		0
<u>CAPITAL REVENUE</u>								
Fire Prevention	0		0		0		0	
Animal Control	0		0		0		0	
Other Law, Order & Public Safety	0		0		0		0	
SUB-TOTAL	0	0	0	74,328	0	43,358	0	9,981
TOTAL - PROGRAMME SUMMARY	176,435	260,489	230,163	334,817	139,687	200,383	130,007	128,195

Shire of Morawa
SCHEDULE 07 - HEALTH
Financial Statement for Period Ended
31 January 2023

PROGRAMME SUMMARY	2022-23 Adopted Budget		2022-23 Amended Budget		2022-23 YTD Budget		2022-23 YTD Actuals	
	Income	Expense	Income	Expense	Income	Expense	Income	Expense
	\$	\$	\$	\$	\$	\$	\$	\$
OPERATING EXPENDITURE								
Preventative Services - Meat Inspection		350		350		203		0
Preventative Services - Inspections & Admin		52,251		52,251		30,478		6,885
Preventative Services - Pest Control		6,104		6,104		3,549		4,150
Other Health		137,129		137,129		80,941		82,964
OPERATING REVENUE								
Preventative Services - Meat Inspection	350		350		350		0	
Preventative Services - Inspections & Admin	700		700		700		348	
Preventative Services - Pest Control	0		0		0		0	
Other Health	6,000		6,000		3,000		2,990	
SUB-TOTAL	7,050	195,834	7,050	195,834	4,050	115,171	3,339	93,998
CAPITAL EXPENDITURE								
Preventative Services - Meat Inspection		0		0		0		0
Preventative Services - Inspections & Admin		0		0		0		0
Preventative Services - Pest Control		0		0		0		0
Other Health		446		446		0		0
CAPITAL REVENUE								
Preventative Services - Meat Inspection	0		0		0		0	
Preventative Services - Inspections & Admin	0		0		0		0	
Preventative Services - Pest Control	0		0		0		0	
Other Health	0		0		0		0	
SUB-TOTAL	0	446	0	446	0	0	0	0
TOTAL - PROGRAMME SUMMARY	7,050	196,280	7,050	196,280	4,050	115,171	3,339	93,998

Shire of Morawa
SCHEDULE 08 - EDUCATION & WELFARE
Financial Statement for Period Ended
31 January 2023

PROGRAMME SUMMARY	2022-23 Adopted Budget		2022-23 Amended Budget		2022-23 YTD Budget		2022-23 YTD Actuals	
	Income	Expense	Income	Expense	Income	Expense	Income	Expense
	\$	\$	\$	\$	\$	\$	\$	\$
<u>OPERATING EXPENDITURE</u>								
Other Education		6,976		6,976		5,262		4,796
Care of Families & Children		13,726		13,726		7,973		7,245
Other Welfare		174,923		180,923		105,855		47,874
<u>OPERATING REVENUE</u>								
Other Education	0		0		0		0	
Care of Families & Children	3,500		3,500		2,037		1,824	
Other Welfare	3,500		9,500		8,875		41,599	
SUB-TOTAL	7,000	195,625	13,000	201,625	10,912	119,090	43,423	59,914
<u>CAPITAL EXPENDITURE</u>								
Other Education		0		0		0		0
Care of Families & Children		0		0		0		0
Other Welfare		0		0		0		0
<u>CAPITAL REVENUE</u>								
Other Education	0		0		0		0	
Care of Families & Children	0		0		0		0	
Other Welfare	0		0		0		0	
SUB-TOTAL	0	0	0	0	0	0	0	0
TOTAL - PROGRAMME SUMMARY	7,000	195,625	13,000	201,625	10,912	119,090	43,423	59,914

Shire of Morawa
SCHEDULE 09 - HOUSING
Financial Statement for Period Ended
31 January 2023

PROGRAMME SUMMARY	2022-23 Adopted Budget		2022-23 Amended Budget		2022-23 YTD Budget		2022-23 YTD Actuals	
	Income	Expense	Income	Expense	Income	Expense	Income	Expense
	\$	\$	\$	\$	\$	\$	\$	\$
<u>OPERATING EXPENDITURE</u>								
Staff Housing		89,051		89,051		57,255		62,630
Other Housing		84,102		84,102		50,386		46,321
Aged Housing		46,292		46,292		28,024		33,436
<u>OPERATING REVENUE</u>								
Staff Housing	10,500		16,500		9,625		12,245	
Other Housing	22,300		22,300		12,918		8,707	
Aged Housing	68,000		68,000		39,641		33,896	
SUB-TOTAL	100,800	219,445	106,800	219,445	62,184	135,665	54,848	142,386
<u>CAPITAL EXPENDITURE</u>								
Staff Housing		85,186		85,186		43,850		102,706
Other Housing		0		0		0		777
Aged Housing		10,666		10,666		0		2,044
<u>CAPITAL REVENUE</u>								
Staff Housing	0		0		0		0	
Other Housing	0		0		0		0	
Aged Housing	0		0		0		0	
SUB-TOTAL	0	95,852	0	95,852	0	43,850	0	105,527
TOTAL - PROGRAMME SUMMARY	100,800	315,297	106,800	315,297	62,184	179,515	54,848	247,913

Shire of Morawa
SCHEDULE 10 - COMMUNITY AMENITIES
Financial Statement for Period Ended
31 January 2023

PROGRAMME SUMMARY	2022-23 Adopted Budget		2022-23 Amended Budget		2022-23 YTD Budget		2022-23 YTD Actuals	
	Income	Expense	Income	Expense	Income	Expense	Income	Expense
	\$	\$	\$	\$	\$	\$	\$	\$
<u>OPERATING EXPENDITURE</u>								
Sanitation - Household Refuse		232,324		232,324		135,485		103,268
Sanitation - Other		168,176		168,176		78,482		26,093
Sewerage		133,950		133,950		77,393		65,585
Urban Stormwater Drainage		9,500		9,500		28		0
Town Planning & Regional Development		66,003		66,003		38,493		33,681
Other Community Amenities		165,961		165,961		92,550		49,125
<u>OPERATING REVENUE</u>								
Sanitation - Household Refuse	111,903		111,903		111,271		109,957	
Sanitation - Other	73,288		73,288		73,037		72,108	
Sewerage	277,248		277,248		275,748		276,636	
Urban Stormwater Drainage	0		0		0		0	
Town Planning & Regional Development	4,000		4,000		2,331		3,151	
Other Community Amenities	203,156		203,156		120,658		5,418	
SUB-TOTAL	669,595	775,914	669,595	775,914	583,045	422,431	467,270	277,752
<u>CAPITAL EXPENDITURE</u>								
Sanitation - Household Refuse		50,207		50,207		0		628
Sanitation - Other		0		0		0		0
Sewerage		121,125		121,125		10,001		2,032
Urban Stormwater Drainage		0		0		0		0
Other Community Amenities		175,854		175,854		0		15,228
<u>CAPITAL REVENUE</u>								
SUB-TOTAL	0	347,186	0	347,186	0	10,001	0	17,888
TOTAL - PROGRAMME SUMMARY	669,595	1,123,100	669,595	1,123,100	583,045	432,432	467,270	295,640

Shire of Morawa
SCHEDULE 11 - RECREATION & CULTURE
Financial Statement for Period Ended
31 January 2023

PROGRAMME SUMMARY	2022-23 Adopted Budget		2022-23 Amended Budget		2022-23 YTD Budget		2022-23 YTD Actuals	
	Income	Expense	Income	Expense	Income	Expense	Income	Expense
	\$	\$	\$	\$	\$	\$	\$	\$
<u>OPERATING EXPENDITURE</u>								
Public Halls and Civic Centres		165,841		165,841		103,630		115,752
Swimming Areas & Beaches		338,998		338,998		199,318		177,354
Other Recreation and Sport		883,423		883,423		530,329		477,153
TV and Radio Re-broadcasting		2,000		2,000		1,162		550
Libraries		23,288		23,288		13,573		10,967
Other Culture		150,780		161,780		88,902		127,674
<u>OPERATING REVENUE</u>								
Public Halls and Civic Centres	201,500		201,500		117,537		28,366	
Swimming Areas & Beaches	18,000		18,000		10,700		12,507	
Other Recreation and Sport	447,500		447,500		261,023		41,290	
TV and Radio Re-broadcasting	0		0		0		0	
Libraries	200		200		0		0	
Other Culture	41,000		57,000		49,000		71,067	
SUB-TOTAL	708,200	1,564,330	724,200	1,575,330	438,260	936,914	153,231	909,450
<u>CAPITAL EXPENDITURE</u>								
Public Halls and Civic Centres		220,000		220,000		108,882		1,811
Swimming Areas & Beaches		20,333		20,333		0		634
Other Recreation and Sport		762,731		762,731		293,585		20,571
TV and Radio Re-broadcasting		0		0		0		0
Libraries		0		0		0		0
Other Culture		20,000		20,000		0		0
<u>CAPITAL REVENUE</u>								
Public Halls and Civic Centres	0		0		0		0	
Swimming Areas & Beaches	0		0		0		0	
Other Recreation and Sport	101,640		101,640		0		0	
TV and Radio Re-broadcasting	0		0		0		0	
Libraries	0		0		0		0	
Other Culture	0		0		0		0	
SUB-TOTAL	101,640	1,023,064	101,640	1,023,064	0	402,467	0	23,016
TOTAL - PROGRAMME SUMMARY	809,840	2,587,394	825,840	2,598,394	438,260	1,339,381	153,231	932,466

Shire of Morawa
SCHEDULE 12 - TRANSPORT
Financial Statement for Period Ended
31 January 2023

PROGRAMME SUMMARY	2022-23 Adopted Budget		2022-23 Amended		2022-23 YTD Budget		2022-23 YTD Actuals	
	Income	Expense	Income	Expense	Income	Expense	Income	Expense
	\$	\$	\$	\$	\$	\$	\$	\$
<u>OPERATING EXPENDITURE</u>								
Construction Roads, Bridges and Depots		0		0		0		0
Maintenance Roads, Bridges and Depots		1,818,116		1,818,116		1,064,473		1,046,687
Plant Purchases		60,483		60,483		10,388		3,817
Transport Licensing		360,726		360,726		211,251		212,821
Aerodromes		83,607		83,607		50,657		39,372
<u>OPERATING REVENUE</u>								
Construction Roads, Bridges and Depots	1,163,231		1,193,231		843,251		621,368	
Maintenance Roads, Bridges and Depots	316,000		316,000		233,500		211,676	
Plant Purchases	30,126		30,126		0		3,200	
Transport Licensing	354,200		354,200		207,450		182,055	
Aerodromes	122,517		122,517		61,258		0	
SUB-TOTAL	1,986,074	2,322,932	2,016,074	2,322,932	1,345,459	1,336,769	1,018,298	1,302,696
<u>CAPITAL EXPENDITURE</u>								
Construction Roads, Bridges and Depots		1,819,333		1,864,333		1,487,253		556,829
Maintenance Roads, Bridges and Depots		90,000		90,000		10,000		0
Plant Purchases		1,206,601		1,206,601		452,430		37,169
Aerodromes		163,356		163,356		81,670		98
<u>CAPITAL REVENUE</u>								
Construction Roads, Bridges and Depots	0		0		0		0	
Maintenance Roads, Bridges and Depots	0		0		0		0	
Plant Purchases	300,000		300,000		0		0	
Aerodromes	0		0		0		0	
SUB-TOTAL	300,000	3,279,290	300,000	3,324,290	0	2,031,353	0	594,096
TOTAL - PROGRAMME SUMMARY	2,286,074	5,602,222	2,316,074	5,647,222	1,345,459	3,368,122	1,018,298	1,896,792

Shire of Morawa
SCHEDULE 13 - ECONOMIC SERVICES
Financial Statement for Period Ended
31 January 2023

PROGRAMME SUMMARY	2022-23 Adopted Budget		2022-23 Amended Budget		2022-23 YTD Budget		2022-23 YTD Actuals	
	Income	Expense	Income	Expense	Income	Expense	Income	Expense
	\$	\$	\$	\$	\$	\$	\$	\$
<u>OPERATING EXPENDITURE</u>								
Rural Services		35,983		35,983		20,951		7,259
Tourism & Area Promotion		367,839		367,839		211,623		147,785
Building Control		39,942		39,942		23,296		25,675
Other Economic Services		63,528		63,528		37,044		31,086
Economic Development		294,517		294,517		170,000		129,456
<u>OPERATING REVENUE</u>								
Rural Services	0		0		0		0	
Tourism & Area Promotion	187,000		187,000		109,053		117,578	
Building Control	6,500		6,500		3,787		5,892	
Other Economic Services	25,000		25,000		14,581		7,812	
Economic Development	21,072		21,072		12,264		9,986	
SUB-TOTAL	239,572	801,809	239,572	801,809	139,685	462,914	141,268	341,262
<u>CAPITAL EXPENDITURE</u>								
Rural Services		0		0		0		0
Tourism & Area Promotion		60,000		60,000		60,000		33,127
Building Control		0		0		0		0
Other Economic Services		80,000		80,000		40,000		0
Economic Development		13,719		13,719		0		10,439
<u>CAPITAL REVENUE</u>								
Rural Services	0		0		0		0	
Tourism & Area Promotion	0		0		0		0	
Building Control	0		0		0		0	
Other Economic Services	0		0		0		0	
Economic Development	40,000		40,000		0		0	
SUB-TOTAL	40,000	153,719	40,000	153,719	0	100,000	0	43,566
TOTAL - PROGRAMME SUMMARY	279,572	955,528	279,572	955,528	139,685	562,914	141,268	384,828

Shire of Morawa
SCHEDULE 14 - OTHER PROPERTY & SERVICES
Financial Statement for Period Ended
31 January 2023

PROGRAMME SUMMARY	2022-23 Adopted Budget		2022-23 Amended Budget		2022-23 YTD Budget		2022-23 YTD Actuals	
	Income	Expense	Income	Expense	Income	Expense	Income	Expense
	\$	\$	\$	\$	\$	\$	\$	\$
<u>OPERATING EXPENDITURE</u>								
Private Works		27,215		27,215		15,862		6,315
Public Works Overheads		0		0		(3,504)		140,244
Plant Operation Costs		0		0		18,383		150,939
Stock, Fuels and Oils		0		0		0		(25,449)
Administration		0		0		5,839		0
Unclassified		75,000		75,000		37,500		6,995
<u>OPERATING REVENUE</u>								
Private Works	40,000		40,000		23,331		866	
Public Works Overheads	1,000		1,000		750		0	
Plant Operation Costs	42,000		42,000		21,000		8,608	
Stock, Fuels and Oils	300		300		175		951	
Administration	10,000		10,000		5,831		24,197	
Unclassified	126,000		126,000		63,081		95,345	
SUB-TOTAL	219,300	102,215	219,300	102,215	114,168	74,080	129,967	279,044
<u>CAPITAL EXPENDITURE</u>								
Administration		107,414		107,414		854		4,000
<u>CAPITAL REVENUE</u>								
Administration	0		0		0		0	
SUB-TOTAL	0	107,414	0	107,414	0	854	0	4,000
TOTAL - PROGRAMME SUMMARY	219,300	209,629	219,300	209,629	114,168	74,934	129,967	283,045

Shire of Morawa

Bank Reconciliation Report

For Period Ending 31 January 2023

	Municipal Account	Municipal Online Saver	Trust Account	Reserve Account	Term Deposits - Reserves
Balance as per Bank Statement	2,832,206.85	1,033,987.74	7,548.73	4,052,347.90	2,100,000.00
Balance as per General Ledger	2,832,039.88	1,033,987.74	8,179.06	4,053,133.25	2,100,000.00
Unpresented Payments					
Direct Debit- not in synergy	161.76				
Payroll Payment in January					
Outstanding Cheque	-250.00				
Outstanding Deposits					
Bank Deposits made after 31/1/2023	551.60				
Transfer From Municipal Outstanding	-630.33		\$630.33		
Transfer from Holding Account				\$785.35	
Difference	2,832,039.88 0.00	1,033,987.74 0.00	8,179.06 0.00	4,053,133.25 0.00	2,100,000.00 0.00

Shire of Morawa List of Payments Report

For Period Ending 31 January 2023

Chq/EFT	Date	Name	Description	Amount	Bank
EFT16244	05/01/2023	Australian Services Union	Payroll Deductions	77.70	1
EFT16245	05/01/2023	Department of Human Services	Payroll Deductions	426.21	1
EFT16246	10/01/2023	Metal Artwork Creations	Fibreglass Staff Badges And Postage.	109.18	1
EFT16247	10/01/2023	WesTrac Equipment Pty Ltd	Cost For Bearing Replacement And Fitting P227	720.34	1
EFT16248	10/01/2023	Kats Cartage	Truck Wet Hire - Side Tipper & Watercart October To November	37,156.90	1
EFT16249	10/01/2023	Australia Day Council Of WA Inc	Auspire Certificates For Coty Award 2023	16.00	1
EFT16250	10/01/2023	Australia Day Council of South Australia Inc	Australia Day Branding - We Are All Part Of The Story & Flag	350.00	1
EFT16252	17/01/2023	Rip-It Security Shredding (Primecode Pty Ltd)	Records Archiving And Storage December	104.50	1
EFT16253	17/01/2023	Karen Jeanette Chappel	Member Sitting Fees	8,457.00	1
EFT16254	17/01/2023	Shirley Denise Katona	Members Sitting Fees	2,050.00	1
EFT16255	17/01/2023	Morawa Drapery Store	Work Boots Size For Outside Staff	971.75	1
EFT16256	17/01/2023	IT Vision Australia Pty Ltd	3 Months X Altus Payroll Play Account	275.00	1
EFT16257	17/01/2023	Refuel Australia	Fuel Card Purchase November 2022	1.45	1
EFT16258	17/01/2023	GH Country Courier	Freight For The Period 1 December To 31 December 2022	214.50	1
EFT16259	17/01/2023	Hille, Thompson & Delfos Surveyors & Planners	Contoured Model - Solomon Tce Area, Showing Trees & Infrastructure	6,017.00	1
EFT16260	17/01/2023	Truckline	Repairs & Maintenance to P168 & P164	1,427.37	1
EFT16261	17/01/2023	Kenneth Peter Stokes	Members Sitting Fees	3,140.00	1
EFT16262	17/01/2023	Blackwoods - (J Blackwood & Son Pty Ltd)	Heavy Duty Reversing Alarm - P138	158.58	1
EFT16263	17/01/2023	Jane Coaker	Members Sitting Fees	2,050.00	1
EFT16264	17/01/2023	RAC	Renewal Business Wise Roadside Assistance	226.00	1
EFT16265	17/01/2023	RJ & LJ King	Repair To Tyres X2 P246	176.00	1
EFT16266	17/01/2023	Great Southern Fuel Supplies	Fuel Card Purchase November 2022	1,464.79	1
EFT16267	17/01/2023	Infinitum Technologies Pty Ltd	Monthly It Support July 2022 - June 2023	5,458.20	1
EFT16268	17/01/2023	Mitchell and Brown Communications	Monthly Security Monitoring At Drs Surgery July 2022 To June 2023	161.08	1
EFT16269	17/01/2023	Morawa Rural Pty Ltd T/AS Morawa Rural	Parts For Grader And Junction Box For Tandem Dolly (Vehicle)	85.95	1
EFT16270	17/01/2023	Toll Transport Pty Ltd	Freight Charges For The Period (Monthly)	426.78	1
EFT16271	17/01/2023	Breeze Connect Pty Ltd	Admin Office Voip Telephone Lines Monthly Charge	232.00	1
EFT16272	17/01/2023	Yvette A Harris	Members Sitting Fees	2,050.00	1
EFT16273	17/01/2023	CORSIGN WA PTY LTD	New Pool Rules Sign For The Swimming Pool.	324.50	1
EFT16274	17/01/2023	Roadshow Films Pty Ltd	Annual Licence For Town Hall, Youth Centre & Swimming Pool	1,155.00	1

Shire of Morawa List of Payments Report

For Period Ending 31 January 2023

Chq/EFT	Date	Name	Description	Amount	Bank
EFT16275	17/01/2023	NodeOne NodeOne Pty Ltd	Nodeone Fixed Wireless N1 Home Fast (Monthly Charge)	119.00	1
EFT16276	17/01/2023	Resonline Pty Ltd	Monthly Subscription To Room Manager Booking Software December	268.62	1
EFT16277	17/01/2023	WA Traffic Planning	Works On Roads - Traffic Management Plans	3,740.00	1
EFT16278	17/01/2023	LG Best Practices Pty Ltd	Completion Of Month End Rates Balancing, Instalment Notices And	375.00	1
EFT16279	17/01/2023	Karen FORMAN	Refund On Bond For Gym Toggle	30.00	1
EFT16280	17/01/2023	Debbie Collins	Members Sitting Fees	2,050.00	1
EFT16281	17/01/2023	Mark Coaker	Members Sitting Fees	2,050.00	1
EFT16282	17/01/2023	Moore Stephens	Nuts And Bolts Workshop And Rates Comparison Report	1,430.00	1
EFT16283	17/01/2023	Refuel Australia	Supply Diesel Shire Depot 12000Lts	22,042.80	1
EFT16284	17/01/2023	Hitachi Construction Machinery (Australia) Pty Ltd	Belt V 263F672001 For Hitachi Wheel Loader	263.21	1
EFT16285	17/01/2023	LGIS Risk Management	Regional Risk Co-Ordinator Fee December 2022	5,271.60	1
EFT16286	17/01/2023	Office of the Auditor General	Fee For Year End Audit For Year Ended 30 June 2022	40,150.00	1
EFT16287	17/01/2023	CORSIGN WA PTY LTD	Opening Hours Sign For Pool With Logo 1200 X 1200	608.30	1
EFT16288	20/01/2023	Australian Services Union	Payroll Deductions	77.70	1
EFT16289	20/01/2023	Department of Human Services	Payroll Deductions	426.21	1
EFT16290	23/01/2023	Department of Fire & Emergency Services	2022/23 ESL 2nd Quarter Remittance	15,676.88	1
EFT16291	23/01/2023	City of Greater Geraldton	Building Certification Services October To December 2022	499.68	1
EFT16292	23/01/2023	State Library of WA	Freight Recoup July - December 2022	173.54	1
EFT16293	23/01/2023	Office of the Auditor General	Certification Fee For LRCIP 2021/2022	1,320.00	1
EFT16294	23/01/2023	Avon Waste	Waste collection Services	7,099.86	1
EFT16295	23/01/2023	Kats Cartage	Wet Hire Loader @ \$60 P/H (Ex Gst)	47,802.15	1
EFT16296	23/01/2023	Toll Transport Pty Ltd	Freight Charges For The Period December 2022	15.75	1
EFT16297	23/01/2023	Donna Walker	Reimbursesment For Diary	32.95	1
EFT16298	23/01/2023	Paul Devcic	Reimbursement For National Police Clearance	58.70	1
EFT16299	23/01/2023	Cleanpak Total Solutions	Cleaning Supplies For Morawa Caravan Park	2,520.04	1
EFT16300	23/01/2023	Woop Woop Coffee	Deposit On Goods Prior To Australia Day	200.00	1
EFT16301	30/01/2023	Moore Stephens	Attendance To The Moore Stephens Budget Workshop 2023-2024	1,155.00	1
EFT16302	30/01/2023	Think Water Geraldton	Shire Oval Maintenance Parts, Pvs Joiners	217.80	1
EFT16303	30/01/2023	Mitchell & Brown	Westing House Multifuntion Oven For Shire House	1,348.00	1
EFT16304	30/01/2023	Civic Legal	Assist With Compliance Regulation 17 Local Gov Audit	9,350.00	1

Shire of Morawa List of Payments Report

For Period Ending 31 January 2023

Chq/EFT	Date	Name	Description	Amount	Bank
EFT16305	30/01/2023	Evaside PTY LTD	54 Loads Of Water And Diesel Engine	4,635.00	1
EFT16306	30/01/2023	Intelife Group Ltd	Vegetation clearing and mulching	8,657.00	1
EFT16307	30/01/2023	Bob Waddell Consultant	Assistance With The December Monthly Financial Statements 2023	1,650.00	1
EFT16308	30/01/2023	Astrotourism WA Pty Ltd	Membership Astrotourism Towns 2022/23	4,400.00	1
EFT16309	30/01/2023	AFGRI Equipment	Part No Jd Lg262 Maintenance Kit For Mower	184.70	1
EFT16310	30/01/2023	Regional Sounds	Morawa Youth Centre Summer Holiday Program - Music Workshop For Two Days	2,200.00	1
EFT16311	30/01/2023	Vitrum Works	Supply And Install Security Front Door 78 Yewers And 17 Solomon.	4,752.00	1
EFT16312	30/01/2023	LG Best Practices Pty Ltd	Rates Training For Finance Officer	1,650.00	1
EFT16313	30/01/2023	Purcher International WA	Parts For Ivco Tip Truck	973.05	1
EFT16314	30/01/2023	Cloud Collections Pty Ltd	Payment For Rates Debt Collection Services	524.70	1
EFT16315	30/01/2023	3 Monkeys Audiovisual	Projection System For The Morawa Town Hall	14,388.00	1

Total Eft Payments 285,871.02

12044	17/01/2023	Water Corporation	Water Expenses 10/11/2022 - 12/12/2022	1,659.68	1
12045	25/01/2023	Water Corporation	Access Through Lt 20 Mt Campbell	550.00	1

Total Cheque Payments 2,209.68

DD9076.1	04/01/2023	Aware Super	Payroll Deductions	6,196.52	1
DD9076.2	04/01/2023	HOSTPLUS Superannuation Fund	Superannuation Contributions	285.68	1
DD9076.3	04/01/2023	HESTA	Superannuation Contributions	251.29	1
DD9076.4	04/01/2023	Maritime Super	Superannuation Contributions	302.23	1
DD9076.5	04/01/2023	Australian Retirement Trust	Payroll Deductions	411.30	1
DD9076.6	04/01/2023	mobiSuper	Superannuation Contributions	89.82	1
DD9076.7	04/01/2023	Australian Super	Superannuation Contributions	1,083.96	1
DD9076.8	04/01/2023	Hawkins Super	Superannuation Contributions	1,301.42	1
DD9076.9	04/01/2023	BT FINANCIAL GROUP	Superannuation Contributions	365.58	1
DD9081.1	03/01/2023	Exetel Pty Ltd	Monthly Internet Service Shire Admin	1,375.00	1
DD9083.1	03/01/2023	Westnet Pty Ltd	Monthly Internet Tourist Centre	29.95	1
DD9084.1	04/01/2023	Telstra Corporation Limited	Telephone Expenses 2/12/2022 1/1/2023	115.62	1

Shire of Morawa List of Payments Report

For Period Ending 31 January 2023

Chq/EFT	Date	Name	Description	Amount	Bank
DD9094.1	09/01/2023	Telstra Corporation Limited	Telephone Expenses Tourist Centre December 2022	50.00	1
DD9098.1	05/01/2023	Telstra Corporation Limited	Telephone Expenses 16/12/2022 - 15/01/2023	139.36	1
DD9106.1	11/01/2023	Synergy	Electricity Expenses 20/10/2022 - 16/12/2022	2,754.38	1
DD9118.1	12/01/2023	Synergy	Electricity Expenses 21/10/2022 - 19/12/2022	3,833.46	1
DD9119.1	13/01/2023	Synergy	Electricity Expenses 21/10/2022 - 19/12/2022	120.22	1
DD9123.1	15/01/2023	Avon Waste	Domestic & Commercial Rubbish Pick Up	7,099.86	1
DD9125.1	23/01/2023	Synergy	Electricity Expenses 20/10/2022 - 16/12/2022	69.59	1
DD9125.2	16/01/2023	Synergy	Electricity Expenses 20/10/2022 - 16/12/2022	4,896.01	1
DD9128.1	29/01/2023	Avon Waste	Was Paid As Direct Debit	1,958.25	1
DD9130.1	29/01/2023	Avon Waste	Was Paid As Direct Debit	5,141.61	1
DD9137.1	18/01/2023	Aware Super	Payroll Deductions	6,598.40	1
DD9137.2	18/01/2023	HOSTPLUS Superannuation Fund	Superannuation Contributions	285.68	1
DD9137.3	18/01/2023	HESTA	Superannuation Contributions	251.29	1
DD9137.4	18/01/2023	Maritime Super	Superannuation Contributions	302.23	1
DD9137.5	18/01/2023	Australian Retirement Trust	Payroll Deductions	411.30	1
DD9137.6	18/01/2023	mobiSuper	Superannuation Contributions	336.37	1
DD9137.7	18/01/2023	Australian Super	Superannuation Contributions	1,289.17	1
DD9137.8	18/01/2023	Hawkins Super	Superannuation Contributions	1,170.53	1
DD9137.9	18/01/2023	BT FINANCIAL GROUP	Superannuation Contributions	365.58	1
DD9141.1	19/01/2023	Telstra Corporation Limited	Telephone Expenses 28/12/2022 - 27/1/2023	999.29	1
DD9143.1	17/01/2023	Synergy	Electricity Expenses 20/10/2022 - 16/12/2022	5,033.65	1
DD9144.1	18/01/2023	Synergy	Electricity Expenses 116/11/2023 - 20/12/2023	438.90	1
DD9150.1	24/01/2023	Synergy	Electricity Expenses 25/11/2022 - 24/12/2022	3,919.91	1
DD9152.1	24/01/2023	Telstra Corporation Limited	Telephone Expenses 2/1/2023 - 1/2/2023	505.15	1
DD9156.1	27/01/2023	Synergy	Electricity Expenses 23/4/2022	593.65	1
DD9157.1	23/01/2023	Synergy	Electricity Expenses 16/12/2023 - 18/1/2023	1,369.47	1
DD9160.1	23/01/2023	Telstra Corporation Limited	Telephone Expenses 2/1/2023 - 2/02/2023	108.39	1
DD9076.10	04/01/2023	MLC Super Fund	Superannuation Contributions	545.27	1
DD9076.11	04/01/2023	CBUS	Superannuation Contributions	228.39	1
DD9076.12	04/01/2023	MLC Super Fund	Superannuation Contributions	287.67	1

Shire of Morawa List of Payments Report

For Period Ending 31 January 2023

Chq/EFT	Date	Name	Description	Amount	Bank
DD9076.13	04/01/2023	Commonwealth Bank Group Super	Superannuation Contributions	119.03	1
DD9137.10	18/01/2023	MLC Super Fund	Superannuation Contributions	520.12	1
DD9137.11	18/01/2023	CBUS	Superannuation Contributions	244.69	1
DD9137.12	18/01/2023	MLC Super Fund	Superannuation Contributions	308.21	1
DD9137.13	18/01/2023	Commonwealth Bank Group Super	Superannuation Contributions	76.61	1
2223-07.11	16/01/2023	Fleetcare Pty Ltd	Lease Payment Of Brpco Vehicle	1,089.00	1
2223-07.10	23/01/2023	WA Treasury Corporation	Government Guarantee Fee For Period Ending 31 December	1,559.41	1
2223-07.09	31/01/2023	Department of Transport	Being Payment Of Licensing Collection	46,220.70	1

Total Direct Debit Payments 113,049.17

2223-07.13	03/01/2023	Bank West	Bank Charges	61.20	1
2223-07.12	03/01/2023	Bank West	Merchant Fees	553.20	1
	05/01/2023	Payroll	Payroll For Pay Cycle 22/12/2022 - 4/1/2023	60,014.47	1
	19/01/2023	Payroll	Payroll For Pay Cycle 5/01/2023 - 18/1/2023	61,902.62	1

Total Bank Transfers/ Payments 122,531.49

Shire of Morawa List of Payments Report

For Period Ending 31 January 2023

Chq/EFT	Date	Name	Description	Amount	Bank
2223-07.01	05/01/2023	Bank West	Corporate Card Purchases Payed In January 2023	1,515.40	1
		EMCCS - Corporate Credit Card			
	7/12/2022	Fuel Distributors of WA Pty Ltd	Fuel For Shire Vehicle EMCCS	130.70	
	12/12/2022	Fuel Distributors of WA Pty Ltd	Fuel For Shire Vehicle EMCCS	87.16	
	13/12/2022	Fuel Distributors of WA Pty Ltd	Fuel For Shire Vehicle EMCCS	87.63	
	27/12/2022	Canva	Full Years Subscription Of Canva Pro	167.88	
			Sub Total	473.37	
		EMWA - Corporate Credit Card			
	19/12/2022	Shire of Morawa	Outside Staff Employee Driver's Licence	46.85	
	19/12/2022	Shire of Morawa	Plate remake fee for Shire Vehicle	44.50	
	19/12/2022	Shire of Morawa	Change of plates for various shire vehicles	98.00	
				189.35	
		CEO - Corporate Credit Card			
	5/12/2022	ZOOM.US	Zoom Standard Pro Monthly Subscription For Council	20.99	
	7/12/2022	YM Careers	Advertisement For New Doctor	490.60	
	9/12/2022	Health and Medical PTY Ltd	Advertisement For New Doctor	220.00	
	15/12/2022	Liberty Wanneroo	Fuel For Shire Vehicle Ceo	98.00	
	28/12/2022	The Western Australian	Digital Newspaper Subscription For 24 Hours Unlimited	8.00	
	28/12/2022	Bank West	Foreign Transaction Fee (Zoom)	0.62	
	28/12/2022	Bank West	Foreign Transaction Fee (Ym Careers)	14.47	
			Sub Total	852.68	

TOTAL Corporate Credit Card Payment 1,515.40

Ordinary Council Meeting 15 December 2022

Attachment 1- 12.1a Minutes of WALGA State Council Meeting, 7 December 2022

Attachment 1- 12.1b Agenda of WALGA State Council Meeting, 1 March 2023

Item 12.1- December 2022 Minutes and March 2023 Agenda of WALGA State Council Meetings

State Council

Full Minutes

7 December 2022

Ordinary meeting no. 5 of 2022 of the Western Australian Local Government Association (WALGA) State Council held at ONE70, LV1, 170 Railway Parade, West Leederville on Wednesday, 7 December 2022.

OPEN and WELCOME

The Chair declared the meeting open at 4:22pm.

1. ATTENDANCE, APOLOGIES, ACKNOWLEDGEMENT OF COUNTRY & ANNOUNCEMENTS

1.1 Attendance

Members	WALGA President - Chair WALGA Deputy President, Central Metropolitan Zone Avon-Midland Country Zone Central Country Zone Central Metropolitan Zone East Metropolitan Zone East Metropolitan Zone Goldfields Esperance Country Zone Gascoyne Country Zone Great Southern Country Zone Kimberley Country Zone Murchison Country Zone North Metropolitan Zone North Metropolitan Zone North Metropolitan Zone Northern Country Zone Peel Country Zone Pilbara Country Zone South East Metropolitan Zone South East Metropolitan Zone South Metropolitan Zone South Metropolitan Zone South Metropolitan Zone South West Country Zone	President Cr Karen Chappel JP Cr Paul Kelly Cr Ken Seymour President Cr Phillip Blight Cr Kerry Smyth (Deputy) Cr Catherine Ehrhardt Cr John Daw President Cr Laurene Bonza President Cr Cheryl Cowell (<i>via phone</i>) President Cr Chris Pavlovich Cr Chris Mitchell JP Cr Les Price Cr Frank Cvitan JP Mayor Mark Irwin Cr Russ Fishwick JP President Cr Moira Girando JP President Cr Michelle Rich Mayor Peter Long Cr Carl Celedin Mayor Ruth Butterfield Cr Doug Thompson Mayor Carol Adams OAM Mayor Logan Howlett JP President Cr Tony Dean
Ex Officio	The Rt. Hon. Lord Mayor – City of Perth Local Government Professionals WA President	Lord Mayor Basil Zempilas Ms Annie Riordan
Secretariat	Chief Executive Officer Executive Director Member Services Executive Manager Advocacy Executive Manager Infrastructure Executive Manager Policy Chief Financial Officer Manager Corporate and Association Governance Manager Governance and Procurement Executive Officer Governance	Mr Nick Sloan Mr Tony Brown Ms Narelle Cant (<i>via phone</i>) Mr Ian Duncan Ms Nicole Matthews Mr Rick Murray Mr Tim Lane Mr James McGovern Ms Kathy Robertson

The Chair welcomed:

- State Councillors
- The Rt. Hon. Lord Mayor Basil Zempilas
- LG Professionals WA President, Ms Annie Riordan
- Deputy State Councillor Cr Kerry Smyth, Central Metropolitan Zone
- WALGA secretariat

Observers:

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

1.2 Apologies

- Cr Helen Sadler, Central Metropolitan Zone
- President Cr Stephen Strange, Great Eastern Country Zone

1.3 Acknowledgement of Country

WALGA acknowledges the Whadjuk Nyoongar People who are the Traditional Custodians of this land we meet on and pays respects to their Elders past and present.

1.4 Announcements

Nil

2. MINUTES OF THE PREVIOUS MEETINGS

2.1 Minutes of the State Council meeting held 9 September 2022

RECOMMENDATION

Moved: Cr Doug Thompson
Seconded: Mayor Logan Howlett JP

That the Minutes of the WALGA State Council meeting held on [Friday, 9 September 2022](#) be confirmed as a true and correct records of proceedings.

RESOLUTION 393.8/2022

CARRIED

2.1.1 Business arising from the Minutes of meeting held 9 September 2022

Nil.

2.2 Flying Minute – WALGA Submission Aboriginal Cultural Heritage Act 2021 Co-design Process, Phase Two

RECOMMENDATION

Moved: Cr Doug Thompson
Seconded: Mayor Logan Howlett JP

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

RESOLUTION 393.8/2022

CARRIED

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

Nil.

3. DECLARATIONS OF INTEREST

- Cr Paul Kelly declared an interest in item 5.10 LGIS Board Remuneration
- The Rt. Hon. Lord Mayor Basil Zempilas declared an interest in item 5.8 Selection Committee Minutes

4. EMERGING ISSUES

Nil.

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5. MATTERS FOR DECISION

5.1 2022 Annual General Meeting Resolutions

By Tim Lane, Manager Association and Corporate Governance

WALGA RECOMMENDATION

That:

1. the following resolutions from the 2022 WALGA Annual General Meeting be endorsed for action:

3.8 Review of the Rating Methodology used by the Valuer-General

Advocate for a full review of the rating methodology used by the Valuer-General to value all land in the State of Western Australia.

3.10 Reform of the Cat Act 2011

That the WA Local Government sector requests the WA State Government prioritise reforms to the Cat Act 2011, in accordance with the Statutory Review undertaken and tabled in the State Parliament on 27 November 2019.

2. the following resolutions from the 2022 WALGA Annual General Meeting be referred to the relevant Policy Team for further work to be undertaken:

3.1 Road Traffic Issues

That WALGA advocate on behalf of the local government sector to the State Government and in particular, Main Roads, to increase importance and weight given to local knowledge and input regarding road traffic issues including requests for speed reduction, intersection treatments and overall preventative and traffic safety measures.

3.2 Car Parking and Traffic Congestion Around Schools

That WALGA engages with the State Government on behalf of Local Government to review issues associated with car parking and traffic congestion around school sites including but not limited to:

1. *Reviewing car parking standards for schools;*
2. *Ensuring sufficient land is set aside for the provision of parking on school sites;*
3. *Reviewing the co-location of schools to avoid issues being exacerbated;*
4. *Restricting school access from major roads;*
5. *Developing plans to enable schools to manage school traffic;*
6. *Develop programs to educate drivers; and*
7. *Develop options and implement initiatives to encourage alternative modes of transport to school.*

3.3 Proposal for Regional Road Maintenance Contracts with Main Roads WA

That WALGA assist Local Governments and work with the Hon Minister Rita Saffioti to introduce a similar program that is currently in play in Queensland and introduce a sole invitee Program for Local Governments to engage in a Road Maintenance Performance Contract with Main Roads WA.

3.4 Northern Australia Beef Roads Program

That WALGA work with the Hon Madeleine King MP Minister for Resources and Minister for Northern Australia to make Beef Road Funding available to all Australian Local Governments north and south, or establish a Southern Australia Beef Road Funding Program to allow for equitable support across Australia's beef and agriculture industries.

3.5 3D House Printing Building Compliance

That WALGA requests:

- 1. Assistance from Minister for Industry and Science The Hon Ed Husic MP, Minister for Housing and Homelessness, Small Business The Hon Julie Collins MP, Minister for Infrastructure, Transport, Regional Development and Local Government The Hon Catherine King MP to work with Ministers from all State and Territory Governments who have Building and Construction in their portfolios, to collaborate and to consider removing impediments within the National Construction Code Series and associated Australian Standards, that dissuade industry from adopting 3D printing as a building method.***
- 2. That the Government provide instruments to incentivise private industry to develop 3D printing and include this as an acceptable building practice.***

3.6 South West Native Title Settlement

That WALGA advocate to the State Government that Local Governments be provided with the full list of potential land to be requested for transfer as part of the South West Native Title Settlement and that a minimum of three months be provided for Council to provide feedback.

3.7 Land Offset Compensation to Local Governments

That WALGA advocate to the State Government that the Developer requiring land offsets should be required to provide the offsets within the Local Government where the clearing occurs and where this is not possible, the Developer requiring land offsets within another Local Government be required to pay a fee to the Local Government for the loss of rates and ongoing maintenance of infrastructure to the Land.

3.12.1 Abandoned Shopping Trolleys

That this meeting supports the recent petition to be tabled in the Legislative Council, Parliament of Western Australia, "Removal and Abandonment of Shopping Trolleys 22-0017" calling on the State Government to implement stringent and uniform shopping trolley containment laws for the whole state of Western Australia.

3. the following resolutions from the 2022 WALGA Annual General Meeting be noted:

3.11 WALGA Best Practice Governance Review – Principles

That:

1. *The update on the Best Practice Governance Review project be noted, and*
2. *The principles to inform WALGA's future governance model, as follows and as per the attached Principles document, be endorsed:*
 - a. *Representative – WALGA unites and represents the entire Local Government sector in WA and understands the diverse nature and needs of members, regional communities and economies.*
 - b. *Responsive – WALGA is an agile association which acts quickly to respond to the needs of members and stakeholders.*
 - c. *Results Oriented – WALGA dedicates resources and efforts to secure the best outcomes for Local Government and supports the delivery of high-quality projects, programs and services.*

3.12.2 Mandatory Superannuation for Elected Members in Band 1 and 2 Councils

That this meeting supports requesting WALGA to advocate for the Local Government reforms to include mandatory superannuation for elected members of Band 1 and Band 2 Councils and supports the optional payment of superannuation for Band 3 and 4 Councils.

Executive Summary

- WALGA's 2022 Annual General Meeting was held on Monday, 3 October 2022.
- The meeting resolved for WALGA to act in relation to 11 member motions (including two items of Special Urgent Business):
 1. Road Traffic Issues
 2. Car Parking and Traffic Congestion Around Schools
 3. Proposal for Regional Road Maintenance Contracts with Main Roads WA
 4. Northern Australian Beef Roads Program
 5. 3D House Printing Building Compliance
 6. South West Native Title Settlement
 7. Land Offset Compensation to Local Governments
 8. Review of the Rating Methodology used by the Valuer-General
 9. Reform of the *Cat Act 2011*
 10. Abandoned Shopping Trolleys
 11. Mandatory Superannuation for Elected Members in Band 1 and 2 Councils
- The meeting also resolved to endorse the Governance Principles proposed as part of the WALGA Best Practice Governance Review Project.
- The action taken or proposed to be taken in relation to each of the resolutions since the Annual General Meeting has been summarised for State Council's information.
- Item 3.12.2 (Mandatory Superannuation for Elected Members in Band 1 and 2 Councils) is considered in a separate item for decision (see [Agenda item 5.2](#)).

Attachment

- [WALGA 2022 Annual General Meeting Minutes](#)

Background

The 2022 Annual General Meeting (AGM) was held on Monday, 3 October 2022.

11 member motions (including two items of Special Urgent Business), as follows, were considered and supported by members at the AGM.

3.1 Road Traffic Issues

That WALGA advocate on behalf of the local government sector to the State Government and in particular, Main Roads, to increase importance and weight given to local knowledge and input regarding road traffic issues including requests for speed reduction, intersection treatments and overall preventative and traffic safety measures.

3.2 Car Parking and Traffic Congestion Around Schools

That WALGA engages with the State Government on behalf of Local Government to review issues associated with car parking and traffic congestion around school sites including but not limited to:

- 1. Reviewing car parking standards for schools;*
- 2. Ensuring sufficient land is set aside for the provision of parking on school sites;*
- 3. Reviewing the co-location of schools to avoid issues being exacerbated;*
- 4. Restricting school access from major roads;*
- 5. Developing plans to enable schools to manage school traffic;*
- 6. Develop programs to educate drivers; and*
- 7. Develop options and implement initiatives to encourage alternative modes of transport to school.*

3.3 Proposal for Regional Road Maintenance Contracts with Main Roads WA

That WALGA assist Local Governments and work with the Hon Minister Rita Saffioti to introduce a similar program that is currently in play in Queensland and introduce a sole invitee Program for Local Governments to engage in a Road Maintenance Performance Contract with Main Roads WA.

3.4 Northern Australia Beef Roads Program

That WALGA work with the Hon Madeleine King MP Minister for Resources and Minister for Northern Australia to make Beef Road Funding available to all Australian Local Governments north and south, or establish a Southern Australia Beef Road Funding Program to allow for equitable support across Australia's beef and agriculture industries.

3.5 3D House Printing Building Compliance

That WALGA requests:

- 1. Assistance from Minister for Industry and Science The Hon Ed Husic MP, Minister for Housing and Homelessness, Small Business The Hon Julie Collins MP, Minister for Infrastructure, Transport, Regional Development and Local Government The Hon Catherine King MP to work with Ministers from all State and Territory Governments who have Building and Construction in their portfolios, to collaborate and to consider removing impediments within the National Construction Code Series and associated Australian Standards, that dissuade industry from adopting 3D printing as a building method.*
- 2. That the Government provide instruments to incentivise private industry to develop 3D printing and include this as an acceptable building practice.*

3.6 South West Native Title Settlement

That WALGA advocate to the State Government that Local Governments be provided with the full list of potential land to be requested for transfer as part of the South West Native Title Settlement and that a minimum of three months be provided for Council to provide feedback.

3.7 Land Offset Compensation to Local Governments

That WALGA advocate to the State Government that the Developer requiring land offsets should be required to provide the offsets within the Local Government where the clearing occurs and where this is not possible, the Developer requiring land offsets within another Local Government be required to pay a fee to the Local Government for the loss of rates and ongoing maintenance of infrastructure to the Land.

3.8 Review of the Rating Methodology used by the Valuer-General

Advocate for a full review of the rating methodology used by the Valuer-General to value all land in the State of Western Australia.

3.10 Reform of the Cat Act 2011

That the WA Local Government sector requests the WA State Government prioritise reforms to the Cat Act 2011, in accordance with the Statutory Review undertaken and tabled in the State Parliament on 27 November 2019.

3.12.1 Abandoned Shopping Trolleys

That this meeting supports the recent petition to be tabled in the Legislative Council, Parliament of Western Australia, "Removal and Abandonment of Shopping Trolleys 22-0017" calling on the State Government to implement stringent and uniform shopping trolley containment laws for the whole state of Western Australia.

3.12.2 Mandatory Superannuation for Elected Members in Band 1 and 2 Councils

That this meeting supports requesting WALGA to advocate for the Local Government reforms to include mandatory superannuation for elected members of Band 1 and Band 2 Councils and supports the optional payment of superannuation for Band 3 and 4 Councils.

In addition to the member motions, an executive motion was considered, recommending the endorsement of a set of Governance Principles as part of the WALGA Best Practice Governance Review Project. The Principles were endorsed without amendment.

3.11 WALGA Best Practice Governance Review – Principles

That:

- 1. The update on the Best Practice Governance Review project be noted, and*
- 2. The principles to inform WALGA's future governance model, as follows and as per the attached Principles document, be endorsed:*
 - a. Representative – WALGA unites and represents the entire Local Government sector in WA and understands the diverse nature and needs of members, regional communities and economies.*
 - b. Responsive – WALGA is an agile association which acts quickly to respond to the needs of members and stakeholders.*
 - c. Results Oriented – WALGA dedicates resources and efforts to secure the best outcomes for Local Government and supports the delivery of high-quality projects, programs and services.*

Comment

Comment on the 2022 AGM resolutions is as per below:

3.1 Road Traffic Issues

It is recommended that this resolution be referred to the Infrastructure Policy Team for further work to be undertaken.

3.2 Car Parking and Traffic Congestion Around Schools

It is recommended that this resolution be referred to the Infrastructure Policy Team for further work to be undertaken.

3.3 Proposal for Regional Road Maintenance Contracts with Main Roads WA

It is recommended that this resolution be referred to the Infrastructure Policy Team for further work to be undertaken.

3.4 Northern Australian Beef Roads Program

It is recommended that this resolution be referred to the Infrastructure Policy Team for further work to be undertaken.

3.5 3D House Printing Building Compliance

It is recommended that this resolution be referred to the People and Place Policy Team for further work to be undertaken.

3.6 South West Native Title Settlement

It is recommended that this resolution be referred to the People and Place Policy Team for further work to be undertaken.

3.7 Land Offset Compensation to Local Governments

It is recommended that this resolution be referred to the Environment and Waste Policy Team for further work to be undertaken.

3.8 Review of the Rating Methodology used by the Valuer-General

In respect valuation methodologies in other States and Territories, it is noted that within South Australia and Victoria 89% of the Local Governments use Capital Value, Tasmania is progressing to Capital Value whilst New South Wales is based on Land Value only, Northern Territory is based only on Unimproved Capital Value, Queensland is Site Value and Unimproved Value and the ACT is Unimproved Value only. It is clear that whilst there is a range of valuations across Australia there is a determined trend to a single use valuation methodology across jurisdictions, in favour of a Capital Valuation system.

Feedback from Local Governments in WA has been to request a review of the current valuation system.

It is recommended that this resolution be endorsed for action.

3.10 Reform of the *Cat Act 2011*

This is a developing issue in the sector. A number of Local Governments have already attempted to make Cat Local Laws that seek to prohibit cats from roaming, require cats to be securely kept on

premises of the owner, and prohibited from being in any public place. Parliament's Delegated Legislation Committee has disallowed a number of such attempts on the grounds that the local law-making head of power in the Cat Act does not contemplate local laws to be made for these purposes.

The Committees views are summarised in this excerpt from the Annual Report 2016 (Report 89 at 5.32):

In each of these cases, the Committee considered that the relevant provisions of the local law were inconsistent with or repugnant to the provisions of the Cat Act 2011 which:

- allow for cats to be in public places unless they do not comply with the provisions of the Act requiring registration, microchipping and sterilisation*
- empower the making of local laws prohibiting cats in certain specified areas.*

As this resolution is consistent with WALGA's current advocacy position which supports a review of the Cat Act that will introduce broader powers of cat control, it is recommended that this resolution be endorsed for action.

3.12.1 Abandoned Shopping Trolleys

This item has been considered previously by the Governance & Organisational Services Policy Team, where the recommended action was for this issue to be addressed by each Local Government working with their retailers.

Based on the above it is recommended that this item be referred back to the Governance & Organisational Services Policy Team for further consideration.

3.12.2 Mandatory Superannuation for Elected Members in Band 1 and 2 Councils

This resolution will be considered in a separate Agenda item.

It is recommended that this resolution be noted.

3.11 WALGA Best Practice Governance Review – Principles

The Governance Principles were endorsed by State Council at a special meeting on 22 August, before being endorsed by members at the 2022 AGM. Since then, the Best Practice Governance Review Steering Committee have finalised a Consultation Paper, which has been circulated to all Local Governments seeking a Council endorsed position on the five model options presented in the paper by 23 December.

It is recommended that this resolution be noted.

In considering these resolutions from the AGM, State Council and State Council Policy Teams are guided by Clause 22(7) of the [WALGA Constitution](#), as follows:

Where the State Council considers that a direction or decision from an Annual General Meeting has been made without information or a material nature or in circumstances which have materially altered and such direction or decision is not in the best interests of the Association, the State Council may decline to follow that direction or decision and, in that event, the Chief Executive Officer by notice shall advise the Ordinary Members of the decision of the State Council and the reasons for that decision.

Members will be informed of progress on the above issues through Policy Team Reports in future State Council Agendas and through the AGM Status Report.

Zone Consideration	
Avon Midland Country Zone	WALGA recommendation supported
Central Country Zone	WALGA recommendation supported
Central Metropolitan Zone	WALGA recommendation supported
East Metropolitan Zone	WALGA recommendation supported
Gascoyne Country Zone	WALGA recommendation supported
Goldfields Esperance Country Zone	WALGA recommendation supported
Great Eastern Country Zone	WALGA recommendation supported
Great Southern Country Zone	WALGA recommendation supported
Kimberley Country Zone	WALGA recommendation supported
Murchison Country Zone	WALGA recommendation supported
North Metropolitan Zone	WALGA recommendation supported
Northern Country Zone	WALGA recommendation supported
Peel County Zone	WALGA recommendation supported
Pilbara Country Zone	WALGA recommendation supported
South East Metropolitan Zone	WALGA recommendation supported
South Metropolitan Zone	WALGA recommendation supported
South West Country Zone	WALGA recommendation supported

WALGA RECOMMENDATION

Moved: Cr Chris Mitchell JP

Seconded: Cr Frank Cvitan JP

That:

- the following resolutions from the 2022 WALGA Annual General Meeting be endorsed for action:

3.8 Review of the Rating Methodology used by the Valuer-General

Advocate for a full review of the rating methodology used by the Valuer-General to value all land in the State of Western Australia.

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- the following resolutions from the 2022 WALGA Annual General Meeting be referred to the relevant Policy Team for further work to be undertaken:

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- 2. That the Government provide instruments to incentivise private industry to develop 3D printing and include this as an acceptable building practice.***

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3.12.1 Abandoned Shopping Trolleys

That this meeting supports the recent petition to be tabled in the Legislative Council, Parliament of Western Australia, "Removal and Abandonment of Shopping Trolleys 22-0017" calling on the State Government to implement stringent and uniform shopping trolley containment laws for the whole state of Western Australia.

3. the following resolutions from the 2022 WALGA Annual General Meeting be noted:

3.11 WALGA Best Practice Governance Review – Principles

That:

- 1. The update on the Best Practice Governance Review project be noted, and***
- 2. The principles to inform WALGA's future governance model, as follows and as per the attached Principles document, be endorsed:***
 - a. Representative – WALGA unites and represents the entire Local Government sector in WA and understands the diverse nature and needs of members, regional communities and economies.***
 - b. Responsive – WALGA is an agile association which acts quickly to respond to the needs of members and stakeholders.***
 - c. Results Oriented – WALGA dedicates resources and efforts to secure the best outcomes for Local Government and supports the delivery of high-quality projects, programs and services.***

3.12.2 Mandatory Superannuation for Elected Members in Band 1 and 2 Councils

That this meeting supports requesting WALGA to advocate for the Local Government reforms to include mandatory superannuation for elected members of Band 1 and Band 2 Councils and supports the optional payment of superannuation for Band 3 and 4 Councils.

RESOLUTION 394.8/2022

CARRIED

5.2 Elected Member Superannuation

By Tim Lane, Manager Association and Corporate Governance

WALGA RECOMMENDATION

That WALGA:

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

Executive Summary

- At the [2022 WALGA Annual General Meeting](#) a motion was endorsed requesting WALGA to advocate for superannuation to be required to be paid to Elected Members in Local Governments in SAT Band 1 and Band 2.
- Consultation with the 44 affected Local Governments in Band 1 and Band 2 was subsequently undertaken, which confirmed support for the proposal.
- Accordingly, this item recommends that WALGA adopts a policy position, and advocates to the Minister for Local Government, that superannuation should be required to be paid to Elected Members of Band 1 and Band 2 Local Governments.

Policy Implications

In response to the Minister for Local Government's legislative reforms, announced in 2021, [State Council adopted a position](#) in February 2022 supporting the [Minister's proposal](#) for Local Governments to pay superannuation to Council members voluntarily, through a decision of Council. This position has been captured in WALGA's [Advocacy Position](#) 2.8.2.

A motion of special urgent business was endorsed at WALGA's [2022 Annual General Meeting](#) in line with the recommendation put forward by this Agenda item.

This Agenda item recommends amending State Council's policy position to support the mandatory payment of superannuation to Elected Members of Band 1 and Band 2 Local Governments, and the optional payment of superannuation, through a decision of Council, to Elected Members of Band 3 and 4 Local Governments.

Background

Superannuation entitlements for Elected Members has increasingly been an issue of debate in Western Australia and other Australian jurisdictions.

WALGA canvassed the Local Government sector on a [proposal](#) to facilitate the payment of superannuation to Elected Members in late 2021.

The draft [policy proposal](#) outlined arguments for the payment of super to Elected Members as well as potential barriers and costs, before concluding that superannuation should be paid to Elected Members.

Arguments supporting the payment of superannuation to Elected Members are:

- Superannuation is a legal entitlement of all workers in Australia; while Elected Members are not employees, they are committing time and intellect to their responsibilities
- It is becoming increasingly prevalent for Elected Members to forgo opportunities for paid work to fulfil their Elected Member role

- In addition, payment of superannuation to Elected Members may lead to more nominations to serve on Council from historically underrepresented cohorts, such as women and younger people, which in turn may lead to more diversity on Councils, and
- Finally, superannuation is paid to members of private and public sector governing boards, which is comparable to the role of Local Government Elected Members.

Opponents of the proposal to pay superannuation to Elected Members point to the cost and argue that the role of Elected Members should not be confused with the role of employees.

Ultimately, WALGA's consultation process was superseded by the Minister for Local Government's legislative reform agenda, announced in November 2021.

The Minister's [proposal](#) to enable Local Governments to pay superannuation to Elected Members by Council decision was supported by WALGA's State Council on behalf of the Local Government sector in [February 2022](#).

Following discussion at the Mayors and Presidents' Forum, held as part of the WALGA Convention on Sunday, 2 October, an item of Special Urgent Business was put forward to the [Annual General Meeting](#) the following day.

The motion, which was carried by the meeting, is as follows:

That this meeting supports requesting WALGA to advocate for the Local Government reforms to include mandatory superannuation for elected members of Band 1 and Band 2 Councils and supports the optional payment of superannuation for Band 3 and 4 Councils.

Clause 22 (7) of [WALGA's Constitution](#) provides guidance to State Council in determining a course of action in relation to decisions made at the Annual General Meeting:

Where the State Council considers that a direction or decision from an Annual General Meeting has been made without information or a material nature or in circumstances which have materially altered and such direction or decision is not in the best interests of the Association, the State Council may decline to follow that direction or decision and, in that event, the Chief Executive Officer by notice shall advise the Ordinary Members of the decision of the State Council and the reasons for that decision.

As a result of this motion being supported by the members at the AGM, the secretariat distributed an InfoPage to the 44 affected Band 1 and Band 2 Local Governments seeking their position on the proposal.

At the time of publication, 23 Local Governments from Band 1 or Band 2 had responded with 15 supportive of the proposal and eight against.

Comment

The position that Local Governments be required to pay superannuation to Elected Members of Band 1 and Band 2 Local Governments was endorsed by a majority of member delegates at WALGA's [2022 Annual General Meeting](#).

Subsequent consultation with affected Local Governments – the 44 Local Governments in either Band 1 or Band 2 – has confirmed support for this position among Local Governments that responded.

Therefore, it is recommended that State Council adopts a policy position – and advocates to the Minister for Local Government – that superannuation should be required to be paid to Elected Members of Band 1 and Band 2 Local Governments, with Band 3 and Band 4 Local Governments able to determine whether to pay superannuation.

Zone Consideration	
Avon Midland Country Zone	WALGA recommendation supported
Central Metropolitan Zone	WALGA recommendation supported
East Metropolitan Zone	WALGA recommendation supported
Gascoyne Country Zone	WALGA recommendation supported
Goldfields Esperance Country Zone	WALGA recommendation supported
Great Eastern Country Zone	WALGA recommendation supported
Great Southern Country Zone	WALGA recommendation supported
Kimberley Country Zone	WALGA recommendation supported
North Metropolitan Zone	WALGA recommendation supported
Northern Country Zone	WALGA recommendation supported
Peel County Zone	WALGA recommendation supported
Pilbara Country Zone	WALGA recommendation supported
South East Metropolitan Zone	WALGA recommendation supported
South Metropolitan Zone	WALGA recommendation supported
South West Country Zone	WALGA recommendation supported

CENTRAL COUNTRY ZONE

That WALGA advocates for superannuation to be required to be paid to Elected Members of all Local Governments.

MURCHISON COUNTRY ZONE

WALGA recommendation not supported.

SECRETARIAT COMMENT

The recommendation, which was based on member support for the position at WALGA's 2022 Annual General Meeting and was subsequently confirmed through a follow-up consultation process with affected Band 1 and Band 2 Local Governments, has been supported by the majority of Zones.

WALGA RECOMMENDATION

Moved: Cr Catherine Ehrhardt
Seconded: Cr Doug Thompson

That WALGA:

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

RESOLUTION 395.8/2022

CARRIED

5.3 Biosecurity Advocacy Position

By Rebecca Brown, Manager Waste and Environment

WALGA RECOMMENDATION

That State Council endorse replacing Advocacy Position 4.5 *Post Border Biosecurity* with a new Biosecurity Advocacy Position as follows:

4.5 Biosecurity

Western Australia's economy, environment and the community are facing increasing challenges posed by already established and new pests, weeds and diseases.

Local Government has a significant role in biosecurity management, as land managers and regulators, and therefore has an interest in ensuring that Western Australia's biosecurity system, including control of declared pests, is effective and appropriately resourced.

WALGA considers significant changes to the operation of the State's biosecurity system, including the Biosecurity and Agriculture Management Act 2007, are required to ensure these risks can be managed now and into the future.

To be effective the Western Australian biosecurity system must:

- 1. Take a transparent approach to the notion of 'shared responsibility' by ensuring that:***
 - a) The respective roles and responsibilities of Commonwealth, State and Local Government, industry, landholders, community groups and individuals are agreed and clearly articulated; and***
 - b) There is improved pest management on State Government managed land and a formalised structure for State Government agencies with responsibilities for biosecurity management to work together and coordinate their activities.***
- 2. Be underpinned by a strategic framework, developed in collaboration with stakeholders, that:***
 - a) Establishes priorities for biosecurity threats in geographically defined regions, sets measurable targets and guides investment in biosecurity activities; and***
 - b) Is regularly evaluated and reported on.***
- 3. Have a greater focus on environmental biosecurity, through the increased recognition and management of pest species that have significant ecological impacts.***
- 4. Be adequately, sustainably and equitably funded:***
 - a) The appropriateness and effectiveness of the Declared Pest Rate (DPR) and Recognised Biosecurity Group (RBG) model as key mechanisms for the management of widespread and established declared pests should be reviewed and alternate mechanisms considered;***
 - b) Increased and more equitable distribution of funding for every step in the biosecurity continuum and adequate resourcing for all stakeholders, including Local Government; and***
 - c) The provision of funding for declared pest management in metropolitan areas.***

5. *Ensure that the criteria and process for listing of declared pests is evidence-based, timely and transparent.*
6. *Have an increased emphasis on compliance through education and enforcement activity, to ensure land managers are aware of their legislative responsibilities and are supported to implement biosecurity actions.*
7. *Facilitate the use of new technologies, strategic monitoring, and the establishment of data management systems to inform biosecurity investment decisions and support adaptive management.*
8. *Improve the community's understanding, awareness and action in relation to biosecurity to assist with threat surveillance and timely response to incursions.*

Executive Summary

- It is proposed that the 2017 Biosecurity Advocacy Position, 4.5 *Post Border Biosecurity* be replaced with a more comprehensive and contemporary position.
- The 2017 position called for a review of the *Biosecurity and Agriculture Management Act 2007* (BAM Act) which is currently underway.
- The new Draft Biosecurity Position reflects feedback provided on the WALGA Biosecurity Discussion Paper recommendations by Local Governments and WALGA Zones.
- The new position will inform WALGA's advocacy in the next stages of the BAM Act Review.

Policy Implications

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

4.5 *Post Border Biosecurity*

1. *Local Government believes that State Government has responsibility for the following parts of a biosecurity system:*
 - *Pre-border and border biosecurity measures and contingency funds to deal with new pest outbreaks;*
 - *Assistance to the private sector for newly established, industry-specific pests;*
 - *Assistance to land managers for newly established pests (where the incursion has occurred despite the land owner's best biosecurity management effort);*
 - *Establishment of a biosecurity network and regional cooperative arrangements;*
 - *Enforcement of regulations;*
 - *Compliance with regulations on State Government managed land;*
 - *Specific research projects and specialised diagnostic services; and*
 - *Enhancement of barrier fences.*
2. *Local Government are not supportive of Recognised Biosecurity Groups (RBGs).*
3. *Local Government calls on the State Government to either reinstate the Agriculture Protection Board or develop a model similar to the NSW Local Land Services Act (2013) approach, and in consideration of either model that:*
 - *There are State Government approved strategic and operational plans which can be understood by landowners and other stakeholders, including Local Governments;*
 - *There is direct contact with Local Governments, State Government agencies and departments, and major industry groups;*
 - *That either model is resourced by State Government to undertake the required activities.*
 - *That either model be funded under the current funding arrangements as outlined in the Biosecurity and Agriculture Management Act (2007); and*
 - *That it assists in the delivery of national, state and local priority species management.*
4. *That as matter of priority, the Government undertake a review of the operation and effectiveness of the Biosecurity and Agriculture Management Act (2007) and its regulations.*

March 2017 – Resolution 14.1/2017

The following new Advocacy Position is proposed:

4.5 Biosecurity

Western Australia's economy, environment and the community are facing increasing challenges posed by already established and new pests, weeds and diseases.

Local Government has a significant role in biosecurity management, as land managers and regulators, and therefore has an interest in ensuring that Western Australia's biosecurity system, including control of declared pests, is effective and appropriately resourced.

WALGA considers significant changes to the operation of the State's biosecurity system, including the Biosecurity and Agriculture Management Act 2007, are required to ensure these risks can be managed now and into the future.

To be effective the Western Australian biosecurity system must:

- 1. Take a transparent approach to the notion of 'shared responsibility' by ensuring that:*
 - c) The respective roles and responsibilities of Commonwealth, State and Local Government, industry, landholders, community groups and individuals are agreed and clearly articulated; and*
 - d) There is improved pest management on State Government managed land and a formalised structure for State Government agencies with responsibilities for biosecurity management to work together and coordinate their activities.*
- 2. Be underpinned by a strategic framework, developed in collaboration with stakeholders, that:*
 - c) Establishes priorities for biosecurity threats in geographically defined regions, sets measurable targets and guides investment in biosecurity activities; and*
 - d) Is regularly evaluated and reported on.*
- 3. Have a greater focus on environmental biosecurity, through the increased recognition and management of pest species that have significant ecological impacts.*
- 4. Be adequately, sustainably and equitably funded:*
 - d) The appropriateness and effectiveness of the Declared Pest Rate (DPR) and Recognised Biosecurity Group (RBG) model as key mechanisms for the management of widespread and established declared pests should be reviewed and alternate mechanisms considered;*
 - e) Increased and more equitable distribution of funding for every step in the biosecurity continuum and adequate resourcing for all stakeholders, including Local Government; and*
 - f) The provision of funding for declared pest management in metropolitan areas.*
- 5. Ensure that the criteria and process for listing of declared pests is evidence-based, timely and transparent.*
- 6. Have an increased emphasis on compliance through education and enforcement activity, to ensure land managers are aware of their legislative responsibilities and are supported to implement biosecurity actions.*
- 7. Facilitate the use of new technologies, strategic monitoring, and the establishment of data management systems to inform biosecurity investment decisions and support adaptive management.*
- 8. Improve the community's understanding, awareness and action in relation to biosecurity to assist with threat surveillance and timely response to incursions.*

Background

WALGA's current Biosecurity Advocacy Position was endorsed by State Council in 2017. The Position calls for a review of the operation and effectiveness of the [Biosecurity and Agriculture Management Act 2007](#) (BAM Act) which is now underway.

The key themes identified in Stage 2 of the Independent Review of the BAM Act are:

1. Principles to underpin WA's Biosecurity legislation – including shared responsibility and biosecurity in all contexts
2. Legal Foundations – priorities and enabling industries
3. Planning, coordinating and resourcing the system
4. Community led pest and weed management – including Regional Biosecurity Groups and the Declared Pest Rate.

Further information about the BAM Act Review, and stakeholder views provided during Stage 1 of consultation, can be found [here](#). Stage 2 of the Review will draw on this feedback to further explore key themes and issues, and Stage 3 will include broader engagement on the findings and potential solutions.

To guide WALGA's advocacy and sector input to the review, WALGA developed a [Biosecurity Discussion Paper](#) in June 2022 which identified key issues in relation to the operation of the Western Australian biosecurity system and *Biosecurity and Agriculture Management Act (2007)*. This Paper was provided to the sector and WALGA Zones for consideration as well as the Department of Primary Industries and Regional Development and the Independent Review Panel. Zones supported the recommendations in the Discussion Paper and provided some feedback.

Based on this feedback, a new WALGA Advocacy Position has been developed for consideration by Zones and State Council.

The Environment Policy Team considered the proposed new Advocacy Position at its meeting on 26 October and supported it being provided for State Council endorsement.

Comment

A new Biosecurity Advocacy Position is required to take account of the experience of five years of operation the BAM Act since WALGA's 2017 Advocacy Position was endorsed, and to enable WALGA to effectively represent the sector's views during the next stages of the BAM Act Review.

WALGA anticipates that the Review Panel will put forward draft proposals for reform in February/March 2023. WALGA may undertake further consultation with the Sector during this time, depending on the nature of the proposed reforms and Local Governments are also encouraged to participate in the consultations directly.

Zone Consideration	
Avon Midland Country Zone	WALGA recommendation supported
Central Country Zone	WALGA recommendation supported
Central Metropolitan Zone	WALGA recommendation supported
East Metropolitan Zone	WALGA recommendation supported
Gascoyne Country Zone	WALGA recommendation supported
Goldfields Esperance Country Zone	WALGA recommendation supported
Great Eastern Country Zone	WALGA recommendation supported
Great Southern Country Zone	WALGA recommendation supported
Kimberley Country Zone	WALGA recommendation supported
Murchison Country Zone	WALGA recommendation supported
North Metropolitan Zone	WALGA recommendation supported
Northern Country Zone	WALGA recommendation supported
Pilbara Country Zone	WALGA recommendation supported
South East Metropolitan Zone	WALGA recommendation supported
South Metropolitan Zone	WALGA recommendation supported

PEEL COUNTRY ZONE

That the Peel Country Zone supports item 5.3 with an amendment to include a point 9 so it reads:

9. That any flora or fauna pest that is declared in other States of Australia be evaluated for potential risk to Western Australia.

SECRETARIAT COMMENT

The Peel Country Zone feedback is noted and the discussion that occurred at the recent meeting regarding the White Weeping Broom, which is a declared pest species in two other jurisdictions. Currently point 5 includes the requirement that the listing of declared pest is evidence-based, timely and transparent. WALGA considers that the listing of a declared pest in another state would be one of the sources of evidence that the State should consider in making a determination, therefore this point is covered by the Policy Position.

SOUTH WEST COUNTRY ZONE

That the South West Zone opposes the imposition of a Declared Pest Rate, and that funding for biosecurity should be provided by the State Government from consolidated revenue.

SECRETARIAT COMMENT

The South West Country Zone feedback is noted and direction regarding a Declared Pest Rate; WALGA has received similar feedback on this issue from other Local Governments. WALGA anticipates as part of Stage 3 of the *Biosecurity and Agriculture Management Act 2007* review there will be consultation on the proposed funding approaches and if a Declared Pest Rate is proposed by State Government, further engagement and consultation with the sector will occur.

WALGA RECOMMENDATION

Moved: Cr Doug Thompson

Seconded: President Cr Tony Dean

That State Council endorse replacing Advocacy Position **4.5 Post Border Biosecurity** with a new Biosecurity Advocacy Position as follows:

4.5 Biosecurity

Western Australia's economy, environment and the community are facing increasing challenges posed by already established and new pests, weeds and diseases.

Local Government has a significant role in biosecurity management, as land managers and regulators, and therefore has an interest in ensuring that Western Australia's biosecurity system, including control of declared pests, is effective and appropriately resourced.

WALGA considers significant changes to the operation of the State's biosecurity system, including the Biosecurity and Agriculture Management Act 2007, are required to ensure these risks can be managed now and into the future.

To be effective the Western Australian biosecurity system must:

- 1. Take a transparent approach to the notion of 'shared responsibility' by ensuring that:**
 - a) The respective roles and responsibilities of Commonwealth, State and Local Government, industry, landholders, community groups and individuals are agreed and clearly articulated; and**
 - b) There is improved pest management on State Government managed land and a formalised structure for State Government agencies with responsibilities for biosecurity management to work together and coordinate their activities.**
- 2. Be underpinned by a strategic framework, developed in collaboration with stakeholders, that:**
 - a) Establishes priorities for biosecurity threats in geographically defined regions, sets measurable targets and guides investment in biosecurity activities; and**
 - b) Is regularly evaluated and reported on.**
- 3. Have a greater focus on environmental biosecurity, through the increased recognition and management of pest species that have significant ecological impacts.**
- 4. Be adequately, sustainably and equitably funded:**
 - a) The appropriateness and effectiveness of the Declared Pest Rate (DPR) and Recognised Biosecurity Group (RBG) model as key mechanisms for the management of widespread and established declared pests should be reviewed and alternate mechanisms considered;**
 - b) Increased and more equitable distribution of funding for every step in the biosecurity continuum and adequate resourcing for all stakeholders, including Local Government; and**
 - c) The provision of funding for declared pest management in metropolitan areas.**
- 5. Ensure that the criteria and process for listing of declared pests is evidence-based, timely and transparent.**
- 6. Have an increased emphasis on compliance through education and enforcement activity, to ensure land managers are aware of their legislative responsibilities and are supported to implement biosecurity actions.**
- 7. Facilitate the use of new technologies, strategic monitoring, and the establishment of data management systems to inform biosecurity investment decisions and support adaptive management.**
- 8. Improve the community's understanding, awareness and action in relation to biosecurity to assist with threat surveillance and timely response to incursions.**

RESOLUTION 396.8/2022

CARRIED

5.4 Submission on *Environmental Regulation Reform: A Strategic Review of Regulatory Delivery and Fees for Industry Regulation*

By Rebecca Brown, Manager Waste and Environment

WALGA RECOMMENDATION

That the submission on *Environmental Regulation Reform: A Strategic Review of Regulatory Delivery and Fees for Industry Regulation* be endorsed.

Executive Summary

- The Department of Water and Environmental Regulation's [Environmental Regulation Reform: A Strategic Review of Regulatory Delivery and Fees for Industry Regulation Discussion Paper](#) was released on 12 September for a three month consultation period.
- The Paper includes a range of high-level regulatory reform concepts which will impact premises currently regulated under Schedule 1 of the Environmental Protection Regulations 1987 and various fee model options.
- WALGA's submission has been informed by several engagement sessions with the sector.
- WALGA's submission provides high level support for many of the reform concepts, identifies the need for further consultation on the detail of how the reforms will be implemented and highlights the need for a DWER to be actively regulating all premises with potentially negative impacts on human health and the environment.

Attachment

- *Environmental Regulation Reform: A Strategic Review of Regulatory Delivery and Fees for Industry Regulation* submission

Policy Implications

The submission reflects previous WALGA submissions on environmental regulation reform:

- [Environment Protection Act 1986 Amendments Submission](#)
- [Submission on the DWER Discussion Paper Proposed Legislative Framework for waste derived materials](#)
- [Submission on the DWER Review of the Waste Levy Consultation Paper](#)
- [Submission on the DWER Closing the Loop: Waste Reform for a Circular Economy Consultation Paper](#)
- [Submission on DWER Waste Derived Material Framework](#).

Background

The *Environmental Protection Act 1986* (EP Act) and associated regulations provide the legislative framework for how emissions and discharges from certain activities are considered and controlled. The [Environmental Protection Amendment Act 2020](#) (EP Amendment Act) passed in November 2020 is intended to improve regulatory efficiency and effectiveness to deliver better environmental protection and sustainable development outcomes.

Amendments are being implemented in stages. Provisions for compliance and enforcement started in February 2021, while changes to environmental impact assessment and the clearing provisions started in October 2021. The third stage to be proclaimed includes the regulation of emissions and discharges under Part V Division 3 of the EP Act. The three main reforms resulting from the amendments to Part V Division 3 are:

1. regulation of prescribed activities rather than prescribed premises under a licence and a consolidation of categories from the current 93 to 6;
2. removal of the requirement for a separate works approval; and
3. removal of the registration of premises regime.

These reforms require amendment of [Schedule 1](#) of the *Environmental Protection Regulations 1987* (EP Regulations) to replace prescribed premises with prescribed activities and creation of a new fees framework to support these changes. It is intended that draft regulations will be prepared for further consultation during 2023 and finalisation in December 2023.

Implementation of these reforms requires consideration of the scope of activities that require regulation and how best to regulate these, including outside of the traditional licensing approach.

The Department of Water and Environmental Regulation's [Environmental Regulation Reform: A Strategic Review of Regulatory Delivery and Fees for Industry Regulation Discussion Paper](#) was released for comment on 12 September 2022 for a three month consultation period. The Paper seeks feedback on a range of regulatory reform concepts which will impact premises currently regulated under Schedule 1 of the EP Regulations and design principles and possible options for a new fee model.

Comment

Local Governments have significant interaction with the EP Act in relation to their land use planning responsibilities, as regulators, in providing services to their communities and as land owners and managers.

WALGA's [Environmental Protection Act 1986 Amendments Submission](#) endorsed by State Council in 2020 supported changes to the licencing system, in particular the licencing of the prescribed activity rather than the prescribed premises. In its submission, WALGA noted that consequential changes to Schedule 1 of the EP Regulations could have a significant impact on Local Government, particularly in relation to landfill classifications. WALGA also recommended that guidelines or standards for each category of activity in Schedule 1 need to be developed in consultation with industry to provide certainty regarding the requirements for their type of prescribed activity and to ensure a transparent approach to how DWER will assess different facilities.

The key impacts for Local Government, as a service provider, are on the 91 Local Governments and Regional Councils operating 150 licensed facilities, which are currently licensed or regulated under Schedule 1 of the EP Act. Local Government has responsibilities under the *Public Health Act 2016* (Public Health Act), with Local Government Environmental Health Officers (EHOs) playing a key role in administering the Public Health Act and Regulations. For Local Government as a regulator, it is essential that DWER are actively regulating the range of activities covered by the EP Act.

WALGA supports the vision articulated in the Discussion Paper and moving to a streamlined system of regulatory control and oversight commensurate with the complexity and potential risk posed by an activity. Given the high-level nature of the Discussion Paper, conditional support has been indicated in a number of areas, subject to further detail being provided and/or consultation to understand application and impact on Local Government.

The Department acknowledges this and has indicated that there will be further engagement sessions regarding the detailed implementation of these concepts.

In relation to a proposed fee structure, WALGA's submission notes that further discussion is required and that:

- the objectives for the fee structure need to be clearly articulated;
- any cost recovery must be predicated on an effective and efficient regulatory process;
- that Local Government provides services on behalf of the community, often in situations where there are no other service providers and that this public good element needs to be incorporated into fee considerations; and
- consideration should be given to other economic and policy instruments already in place, such as the Waste Levy and Strategy.

WALGA will undertake further consultation with the sector when the draft regulations are released for comment in 2023.

Item for Decision 5.4

Attachment – *Environmental Regulation Reform:
A Strategic Review of Regulatory Delivery and
Fees for Industry Regulation* submission

Discussion Paper: Environmental Regulation Reform

A strategic review of regulatory delivery and fees for industry regulation

WALGA Submission

November 2022

Submission on Environmental Regulation Reform Discussion Paper

1. About WALGA

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

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

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

2. Summary and General Comments

WALGA appreciates the opportunity to provide feedback on the Department of Water and Environmental Regulation (DWER) *Environmental Regulation Reform: A Strategic Review of Regulatory Delivery and Fees for Industry Regulation* [Discussion Paper](#). WALGA has consulted with Local Governments in developing this Submission.

Local Governments have significant interaction with the *Environmental Protection Act 1986* in relation to their land use planning responsibilities, as regulators, in providing services to their communities and as land owners and managers. WALGA has a longstanding commitment to reforms that improve the efficiency and effectiveness of environmental regulation in Western Australia. WALGA is a member of the DWER Regulatory Reform Reference Group, the Environmental Protection Authority (EPA) Stakeholder Reference Group, Water Resources Reform Reference Group and the Local Government Roadside Clearing Regulation Working Group.

WALGA's [Submission](#) on the *Modernising the Environmental Protection Act Discussion Paper* and Exposure Draft Bill supported changes to the licencing system, in particular the licencing of the prescribed activity rather than the prescribed premises. In its Submission WALGA noted that consequential changes to Schedule 1 of the EP Act regulations could have a significant impact on Local Government, particular in relation to landfill classifications. WALGA also recommended that guidelines or standards for each category of activity in Schedule 1 need to be developed in consultation with industry to provide certainty regarding the requirements for their type of prescribed activity and to ensure a transparent approach to how DWER will assess different facilities.

The key impacts for Local Government, as a service provider, are on the 91 Local Governments and Regional Councils which operate 150 licensed facilities, which are currently licensed or regulated under Schedule 1 of the *Environmental Protection Act 1986* (EP Act). For Local Government as a regulator, the impact are less certain and will depend on the scope of reforms and how they are regulated, resourced and enforced. Table 1 provides a summary of WALGA's comments in relation to the proposed reforms.

This Submission provides high-level feedback on the reform concepts. Section 3 identifies the key issues from the Discussion Paper. Section 4 identifies the potential impacts on Local Government and Regional Councils of the proposed reforms and provides some examples of what the reforms could mean. Section 5 specifically answers the questions posed by the Department in the Discussion Paper.

As the Discussion Paper focuses on concepts, further work is needed to ensure that the on-ground impacts of the reforms/proposed regulations are fully understood. DWER acknowledges this and has indicated that there will be further engagement sessions regarding the detailed implementation of these concepts.

Table 1: Summary of WALGA's comments on the proposed reforms

Reform Proposal	WALGA Comment
1. A hierarchy of regulatory control and oversight will be adopted for activities regulated under Part V of the <i>Environmental Protection Act 1986</i> (EP Act).	Support This approach is taking a risk-based approach to regulation and aligns with the broader Streamline WA approach.
2. The level of regulatory control and oversight will be commensurate to the complexity and potential risk posed by an activity.	Support Additional considerations which would impact risk rating and consequent regulatory oversight include, avoidance of the Waste Levy, industries impacted by the recyclable material export bans and the 'fit and proper person' test for those operating facilities.
3. The greater use of regulations to prescribe approaches on an activity basis or set prescribed standards or conditions.	Conditional Support A range of different approaches is suggested in the Discussion Paper, including standardised licences. Further detailed work would be required to understand application and impact.
4. Environmental Performance Objectives will be adopted.	Conditional Support Further detailed work would be required to understand application and impact.
5. Driving Environmental Performance Objectives adoption through development of appropriate guidelines.	
6. Activities are regulated by the most appropriate agency.	Support Reduce duplication of licencing requirement. Additional considerations, ensuring that waste minimisation considerations are included with the same emphasis if regulated by an agency other than DWER.
7. Support common application and supporting information across regulatory agencies.	Support
8. Activities not currently subject to direct regulatory control under the EP Act will be subject to control where the risk warrants it.	Conditional Support Further investigation is required to determine how greenhouse gases would be included. There is potential support from the sector for DWER taking a greater regulatory role in relation intensive animal industries.
9. The use of approved waste-derived products will be removed from the scope of Schedule 1.	Support

Fee Structure	
1. Fee model similar to current approach.	Further discussion required <ul style="list-style-type: none"> The objectives for the fee structure need to be clearly articulated, currently there are 9 principles identified. Any cost recovery must be predicated on an effective and efficient regulatory process. Local Government provides services on behalf of the community, often in situations where there are no other service providers, this public good element needs to be incorporated into fee considerations. Consideration of other economic and policy instruments already in place, such as the Waste Levy and Strategy.
2. Pure cost recovery model.	
3. Cost recovery / 'polluter pays' hybrid model.	
4. Cost recovery model – deferring assessment costs.	

3. Key Issues from the Discussion Paper

The Discussion Paper is a high-level document which focuses on seeking feedback on the key reform concepts and approaches to regulation of licensed activities and the associated fee structure. Whole of Government reforms ([Streamline WA](#) and [Digital Strategy for WA](#)) provide a broader context for some of the proposals which are included.

The key concepts from the Discussion Paper include:

- Taking a risk-based approach to the degree of regulatory oversight:** high risk activities would be licensed, low risk activities would be regulated in another way. For example a small non-metropolitan landfill would be regulated using industry specific regulations, which could be an update of the current *Environmental Protection (Rural Landfill) Regulations 2002*.
- Consolidating the categories under Schedule 1 of the *Environmental Protection Regulations 1987* from the current 93 to 6:**
 - Energy and combustion activities
 - Intensive livestock keeping, animal and plant product processing
 - Manufacturing activities
 - Mineral production and processing
 - Resource recovery, waste treatment and disposal
 - Transport and maritime services.
- Consistent regulation by the most appropriate agency:** This would mean a consistent application process and remove the need for multiple licences for the same activity. This may have implications for Local Government in relation to the re-use of wastewater, which is potentially regulated by DWER and Department of Health.
- Expansion of some areas of the *Environmental Protection Act 1986* (EP Act) Regulations:** Some suggested areas for expansion include the addition of intensive animal industries and greenhouse gas emissions. Local Governments, particularly in the peri-urban may benefit from greater regulation of intensive animal industries. The scope and implications of including greenhouse gas emissions needs more consideration.
- Excluding approved Waste Derived Materials applied to land from Schedule 1 of the EP Act Regulations:** This is in line with, and necessary for, the development of the Waste Derived Materials Framework that the Department has previously consulted on. This change would allow for the use of material such as Food Organics and Garden Organics (FOGO) derived compost and recycled Construction and Demolition (C&D) materials.

- **Review of the fee structure:** The Discussion Paper outlined four (4) options for a fee structure, all based on some degree of cost recovery. Further modelling of each approach is required to make clear the implications of the different options.

4. Impacts on Local Government

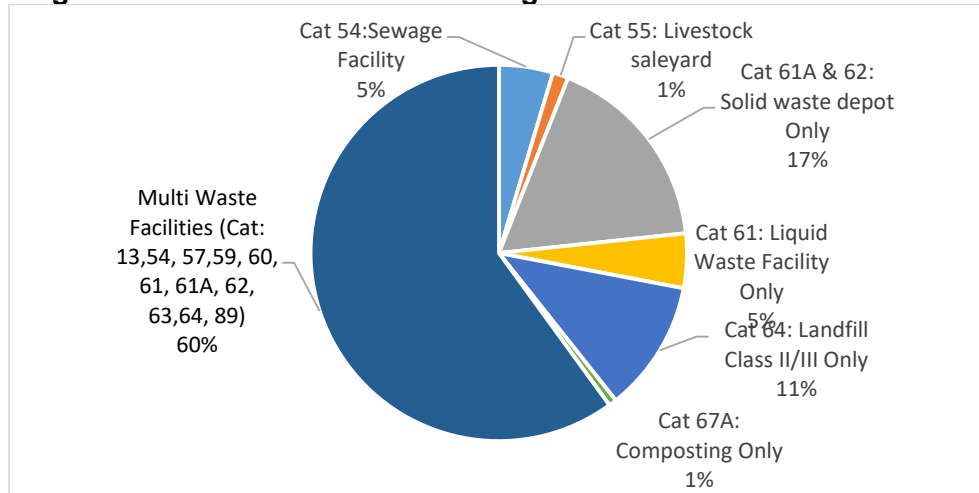
4.1. As a Service Provider

Local Government requires clear guidance and regulatory oversight to ensure that the facilities it operates, or activities it undertakes, will be in line with the regulations. Currently, the majority of Local Government sites are licensed (rather than regulated). Licensed sites, regardless of size, currently have a range of reporting and regulatory requirements. The reforms proposed have the potential to reduce the reporting and regulatory burden on the sector if facilities no longer require a licence and are instead regulated using different regulatory instruments. Table 2 provides some examples, based on current licensing of Local Government activities, of what the regulatory framework could look like.

The *Waste Avoidance and Resource Recovery Act 2007*, allows for Local Government to contract out waste management activities. Local Government may outsource these activities for a range of reasons. In some circumstances Local Governments contract out the running of premises, for example, a landfill or transfer station is contracted to a private company to operate. In other circumstances, Local Governments may contract out a service entirely – with a private company collecting, processing and disposing of waste. In considering the reforms, Local Government also needs to be cognisant of the impact of these reforms on any services that are currently contracted out.

Figure 1 illustrates the composition of the 150 licences that Local Governments and Regional Councils currently hold under Schedule 1 of the EP Act Regulations. The majority of facilities are solid waste management related (89%), with the other categories being Sewage Facilities (5%), Liquid waste facilities (5%) and Livestock sale yards (1%).

Figure 1: Local Government and Regional Council licenced facilities



4.2. As a Regulator

Local Government has responsibilities under the *Public Health Act 2016* (Public Health Act), with Local Government Environmental Health Officers (EHOs) playing a key role in administering the Public Health Act and Regulations. WALGA's [Submission](#) to the Department of Health on the management of public health risks offensive trades in WA identified:

The existing Offensive Trades provisions were developed to capture situations prior to the current planning and environmental controls that are in place. Planning legislation has advanced so that it can potentially capture and restrict development when required in relation to offensive trades. It also seems more appropriate now for large-scale activities to be

captured under the Department of Water and Environment Regulation (DWER) licensing legislation, as they are likely to have more significant environmental impacts than public health impacts.

The new Public Health Act 2016 creates a General Public Health Duty, and this is likely to be sufficient in situations where a public health risk is identified. The main problem with these activities are more likely to be an amenity or nuisance problem (e.g: noise, dust, light or smell) rather than a specific health issue. It should be noted that if any complaints are received in relation to these activities, they will be investigated by Local Governments regardless of whether it was classified as an Offensive Trade premises or not.

For Local Government as a regulator then, clear guidance on how facilities should be operating the required outcome is essential. It has been clearly identified, by those currently undertaking regulatory activities for Local Government, such as Environmental Health Officers, that the reforms should not result in a shifting of regulatory responsibility to Local Government. Part of the outcome of the reforms should be a greater level of on-ground compliance activities to ensure human health and the environment are protected.

Local Government also has a regulatory role relating to the Planning system, which can interact with the EP Act. The WALGA Local Government Town Planning Standard Development Conditions Guidelines states:

A condition which duplicates controls under separate legislation would not normally be necessary and may not fulfil a planning purpose. However where other controls are unavailable, a condition may be needed to address the land use effects of the proposed development. For example, a condition would not normally be appropriate to control the level of emissions from a proposed development where these are subject to control under the Environmental Protection Act 1986 (WA). However the condition may be necessary to address the effect of the emissions on land use which are not controlled by the Environmental Protection Act 1986 (WA) (e.g. conditions that require separation distances). On the other hand, a development condition that conflicts with other controls may be considered ultra vires and therefore, found to be invalid.

It is noted that, based on the approach proposed Discussion Paper, DWER is not seeking to remove regulatory control but to ensure that the mechanism used is appropriate to the risk of the activity. Therefore, the activity would still be subject to control under the EP Act but it may be under a regulation, rather than a licence.

The Discussion Paper identifies a range of potential regulatory instruments which could be used to regulate activities, commensurate to the facility risks. These include:

- Licences - continue to be used for high-risk facilities.
- Standardised Licences, including standard risk assessments - used for activities that have well characterised risks associated with emissions and discharges.
- General Emissions Regulations - The General Emissions Regulations would prescribe certain activities or classes of activities and require preparation of an environmental management plan (EMP) before the activity can be carried out. Periodic reporting to ensure adherence to the EMP may be required.
- Industry Specific Regulations - can regulate operation and activities that are capable of causing pollution or environmental harm – require the use of certain approaches/equipment. For example, *Environmental Protection (Rural Landfill) Regulations 2002*.
- Standard Prescribed Conditions Regulations - could be used to prescribe Better Practice Standards and approaches for a range of facility types.
- Environmental Performance Objectives (EPOs) - more focused on emissions and discharges and industry specific approaches. They would set the performance standard that must be achieved through the development of guidelines to drive industry adoption of EPOs.

- Better Practice Guidelines - currently this is not strictly a regulatory tool, unless the Guidelines are embedded as a requirement in a licence (as the Asbestos Guidelines were for Construction & Demolition Facilities).

Table 2 identifies some of the potential advantages and disadvantages of the various regulatory approaches. Table 3 identifies the potential changes to the type of regulatory instrument which could be used for Local Government facilities currently regulated under the EP Act.

All of the regulatory options, aside from licencing, require the development of resources, either better practice, new/updated regulations or other types of guidelines. The Compost Better Practice Guidelines have been, in one form or another, in progress since 2016. A final document is anticipated in 2022-23 and facilities will be encouraged to meet Better Practice through a Waste Authority funding program.

To date the Department has not been able to calibrate a risk-based approach. WALGA and Local Government worked with Department in 2015-2017 to develop Environmental Standards for Small Rural Landfills. From the work on this, WALGA understands the challenges to finding and agreeing parameters in relation to environment risk.

Table 2: Advantages and disadvantages of different regulatory approaches

Regulator Approach	Advantages	Disadvantages
Licences	Known approach and structure	Inefficient for smaller scale and low risk activities Cost, application and reporting burden for proponent and Department Currently inconsistent in application Significant administrative burden for DWER
Standardised Licences and Risk Assessment	Clear process and application	Would require significant work to develop the risk assessment and input considerations, to ensure the risk assessment wasn't simply every risk possible
General Emission Regulations	These would capture all the general information and requirements for licence activities under one set of regulations	Each applicant would have to translate the guidance to meet their requirements
Industry Specific Regulations	Known approach for some activities, e.g. small rural landfills Current Regulations require review and updating Works well for small scale/low risk activities	Requires high risk tolerance, as currently this approach has minimal compliance oversight
Standard Prescribed Conditions Regulations	Potential to standardise approach across multiple categories of activity	Assumes that there are standard and consistent approaches across

		activities, and this could be included in the Regulations
Environmental Performance Objectives	These would be an outcomes-based approach to site requirements	It is not clear how this would interact with the other regulatory approaches

Table 3: Potential implications of reforms on Local Government facilities

Facility/Activity Type	Current Regulatory Instrument	Potential Regulatory Instrument	WALGA Comment
Large Putrescible Landfill, or landfill where there are	Licence	Licence	Regulatory approach unlikely to change
Inert Landfill	Licence	Licence	Regulatory approach unlikely to change unless low risk nature of
Medium sized landfill (> 4,000 tonnes per annum) in low-risk	Licence	Licence	Subject to Better Practice Target in Waste Strategy
Small landfill (<5,000 tonnes per annum) currently licenced	Licence	Regulation	Subject to Better Practice Target in Waste Strategy
Small landfill (<5,000 tonnes per annum) currently regulated	Rural Landfill Regulation	Regulation	Subject to Better Practice Target in Waste Strategy
Large Material Recovery Facility	Licence	Licence	Subject to Better Practice Target in Waste Strategy
Small / medium Material Recovery Facility	Licence	Regulation	Subject to Better Practice Target in Waste Strategy
Large Transfer Station	Licence	Licence	Subject to Better Practice Target in Waste Strategy
Small / medium Transfer Station	Licence	Licence/Regulation	Subject to Better Practice Target in Waste Strategy
Composting facility	Licence	Licence	Subject to Better Practice Target in Waste Strategy
Small Sewage Treatment facility	Licence	Regulation	Reduced regulatory requirements.
Small waste water treatment facility	Licence	Regulation	Reduced regulatory requirements
Cattle feedlot	Licence	Regulation	Reduced regulatory requirements

5. Response to Discussion Paper questions

DWER Overview	
<p><i>Vision: A regulatory framework for emissions and discharges is one whereby the level of regulatory intervention is proportionate to risk, and the way we regulate activities is fit for purpose, streamlined and effective. It is serviced by a spectrum of interventions from general regulations for those activities where risks are known and well understood, to case by-case assessment of impacts for larger or complex projects.</i></p> <p><i>Guiding Principles:</i></p> <ul style="list-style-type: none"> • Consistent with the Objects and principles of the EP Act • Align with DWER's regulatory principles • Digitally focused • Integrate better practice • Support Streamline WA outcomes • Customer focused • Support ESG initiatives and outcomes. 	
DWER Question	WALGA Comment
Do you have any feedback on the outcomes being sought through our regulatory delivery review?	The vision articulated for the reforms in the Discussion Paper is supported
Do you support the guiding principles proposed? Please include supporting comments to explain your response.	<p>Support</p> <p>These principles align with the legislation, broader Government policy and direction. Customer focus is an important consideration, current DWER guidance and approaches does not always assist Local Government to navigate regulatory requirements and/or processes. Having a customer focus would mean considering the needs of the customer in the development of documents and the approach of regulation.</p>
Are there any additional or alternative principles that should guide our review?	No
Please provide information on any aspects of our current regulatory approach that you support, and feel should be carried over into our future delivery model	Feedback from Local Government indicated that key success factors included, quick response to license changes, clear guidance on how to navigate the system and flexible payment options for smaller regional Local Governments (without credit card payment options).
Please provide information on any aspects of our current regulatory approach that you do not wish to see carried over into our future delivery model	<p>The current regulatory approach has limited DWER's ability to undertake strategic activities and lead to inconsistent approaches State-wide.</p> <ul style="list-style-type: none"> • No Strategic Guidance: For example, the Waste Avoidance and Resource Recovery Strategy requires all sites to be operating to Better Practice Standards, currently these are not in place.

	<ul style="list-style-type: none"> Inconsistent Approach: Local Government feedback from across the state indicates that some of the officers appear to only have limited knowledge of waste related matters and there are inconsistent approaches because there is no overarching guidance for waste related activities. <p>What this points to is limited expertise / capacity / confidence in the Department to provide better practice approaches for the Local Government. Local Governments also highlighted that definitions used in licences were inconsistent and out of date and that the activities of a site may have changed but it was difficult to find a clear pathway to update the licence.</p>
<p>Proposal 1: A hierarchy of regulatory control and oversight will be adopted for activities regulated under Part V of the EP Act.</p> <p>Proposal 2: The level of regulatory control and oversight will be commensurate to the complexity and potential risk posed by an activity.</p> <p>Proposal 3: The greater use of regulations to prescribe approaches on an activity basis or</p>	
Please provide feedback on Proposals 1-3	<p>Proposal 1 – Support</p> <p>This approach is taking a risk-based approach to regulation and aligns with the broader Streamline WA approach.</p> <p>Proposal 2 – Support</p> <p>Additional considerations which would impact risk rating and consequent regulatory oversight include avoidance of the Waste Levy, industries impacted by the recyclable material export bans and the ‘fit and proper person’ test for those operating facilities.</p> <p>Proposal 3 – Conditional Support</p> <p>A range of different approaches is suggested in the Discussion Paper, including standardised licences. Further detailed work would be required to understand the impact.</p>
Do you support the proposed hierarchy and regulatory mechanisms?	The Association supports the hierarchy of control whereby activities that give rise to emissions and discharges are regulated by the most appropriate method, that is high risk and complex activities are licenced while lower risk, less complex activities are regulated.
In what circumstances would you support the development of Standard Licences packages?	Through the REFIRE process, the Department of has previously sought to standardise licences. This approach did not achieve its objectives. A standard licence package would have to be sufficiently variable to take into account the different risk profile of different operations and sites. For example, a transfer station operating in the metropolitan area will have different risks associated with it due to proximity of sensitive receptors (residents, commercial businesses) compared to a transfer station operating in a regional area.
Are there any activities (including their design,	This would depend on the risk of the facility operations and if a standard approach could be taken.

construction and operation) that you believe should be managed under regulations rather than licencing?	
Are there circumstances in which you consider <i>Standardised Prescribed Conditions Regulations</i> may be an appropriate lever for regulation?	This would be supported for small, low risk, similar activities. For example through a review of the current Rural Landfills Regulations.
Proposal 4: Environmental Performance Objectives will be adopted.	
Proposal 5: Driving Environmental Performance Objectives adoption through development of appropriate guidelines.	
Please provide your feedback on Proposals 4 and 5 Do you support the introduction of generic and industry-specific EPOs?	Proposal 4 and 5 – Conditional Support Further detailed work would be required to understand how this would be expressed and how this would work with the other regulatory instruments proposed. As with the other types of guidance document mentioned, there is considerable work in the development of these documents.
Do you support the adoption of EPOs and the application of better practice for activities regulated under Part V Division 3?	For waste management facilities the Better Practice requirement is included as a Waste Strategy Target.
Proposal 6: Activities are regulated by the most appropriate agency.	
Proposal 7: Support common application and supporting information across regulatory agencies.	
Please provide your feedback on Proposals 6 and 7	Proposal 6 – Support Proposal 7 – Support Reduce duplication of licencing requirement. Additional considerations, ensuring that waste minimisation considerations are included with the same emphasis if regulated by an agency other than DWER.
Proposal 8: Activities not currently subject to direct regulatory control under the EP Act will be subject to control where the risk warrants.	
Activities include battery technologies/manufacturing, changes and growth in intensive animal industries and greenhouse gas emissions from prescribed premises.	
Please provide your feedback on Proposal 8 Please provide details of any additional existing, new or emerging activities that may	Proposal 8 – Conditional Support The Association agrees that the activities mentioned warrant regulation particularly where there is potential for damaging emissions to the environment. Further work is required however to determine how these industries and emissions types would be

<p>warrant inclusion in a new Schedule 1 in the future. What risks do you believe these activities present?</p>	<p>regulated. For greenhouse gas emissions it is important to consider other regulatory requirements which already exist and avoid duplication of regulation. Local Government feedback has identified that a greater degree of State Government oversight of intensive animal industries would be beneficial.</p>
<p>Proposal 9: The use of approved waste-derived products will be removed from the scope of Schedule 1.</p>	
<p>Please provide your feedback on Proposal 9. The proposal would result in an approval process for waste-derived materials.</p>	<p>Proposal 9 – Support</p> <p>The Department released an issues paper in June 2019 Waste not, want not: Valuing waste as a resource, which sought comments on the preferred legislative framework for WA.</p> <p>A discussion paper followed in September – Dec 2020 which builds on the issues paper released in June 2019 and was the next step in developing the framework. A Consultation Summary Report was published in February 2020. The Association provided submissions on all papers and is of the view that a streamlined approval process for waste derived materials – a process which does not require an application to be lodged with the Department for every use of material and that is supported by clear guidance documentation developed in consultation with industry.</p>
<p>Industry Guidance</p>	
<p>Are there any policy, process or guidance documents required to support the implementation of the EP Act amendments?</p>	<p>To be successful, guidance documents need to be fit for purpose, developed in consultation with the affected industry by staff that have an appropriate level of skill and experience, and released in a timely manner with sufficient engagement. Local Governments have also identified that training for staff on the new policies and approaches is essential to ensure consistent application and understanding.</p> <p>Guidance documents required by the industry include:</p> <ul style="list-style-type: none"> • Composting • Transfer stations • Rural landfills • Waste Water Reuse.
<p>Review of Fees</p>	
<p>Do you support the proposed Part V Fee Model design principles?</p> <p>Are there any additional or alternative design principles that should guide our Part V Fee Model?</p>	<p>Taking a principles based approach is supported, however the Departments prioritisation of the principles is needed. Currently 9 principles are identified, without a priority rating, which makes it difficult to assess the best fee structure to meet the required outcomes.</p> <p>WALGA agrees with the user-pays principle and considers cost recovery may be appropriate in an efficient system where there is a private benefit accruing to, in this case, the applicant for a licence.</p> <p>However, WALGA argues strongly that many of the activities undertaken by Local Governments for which approvals or licences are required are for the public benefit, are often non-discretionary</p>

	<p>(e.g. landfills, transfer stations) and that these benefits often extend beyond their local communities.</p> <p>Compounding this issue is the inability for most Local Governments to absorb additional costs without raising rates or reducing services.</p> <p>For Local Government a key principle is ensuring that essential community services can continue to be provided without substantial fee increases. Further discussion of the fee approaches, including modelling of potential cost impacts on the sector is required prior to an indication of support.</p>
Fee Proposal 1: Fee model similar to current approach.	
Please provide your feedback on Fee Proposal 1?	<p>Further discussion required</p> <p>An annual licence fee consists of a premises fee, a waste fee and an emissions fee. For controlled works the capital value of the controlled works determines the fee and for amendments fees are determined by the highest value premises category. This can make it quite unclear what the fee will be for a given facility.</p>
Fee Proposal 2: Pure cost recovery model – the relevant fee represents the cost of the work effort to deliver the service.	
Please provide your feedback on Fee Proposal 2?	<p>Further discussion required</p> <p>Any cost recovery must be predicated on an effective and efficient regulatory process, which is underpinned by clear guidance for applicants.</p>
Fee Proposal 3: Cost recovery/'polluter pays' hybrid model.	
Please provide your feedback on Fee Proposal 3.	<p>Further discussion required</p> <p>To some extent this is already imbedded in the current approach – with fees associated with emissions and waste generation.</p> <p>Currently all waste generated or landfilled in the metropolitan area is subject to the Waste Levy. WALGA has provided commentary on the use of the Levy as an economic instrument for change in a range of previous submissions. This approach is most successful where there is a direct link between the person/organisation producing the waste and paying the Levy, and the person/organisation has the means to legitimately reduce their waste generation. Putting a price on pollution in no way guarantees a reduction in pollution as the costs may be passed onto the consumer.</p>
Fee proposal 4: Cost recovery model – deferring assessment costs.	
Please provide feedback on Fee Proposal 4.	<p>Not supported</p>

	<p>As noted in the Discussion Paper, this approach is overly complex and clear benefits have not been identified. There are also considerable risks likely with this</p> <p>There are concerns with this approach, as it is complex and may be problematic. Also if the company undertaking the activity goes into liquidation/receivership.</p>
Implementing Change: A consultative approach to developing a new future.	
<p>Have we identified the right approach to develop our new framework?</p> <p>Do you have any feedback on our new approach to regulation under Part V of the EP Act?</p> <p>Can we improve our engagement or refine it to achieve better outcomes?</p>	<p>As the Department identified in the WALGA Environmental Regulation Reform Briefing Session, further engagement is needed to work through the various regulatory scenarios (mixture of approaches), the implications for currently licenced premises and for future licenced activities (including those not currently actively regulated).</p>

6. Conclusion

WALGA appreciates the opportunity to provide feedback to DWER on these significant regulatory reforms. WALGA has a longstanding commitment to reforms that improve the efficiency and effectiveness of environmental regulation in Western Australia and considers these reforms provide an important opportunity to embed a risk based approach to regulation into the Department's processes.

WALGA looks forward to working with the Department on the next stages of this process to further explore the detail of how these reforms will be implemented and during consultation on the draft regulations.

Zone Consideration	
Central Country Zone	WALGA recommendation supported
Central Metropolitan Zone	WALGA recommendation supported
East Metropolitan Zone	WALGA recommendation supported
Gascoyne Country Zone	WALGA recommendation supported
Goldfields Esperance Country Zone	WALGA recommendation supported
Great Eastern Country Zone	WALGA recommendation supported
Great Southern Country Zone	WALGA recommendation supported
Kimberley Country Zone	WALGA recommendation supported
Murchison Country Zone	WALGA recommendation supported
North Metropolitan Zone	WALGA recommendation supported
Northern Country Zone	WALGA recommendation supported
Peel County Zone	WALGA recommendation supported
Pilbara Country Zone	WALGA recommendation supported
South East Metropolitan Zone	WALGA recommendation supported
South Metropolitan Zone	WALGA recommendation supported
South West Country Zone	WALGA recommendation supported

AVON MIDLAND COUNTRY ZONE

1. That the Zone requests WALGA advocate for the introduction of a fee for lodging of appeals against the grant, conditions or amendment of clearing permits.
2. That the Zone recommends to WALGA that the fee to lodge an appeal against the grant, conditions or amendments of a clearing permit be \$900.

SECRETARIAT COMMENT

The Zone's comments will be referred to a future Environment and Waste Policy Team meeting for consideration. The regulatory reform, which is the subject of the Submission, does not relate to clearing permits, it is focused on the changes to the *Environmental Protection Act* in relation to emissions and discharges from licenced activities.

WALGA RECOMMENDATION

Moved: Cr Chris Mitchell JP
Seconded: President Cr Moira Girando JP

That the submission on *Environmental Regulation Reform: A Strategic Review of Regulatory Delivery and Fees for Industry Regulation* be endorsed.

RESOLUTION 397.8/2022

CARRIED

5.5 Updated Aboriginal Cultural Heritage Advocacy Position

By Susie Moir, Policy Manager Resilient Communities

WALGA RECOMMENDATION

That State Council endorse the following updated Advocacy Position on Aboriginal Cultural Heritage:

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

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

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

- 1. The legislation balances the need to protect Aboriginal cultural heritage with the requirement for Local Government to undertake activities in a timely and affordable manner;***
- 2. The implementation and ongoing operation of the legislative system for the protection of Aboriginal cultural heritage is adequately resourced to ensure that all parties have the capacity, capability and resources to discharge their statutory obligations;***
- 3. Support is provided to Local Governments to ensure that they have the resources, capacity and capability to comply with a complex legislative framework; and***
- 4. Local Governments have the ability to deliver essential infrastructure works and emergency activities efficiently and effectively in order to maintain public safety.***

Executive Summary

- WALGA's existing Aboriginal Heritage Advocacy Position endorsed by State Council in July 2019 does not reflect the new *Aboriginal Cultural Heritage Act* (ACH Act) nor current Local Government priorities relating to the ACH Act and the new legislative system that it will introduce.
- The new ACH Act is expected to commence in 2023.
- Since 2018 WALGA has consulted extensively with the Local Government sector to inform numerous submissions to the State Government in relation to the preparation of the new ACH Act and the regulations and guidelines that will support it ([Agenda item 6.5](#), WALGA Submission on Phase 2 of the ACH Act Co-design Process refers).
- The updated Advocacy Position has been drafted to reflect the key feedback received from the sector during these consultations, primarily with respect to the need to balance the protection of Aboriginal cultural heritage with the requirement for Local Government to undertake activities in a timely and affordable manner, resourcing requirements for transition and implementation of the new ACH system, and support for the Local Government sector to comply with enhanced legislative requirements.
- The People and Place Policy Team endorsed the updated Advocacy Position at their meeting on 19 October 2022 and supported it being presented to State Council for decision at the December 2022 meeting.

Policy Implications

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

3.1.3 Aboriginal Heritage Act 1972 and South West Native Title Settlement

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

July 2019 – Resolution no. 68.5/2019

The following new Advocacy Position is proposed:

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

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

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

- 1. The legislation balances the need to protect Aboriginal cultural heritage with the requirement for Local Government to undertake activities in a timely and affordable manner;*
- 2. The legislative system for the protection of Aboriginal cultural heritage is adequately resourced to ensure that all parties have the capacity, capability and resources to discharge their statutory obligations;*
- 3. The implementation of the legislative transition to the new Act is adequately resourced;*
- 4. Support is provided to Local Governments to ensure that they have the resources, capacity and capability to comply with a complex legislative framework; and*
- 5. Local Governments have the ability to deliver essential infrastructure works and emergency activities efficiently and effectively in order to maintain public safety.*

Background

The *Aboriginal Cultural Heritage Act* (ACH Act) received Royal Assent on 22 December 2021 and is expected to commence in 2023. The legislation replaces the *Aboriginal Heritage Act 1972*, providing a contemporary framework for the recognition, protection, conservation and preservation of Aboriginal cultural heritage.

Since 2018 WALGA has made submissions to each consultation phase in the development of the new legislation. The Department of Planning, Lands and Heritage (DPLH) is currently undertaking a three phase, twelve month co-design process to develop the regulations, statutory guidelines and operational policies that will support the ACH Act. Phase Three of the co-design process is expected to run from November 2022 to January 2023. WALGA provided submissions in response to Phase One and Two ([Agenda item 6.5](#), WALGA Submission on Phase 2 of the ACH Act Co-design Process refers) and will continue to work with the sector during Phase Three, guided by WALGA's Local Government Aboriginal Heritage Reference Group.

Comment

WALGA's existing Advocacy Position was endorsed in July 2019 and does not reflect the new ACH Act, nor current Local Government priorities relating to the ACH Act.

WALGA's previous submissions, made between 2018 and 2022, have been informed by ongoing sector consultation, including through:

- Facilitation of WALGA's Aboriginal Cultural Heritage Reference Group;
- Direct communications with Local Governments;

- WALGA facilitated webinars delivered in partnership with the Department of Planning, Lands and Heritage (DPLH) to support consultation phases;
- WALGA participation in co-design workshops facilitated by DPLH; and
- Engagement with the Department of Fire and Emergency Services (DFES) in relation to emergency management issues.

The updated Advocacy Position has been drafted to reflect the key feedback received from the sector during these consultations, primarily:

- The need for the legislation to balance the need to protect Aboriginal cultural heritage with the requirement for Local Government to undertake activities in a timely and affordable manner;
- The need for the new system to be adequately resourced so that all parties have the capacity, capability and resources to discharge their statutory obligations;
- The need for the implementation of the legislative transition to the new Act to be adequately resourced;
- That support must be provided to Local Governments to ensure that they have the resources, capacity and capability to comply with this complex legislative framework; and
- The need for Local Governments to have the ability to deliver essential infrastructure works and emergency activities efficiently and effectively in order to maintain public safety and comply with their other legislative responsibilities.

The People and Place Policy Team considered the updated Advocacy Position on Aboriginal Cultural Heritage at their meeting on 19 October and endorsed the updated Advocacy Position and supported it being presented to State Council for decision in December 2022.

Zone Consideration	
Avon Midland Country Zone	WALGA recommendation supported
Central Country Zone	WALGA recommendation supported
Central Metropolitan Zone	WALGA recommendation supported
Gascoyne Country Zone	WALGA recommendation supported
Great Eastern Country Zone	WALGA recommendation supported
Great Southern Country Zone	WALGA recommendation supported
Kimberley Country Zone	WALGA recommendation supported
North Metropolitan Zone	WALGA recommendation supported
Northern Country Zone	WALGA recommendation supported
Pilbara Country Zone	WALGA recommendation supported
South East Metropolitan Zone	WALGA recommendation supported
South Metropolitan Zone	WALGA recommendation supported
South West Country Zone	WALGA recommendation supported

EAST METROPOLITAN ZONE

That the East Metropolitan Zone supports 5.5 Aboriginal Cultural Heritage Act Advocacy Position with the following separate additional point:

That WALGA supports the engagement of Traditional Owners in the preparation of Local Emergency Management Arrangements (LEMA).

SECRETARIAT COMMENT

The updated advocacy position does not extend to the *Emergency Management Act 2005* or the *Emergency Management Regulations 2006* which provide the requirements for Local Emergency Management Arrangements (LEMA). WALGA has conducted extensive consultation with Local Governments to inform the design of a new LEMA Model as part of a LEMA Review Project. The engagement of Traditional Owners in the preparation of LEMA was not specifically identified as a LEMA improvement action in this consultation. However, the need for increasing the level of community engagement and local knowledge in LEMA preparation was highlighted. WALGA's

Emergency Management Team will investigate processes that could strengthen the integration of emergency management and traditional knowledge, cultural heritage and land management practices.

GOLDFIELDS ESPERANCE COUNTRY ZONE

GVROC endorse the WALGA updated Advocacy Position on Aboriginal Cultural Heritage as presented, noting its comments:

The GVROC support the WALGA updated Advocacy Position on Aboriginal Cultural Heritage, and request that the following areas are particularly focussed on and addressed going forward:

- *The need for adequate resources so that all parties have the capacity, capability and resources to discharge their statutory obligations; and*
- *That support must be provided to Local Governments to ensure that they have the resources, capacity and capability to comply with this complex legislative framework.*

SECRETARIAT COMMENT

The Zones comments are noted. Sections (2) and (3) of the proposed Advocacy Position relate to the matters commented upon by the Zone.

MURCHISON COUNTRY ZONE

That:

1. WALGA advocate for and support the recognition of regional local Aboriginal people to be actively engaged in the Local Aboriginal Cultural Heritage Services (LACHS) groups; and
2. the various Prescribed Body Corporates (PBCs) be required to actively seek out local regional members to be included in the consultation and decision making process.

SECRETARIAT COMMENT

The Zones resolution is noted. WALGA's submission to the Phase 3 Co-design consultation process will incorporate feedback on the need to ensure that local and regional Aboriginal persons are engaged through the LACHS.

PEEL COUNTRY ZONE

That the Peel Country Zone supports item 5.5 as amended and underlined in point 2 to read:

2. *The implementation and ongoing operation of the legislative system for the protection of Aboriginal cultural heritage is adequately resourced to ensure that all parties have the capacity, capability and resources to discharge their statutory obligations, including the creation of a transition period sufficient to enable effective transition and alleviate potential bottlenecks;*

SECRETARIAT COMMENT

The Zones resolution is noted. WALGA's submission to the Phase 3 Co-design consultation process will incorporate feedback on the need to ensure that a sufficient transitional period is implemented to prevent undue delays to works requiring approvals.

MOTION

Moved: Mayor Carol Adams OAM

Seconded: Cr Doug Thompson

That State Council endorse the following updated Advocacy Position on Aboriginal Cultural Heritage:

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

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

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

- 1. The legislation balances the need to protect Aboriginal cultural heritage with the requirement for Local Government to undertake activities in a timely and affordable manner;***
- 2. The implementation and ongoing operation of the legislative system for the protection of Aboriginal cultural heritage is adequately resourced to ensure that all parties have the capacity, capability and resources to discharge their statutory obligations;***
- 3. Support is provided to Local Governments to ensure that they have the resources, capacity and capability to comply with a complex legislative framework; and***
- 4. That cultural impact assessments are conducted for any land with previously identified cultural significance.***
- 5. Local Governments have the ability to deliver essential infrastructure works and emergency activities efficiently and effectively in order to maintain public safety.***

THE MOTION WAS PUT AND LOST

WALGA RECOMMENDATION

Moved: President Cr Chris Pavlovich
Seconded: Cr Les Price

That State Council endorse the following updated Advocacy Position on Aboriginal Cultural Heritage:

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

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

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

- 1. The legislation balances the need to protect Aboriginal cultural heritage with the requirement for Local Government to undertake activities in a timely and affordable manner;***
- 2. The implementation and ongoing operation of the legislative system for the protection of Aboriginal cultural heritage is adequately resourced to ensure that all parties have the capacity, capability and resources to discharge their statutory obligations;***
- 3. Support is provided to Local Governments to ensure that they have the resources, capacity and capability to comply with a complex legislative framework; and***
- 4. Local Governments have the ability to deliver essential infrastructure works and emergency activities efficiently and effectively in order to maintain public safety.***

AMENDMENT

Moved: Cr Les Price
Seconded: Cr Catherine Ehrhardt

That the updated Advocacy Position on Aboriginal Cultural Heritage include the following as additional points 5 and 6:

- 5. WALGA advocate for and support the recognition of regional local Aboriginal people to be actively engaged in the Local Aboriginal Cultural Heritage Services (LACHS) groups; and***
- 6. the various Prescribed Body Corporates (PBCs) be required to actively seek out local regional members to be included in the consultation and decision making process.***

RESOLUTION 398.8/2022

THE AMENDMENT WAS PUT AND CARRIED

The substantive motion now reads:

That State Council endorse the following updated Advocacy Position on Aboriginal Cultural Heritage:

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

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

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

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

RESOLUTION 399.8/2022

CARRIED

5.6 Review of Coastal Planning Policy Position

By Ashley Robb, Acting Policy Manager, Planning and Building

WALGA RECOMMENDATION

That State Council endorse replacing Advocacy Position 6.8 *Coastal Planning* with a new Coastal Planning Advocacy Position as follows:

6.8 Coastal Planning

WALGA calls for:

- 1. Equitable legislative, regulatory and policy changes that preserve public coastal access for current and future generations.**
- 2. The provision of sustainable and adequate long-term funding for Local Governments to manage the impacts of coastal erosion and inundation.**

Executive Summary

- It is proposed that the 2015 Advocacy Position, 6.8 *Coastal Planning* be replaced with a new position that reflects Local Governments' key coastal planning advocacy priorities.
- The new position has been prepared in collaboration with officers of the Local Government Coastal Hazard Risk Management and Adaptation Planning (CHRMAP) Forum and has been endorsed by the People and Place Policy Team.

Policy Implications

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

6.8 Coastal Planning

The Local Government sector supports the following, in any discussions or proposals regarding coastal planning:

- 1. State Government has endorsed five actions to be undertaken as outlined within the Local Government and Coastal Land Use Planning Discussion Paper.*
- 2. That the State Government provides a clear funding path for the implementation of State Planning Policy 2.6 – State Coastal Planning Policy, to ensure that Local Governments are appropriately funded to prepare and implement coastal hazard risk management and adaptation plans.*
- 3. That future canal estate, waterways and harbours to be considered on a case by case basis by WAPC and individual Local Governments, taking into account the most stringent and sustainable environmental and planning requirements, appropriate technologies and potential future liabilities (WAPC Development Control Policy 1.8).*

May 2022 – Resolution no. 343.4/2022

The following new Advocacy Position is proposed:

6.8 Coastal Planning

WALGA calls for:

- 1. Equitable legislative, regulatory and policy changes that preserve public coastal access for current and future generations.*
- 2. The provision of sustainable and adequate long-term funding for Local Governments to manage the impacts of coastal erosion and inundation.*

Background

63 Local Governments, or 45 per cent of Local Governments in Western Australia, have coastal or estuarine land management responsibilities. These Local Governments and their communities are at increasing risk from coastal erosion and inundation caused by rising sea levels and more intense

storms. The challenge of planning for and managing sea level rise, and associated coastal erosion and inundation hazards, has been exacerbated by legacy decisions to construct infrastructure and other assets in areas that are now known to be vulnerable to storm erosion, long term recession and temporary inundation.

In 2021, the People and Place Policy Team resolved that WALGA's Advocacy Position 6.8 *Coastal Planning* be reviewed. The existing position was last updated in 2015 following completion of WALGA's Local Government and Coastal Land Use Planning Discussion Paper in 2014. Since that time, WALGA has completed a significant body of policy and advocacy work to support Local Governments with their coastal hazard planning and management responsibilities, including:

- The *Local Government Coastal Hazard Planning Issues Paper* (2019) and *Legal Response to the Coastal Hazard Planning Issues Paper* (2021);
- Securing increased funding for Local Governments through the CoastWA Program and CoastWA Local Government Facilitator (2021);
- The *CoastWA Local Government Survey and Outcomes Report* (2022); and
- Hosting the Local Government Coastal Hazard Risk Management and Adaptation Planning (CHRMAP) Forum, which has become Western Australia's key policy forum for sharing knowledge across Local Governments and progressing coastal hazard planning and management challenges.

Two key advocacy priorities have been identified through this work:

1. The importance of ensuring that future reviews of Commonwealth or State Government related legislation, regulation and policy consider the long-term nature of sea level rise and potential implications for preserving public coastal access. For example, the methods for calculating coastal foreshore reserves in Western Australia's State Planning Policy 2.6 aim to ensure that an adequate foreshore reserve exists at the end of a 100-year planning development timeframe. WALGA's revised advocacy position indicates to policymakers that Local Governments principally support policy mechanisms that preserve public access to the coast; and
2. The need to establish sustainable and efficient funding mechanisms that recognise the long-term impacts of sea level rise. Currently, coastal planning and management actions are predominantly funded by the affected Local Government with assistance from State Government grant programs; however, grant programs are susceptible to changing government priorities.

Comment

WALGA's 2015 Advocacy Position 6.8 *Coastal Planning* is outdated and does not reflect the sector's current coastal planning advocacy priorities for legislative, regulation and policy change and adequate, long-term funding for Local Governments to manage the impacts of coastal erosion and inundation.

It should be noted that the new Advocacy Position does not include reference to canal estates, waterways or harbours. While canal estates, artificial waterways and harbours will continue to be proposed in various coastal locations, it is unlikely WALGA would undertake advocacy in relation to a proposal within an individual Local Government that does not have sector wide ramifications. The principle that these forms of development should continue to be considered on a case-by-case basis by the WAPC and individual Local Governments is a principle that applies to all forms of development.

It should be noted that the proposed positions have informed WALGA's 2023-2024 State Budget Submission, which requests \$55 million over 4 years to be allocated to the Coastal Adaptation and Protection Fund and a commitment from the State Government to establish sustainable and efficient funding mechanisms.

The proposed positions have been informed by feedback from the Local Government CHRMAP Forum.

On 19 October 2022, the People and Place Policy Team endorsed the proposed new Coastal Planning Advocacy Position and supported it being presented to State Council for decision.

Zone Consideration	
Avon Midland Country Zone	WALGA recommendation supported
Central Country Zone	WALGA recommendation supported
Central Metropolitan Zone	WALGA recommendation supported
East Metropolitan Zone	WALGA recommendation supported
Gascoyne Country Zone	WALGA recommendation supported
Goldfields Esperance Country Zone	WALGA recommendation supported
Great Eastern Country Zone	WALGA recommendation supported
Great Southern Country Zone	WALGA recommendation supported
Kimberley Country Zone	WALGA recommendation supported
Murchison Country Zone	WALGA recommendation supported
North Metropolitan Zone	WALGA recommendation supported
Northern Country Zone	WALGA recommendation supported
Pilbara Country Zone	WALGA recommendation supported
South East Metropolitan Zone	WALGA recommendation supported
South Metropolitan Zone	WALGA recommendation supported
South West Country Zone	WALGA recommendation supported

PEEL COUNTRY ZONE

That the Peel Country Zone supports item 5.6 with the amendment to include a point 3 so it reads:

3. The State Government to establish a taskforce with State Agency and Local Government representation to help Local Governments implement complex, long-term adaptation responses identified in CHRMAPs.

SECRETARIAT COMMENT

Support for Local Governments who are managing coastal hazards has increased substantively in Western Australia over the past decade, including the provision of legal advice, establishment of the CoastWA program and increases in State Government grant funding, and more recently, the Federal Government's Coastal and Estuarine Risk Mitigation Program funding.

However, Local Governments continue to face substantive challenges in implementing actions to manage coastal hazards over the short, medium and long term. Given that the Intergovernmental Panel on Climate Change has identified that sea level will continue to increase for "several centuries to millennia" even if global temperature increases are stabilised at 1.5 to 2 degrees Celsius, Local Governments will continue to require additional support and assistance.

In 2021, WALGA, in partnership with the Department of Planning, Lands and Heritage, conducted a survey to improve WALGA and the Department's understanding of these challenges. Responses from 28 Local Governments helped identify a number of key challenges, which included:

1. CHRMAPs are challenging to implement and implementation is generally behind schedule; and
2. the greatest barriers to implementing CHRMAPs are related to staffing and budget.

The survey identified a list of eight recommendations to assist Local Governments in overcoming these challenges. These recommendations did not include a taskforce, or similar body, with State Agency and Local Government representation to help Local Governments implement complex, long-term adaptation responses identified in CHRMAPs, as proposed by the Peel Zone's motion. However, the recommendations did include "*investigate opportunities to increase Local Government staff resourcing to develop and implement CHRMAPs.*"

Establishing a taskforce of State Agency and Local Government representatives to help Local Governments implement complex, long-term adaptation responses may be a valuable mechanism

for supporting Local Governments but would benefit from further investigation with other members and State Agencies prior to being adopted as a State Council policy position.

The secretariat recommends that the Zones position is not added to the proposed, revised Coastal Planning Policy Position as recommended in the State Council Agenda; however, that the Peel Country Zone's proposal is referred to the People and Place Policy Team to prioritise an investigation into the merits of a taskforce and report to State Council in 2023.

WALGA RECOMMENDATION

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

That State Council endorse replacing Advocacy Position 6.8 *Coastal Planning* with a new Coastal Planning Advocacy Position as follows:

6.8 *Coastal Planning*

WALGA calls for:

- 1. *Equitable legislative, regulatory and policy changes that preserve public coastal access for current and future generations.***
- 2. *The provision of sustainable and adequate long-term funding for Local Governments to manage the impacts of coastal erosion and inundation.***

RESOLUTION 400.8/2022

CARRIED

MATTERS FOR CONSIDERATION BY STATE COUNCILLORS (UNDER SEPARATE COVER)

5.7 Finance and Services Committee Minutes 23 November 2022

By Tony Brown, Executive Director Member Services

WALGA RECOMMENDATION

That the Minutes of the Finance and Services Committee meeting held on 23 November 2022, including the mid-year Budget revision, be endorsed.

ABSOLUTE MAJORITY REQUIRED

Executive Summary

- The Finance and Services Committee met on 23 November 2022.
- The Minutes have been distributed to members of State Council under separate cover.

Attachments

- Finance and Services Committee Minutes 23 November 2022
- Attachments to Minutes:
 - Item 3.1 – Financial Dashboard Report
 - Item 3.1 – Management Financials 31 October 2022
 - Item 3.2 – Review Budget Pack 2022-23
 - Item 3.4 – WALGA Extension Quote 2022
 - Item 5.2 – Issues Paper: Options for WALGA becoming a named party of a registered organisation under the *Industrial Relations Act 1979 (WA)*

Background

Minutes of the Finance and Services Committee meeting held on 23 November 2022 together with attachments have been distributed to members of State Council under separate cover.

At the meeting, the Committee resolved that the draft revised 2022-23 Governance Budget, Capital Budget and Grant Program Budget be recommended to State Council for endorsement.

Comment

Finance and Services Committee members will be in attendance at the State Council meeting to respond to questions and provide any further explanation that may be sought.

As per clause 12(3) of the Association Constitution, adopted of the budget requires an absolute majority from State Council.

WALGA RECOMMENDATION

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

That the Minutes of the Finance and Services Committee meeting held on 23 November 2022, including the mid-year Budget revision, be endorsed.

RESOLUTION 401.8/2022

CARRIED UNANIMOUSLY

5.8 Selection Committee Minutes 16 November 2022 – CONFIDENTIAL

By Tim Lane, Manager Corporate and Association Governance

The Rt. Hon. Lord Mayor Basil Zempilas declared an interest in this item and left the meeting at 4:48pm.

WALGA RECOMMENDATION

That the:

- 1. Recommendations contained in the 16 November 2022 Selection Committee Minutes be endorsed; and**
- 2. Resolutions contained in the 16 November 2022 Selection Committee Minutes be noted.**

Executive Summary

- The Selection Committee met on 16 November 2022 and made recommendations to State Council in relation to the Swan River Trust and Municipal Waste Advisory Council Officers Advisory Group, and resolutions relating to the Fluoridation of Public Water Supplies Advisory Committee and the Local Health Authorities Analytical Committee.
- The Selection Committee also considered the standard selection criteria and resolved to clarify the criterion relating to capacity to represent Local Government.

Attachment – CONFIDENTIAL

- Selection Committee Minutes – 16 November 2022

Background

Pursuant to the resolution of State Council in February 2002, the WA Local Government Association Selection Committee was established to oversee the selection process for Local Government vacancies on boards and committees.

The Selection Committee conducts a merit-based and transparent assessment process encompassing the principle of “best person for the job”. Upon completion of the assessment of nominations for vacancies, the Selection Committee either endorses preferred candidates for appointment (under delegated authority) or makes advisory recommendations to State Council for ratification of preferred candidates.

Comment

At their 16 November 2022 meeting, the WALGA Selection Committee considered vacancies on four committees:

- Swan River Trust – member
- Local Health Authorities Analytical Committee – four metropolitan members and one non-metropolitan member
- Fluoridation of Public Water Supplies Advisory Committee – member
- Municipal Waste Advisory Council: Officers Advisory Group – metropolitan member

Following the recent review of the Selection Committee’s Guidelines, the Selection Committee discussed the ongoing appositeness of the selection criteria and their associated weighting.

The Selection Committee resolved to amend the following criterion to clarify that it relates to capacity to advocate and put forward a position on behalf of the Local Government sector, and not the ability to attend meetings:

Capacity to represent the interests of Local Government and the Association.

The Selection Committee also resolved to re-advertise the vacancy on the Fluoridation of Public Water Supplies Committee.

More detail is included in the attached minutes. Full nomination packs are available to State Councillors on request.

WALGA RECOMMENDATION

Moved: Cr Paul Kelly
Seconded: Mayor Logan Howlett JP

That the:

- 1. Recommendations contained in the 16 November 2022 Selection Committee Minutes be endorsed; and**
- 2. Resolutions contained in the 16 November 2022 Selection Committee Minutes be noted.**

Cr Michelle Rich left the meeting at 4:59pm.

AMENDMENT

Moved: Mayor Mark Irwin
Seconded: Cr Frank Cvitan

That the order of preference be removed from recommendation 5.1.

THE AMENDMENT WAS PUT AND LOST

The Chair advised State Councillors that a nominee has requested that their name be withdrawn from the list of recommended panellists.

AMENDMENT

Moved: Cr Russ Fishwick JP
Seconded: Mayor Mark Irwin

That REDACTED be removed from the list.

RESOLUTION 402.8/2022

THE AMENDMENT WAS PUT AND CARRIED

The substantive motion now reads:

That the:

- 1. Recommendations contained in the 16 November 2022 Selection Committee Minutes be endorsed, subject to REDACTED name being removed from the list of panellists in recommendation 5.1; and**
- 2. Resolutions contained in the 16 November 2022 Selection Committee Minutes be noted.**

RESOLUTION 403.8/2022

CARRIED

The Rt. Hon. Lord Mayor Basil Zempilas and Cr Michelle Rich returned to the meeting at 5:08pm.

5.9 LGIS Board Minutes 11 August and 13 October 2022 – CONFIDENTIAL

By Craig Hansom, LGIS Contract Manager, Member Services

WALGA RECOMMENDATION

Moved: Cr Chris Mitchell JP

Seconded: Mayor Carol Adams

That the Minutes of the LGISWA Scheme Board meetings held on 11 August and 13 October be noted.

RESOLUTION 404.8/2022

CARRIED

5.10 LGIS Board Remuneration – CONFIDENTIAL

By Craig Hansom, LGIS Contract Manager, Member Services

Cr Paul Kelly declared an interest in this item and left the meeting at 5:12pm.

WALGA RECOMMENDATION

That State Council approve the remuneration for LGIS Board members is increased by 3% for the 2022/23 financial year as per the LGIS Corporate Governance Charter guidance.

Executive Summary

- The LGIS Corporate Governance provides information on the composition of the Board, the role of the board, skills of the board and the remuneration of Directors.
- Following the guidance of the LGIS Corporate Governance Charter, the LGIS Board Member remuneration adjustment for the 2022/23 financial year will be an increase of 3.0% per annum.
- Additional information has been prepared at the request of State Council (9 September 2022).

Attachment

- LGIS Corporate Governance Charter

Background

The LGIS Corporate Governance Charter (Schedule 3) defines that an adjustment to LGIS Board Member remuneration is made at the beginning of each financial year based on the Average Weekly Earnings figure (Perth, ABS schedule 6302.0) for the 12 months ending November of the previous year.

The following information is provided as background material on the Board.

Board Membership

Clause 3 of the LGIS Governance Charter provides for the following.

Composition/structure of the Board

The Board will consist of no more than nine (9) Directors which must include:

- (i) The WALGA President or his/her nominee from the WALGA State Council;*
- (ii) The WALGA Chief Executive Officer or his/her delegated representative from WALGA;*
- (iii) Three (3) Independent members appointed by WALGA State Council whose experience individually reflect finance/audit, governance or insurance (particularly 'mutual' insurance) skills; and*
- (iv) Four (4) Sector members appointed by the WALGA State Council from Local Governments who are members to LGISWA, of which it is desirable that two (2) be elected members and two (2) be serving officers.*

The current membership of the Board is as follows:

- Mr Peter Forbes – Chair (Independent member)
- Ms Mary Woodford – Committees chair (Independent member)
- Mr Tony Evans - Independent member
- President Karen Chappel – WALGA President (no Board fee received)
- Mr Nick Sloan – WALGA CEO (no Board fee received)
- President Cr Paul Omodei – Elected member (Shire of Manjimup President)
- Cr Paul Kelly - Elected member (Town of Claremont)

- Mr Aaron Cook – serving officer (Shire of Gingin CEO)
- Mr John Pearson - serving officer (City of Rockingham Director Corporate Services)

Role of the Board

The Role of the Board is outlined in clause 2 of the Governance Charter as follows:

The Role of the Board

The LGISWA Board is responsible to WALGA to:

- 1. achieve and implement the objects and purpose of the scheme*
- 2. ensure from a financial perspective that the Scheme is viable; and*
- 3. assist and advise in the preparation of the Rules of the Scheme and other documents and the obligations of members.*

The LGISWA Board is ultimately responsible to WALGA for all matters relating to implementing the objectives and purposes of LGISWA pursuant to the Trust Deed and other relevant documentation including the financial management of the scheme.

This role relates to governing LGISWA rather than managing them. It is the role of the LGISWA Manager to manage LGISWA in accordance with the policies and strategies of the Board.

The specific functions and responsibilities delegated to the Board by the State Council include:

- Setting goals of LGISWA.*
- Determining policies and strategies governing the operation of LGISWA.*
- Ensuring that appropriate business plans for LGISWA are developed and approved with ongoing review.*
- Considering the advice of the LGISWA Manager and making determinations on the levying of additional contributions on LGISWA members where the Board considers such action to be necessary, and on the disbursement of surpluses.*
- Accepting members into LGISWA, with authority to place conditions for admission to membership, with authority for the Board to delegate this power to the LGISWA Manager.*
- Appointing LGISWA bankers, actuaries, auditors, legal panels, investment advisors and other service providers as required.*
- Considering actuaries reports and set reserves.*
- Considering auditors reports.*
- Adopting and keeping under review LGISWA Rules and Policy Wordings.*
- Undertaking such inquiries and seeking such reports and information on LGISWA operations as the Board deems fit.*
- Requiring the LGISWA Manager to put forward policy recommendations on key operational issues, including reinsurance, deductibles, level of contributions, levels of policy cover, investments, provisioning (reserves), risk management, rehabilitation etc., and to adopt policies on these issues and keep them under review. Where the Board makes decisions on these key operational issues which are contrary to the LGISWA Manager's advice, it shall give reasons for so doing, which shall be recorded in the minutes of the meeting.*
- Making recommendations to WALGA's State Council, in relation to the appointment of the LGISWA Manager.*
- Establishing performance indicators and setting achievable targets in consultation with the LGISWA Manager.*
- Monitoring and providing feedback on the performance of the LGISWA Manager in managing LGISWA operations against key performance indicators.*
- Advising WALGA on adjustments to Scheme Manager remuneration from its assessment of the criteria set out in Schedule 2 of the WALGA-LGISWA Manager Agreement.*
- Satisfying itself that appropriate reinsurance cover has been obtained for each LGIS segment for each Fund year.*

- *Considering the advice of the LGISWA Manager and making determinations on the application of penalty loadings or other directives to members of LGISWA who have failed to comply with reasonable risk management standards or taken on additional risk exposures.*
- *Approving annual budgets, financial statements and annual reports for LGISWA.*
- *Ensuring that the management of LGISWA complies with all applicable laws and statutory requirements.*
- *Satisfying itself that the LGISWA Manager maintains appropriate professional indemnity, public liability and other appropriate insurance policies that indemnify WALGA and LGISWA against LGISWA Manager negligence.*
- *Reviewing the findings of LGISWA performance reviews and customer satisfaction surveys.*
- *Acting as an interface between LGISWA and Members.*
- *Actively promoting LGISWA in external interactions with Members.*

The governance charter also provides for the skills required by Board members.

Clause 4 - Skills required on Board

The Board will contain a relevant blend of expertise in:

- *Finance/Accounting/Actuarial or Legal skills*
- *Business management/Board Experience*
- *Insurance/Risk Management*
- *Local Government*

Comment

The change to the Average Weekly Earnings figure for the 12 months ending November 2021 is 3.0%.

As per the WALGA-LGIS Trust Deed (clause 17.6), any adjustment to Board Member remuneration is determined by WALGA, and therefore any decision to increase Board members' remuneration is the responsibility of the State Council.

WALGA RECOMMENDATION

Moved: Cr Chris Mitchell
Seconded: Mayor Logan Howlett JP

That State Council approve the remuneration for LGIS Board members is increased by 3% for the 2022/23 financial year as per the LGIS Corporate Governance Charter guidance.

RESOLUTION 405.8/2022

CARRIED

Cr Paul Kelly returned to the meeting at 5:13pm.

6. MATTERS FOR NOTING / INFORMATION

6.1 WALGA Best Practice Governance Review Update

By Tim Lane, Manager Corporate and Association Governance

WALGA RECOMMENDATION

That the update on the Best Practice Governance Review be noted.

Executive Summary

- The Best Practice Governance Review Steering Committee has distributed a [Consultation Paper](#) to Member Local Governments seeking Council endorsed feedback by 23 December 2022.
- The [Consultation Paper](#) contains five governance models, including current arrangements.
- The Governance Review represents an opportunity to review WALGA's governance model to ensure the organisation continues to deliver value to members through development of clear policy positions, positive advocacy outcomes, relevant services, and agile decision making.
- A [website](#) and [Background Paper](#) contain further information, and the Secretariat is available to provide briefing presentations to assist in deliberations.

Attachment

- Best Practice Governance Review [Consultation Paper – Model Options](#)

Background

Following endorsement of Principles at WALGA's [2022 Annual General Meeting](#) to guide the development of governance model options, the Best Practice Governance Review Steering Committee has circulated a [Consultation Paper](#) to Local Governments.

Council endorsed positions on the five models proposed by the Consultation Paper are sought by **23 December 2022**.

The Steering Committee – chaired by the President and comprising State Councillors, Elected Members and Local Government CEOs – has undertaken a significant body of work to get to this point, which is contained in the [Background Paper](#).

In addition to the request for Council endorsed positions on the model options, independent research will also be undertaken in the form of a survey of all Elected Members and Chief Executive Officers.

An overarching timeline for the Review is available on the [website](#). Broadly, the intention is for the Steering Committee to reconvene in early 2023 to consider Council endorsed feedback as well as the results of the independent research.

The Steering Committee will put forward recommendations to be considered by State Council at their March 2023 meeting. Depending on the way forward, the intention will be for an amended Constitution to be considered by State Council in July 2023 ahead of consideration by Members at the 2023 Annual General Meeting.

Comment

For Local Governments in WA, the Best Practice Governance Review represents an opportunity to review and reshape WALGA's governance model to ensure the organisation is well-placed to:

- deliver strong, clear, focused, and consistent policy positions on strategic matters of the most importance to Local Governments in WA;

- drive advocacy outcomes and impact on behalf of Local Government in WA, and the communities they serve; and
- provide relevant and high-quality services that support Local Governments' operations and build capacity.

The models in the Consultation Paper have been developed with the intention of meeting the Principles – of representative, responsive and results-oriented – endorsed by State Council and the members at the [2022 Annual General Meeting](#).

The Steering Committee are receptive to any and all feedback on the proposed models and are looking forward to receiving Council endorsed submissions by the end of 2022.

To facilitate deliberations, the Secretariat is available to provide briefing presentations on request.

Zone Consideration	
Avon Midland Country Zone	WALGA recommendation supported
Central Country Zone	WALGA recommendation supported
Central Metropolitan Zone	WALGA recommendation supported
East Metropolitan Zone	WALGA recommendation supported
Gascoyne Country Zone	WALGA recommendation supported
Goldfields Esperance Country Zone	WALGA recommendation supported
Great Eastern Country Zone	WALGA recommendation supported
Great Southern Country Zone	WALGA recommendation supported
Kimberley Country Zone	WALGA recommendation supported
Murchison Country Zone	WALGA recommendation supported
North Metropolitan Zone	WALGA recommendation supported
Northern Country Zone	WALGA recommendation supported
Peel Country Zone	WALGA recommendation supported
Pilbara Country Zone	WALGA recommendation supported
South East Metropolitan Zone	WALGA recommendation supported
South Metropolitan Zone	WALGA recommendation supported
South West Country Zone	WALGA recommendation supported

WALGA RECOMMENDATION

Moved: Cr Doug Thompson
Seconded: Mayor Logan Howlett JP

That the update on the Best Practice Governance Review be noted.

RESOLUTION 406.8/2022

CARRIED

6.2 2022-23 October Federal Budget

By Dana Mason, Manager Economics

WALGA RECOMMENDATION

That the update on the 2022-23 October Federal Budget be noted.

Executive Summary

- On 25 October 2022, the Albanese Government handed down its first Budget, with a focus on delivering on election commitments, addressing the rising cost of living, encouraging investment and repairing the Government's fiscal position.
- The Budget contained a number of initiatives that will be welcomed by Local Governments, including an expansion of the Local Roads and Community Infrastructure Program, additional funding for Disaster Mitigation and a new Growing Regions Program and Precincts and Partnerships Program (replacing the Building Better Regions Program and the Community Development Grants Program).
- Of note for Local Governments was the adjustment to the timing for funding for transport and rail infrastructure projects, which will see funding for a number of projects pushed out beyond the forward estimates and could have implications for the delivery of projects important to some Local Governments and their communities.
- WALGA is seeking further information from the Commonwealth Government as to whether Local Government programs will be affected by this change and will keep Members informed of any developments.

Attachment

- [2022-23 October Federal Budget Update](#)

Background

The 2022-23 October Federal Budget, the first for the new Albanese Labor Government, was handed down by Treasurer Dr Jim Chalmers on 25 October amid a slowing global economy impacted by war, inflation and natural disasters.

The focus of the Budget was to deliver on election commitments, address the rising cost of living without stoking inflation, encourage investment and repair the Government's fiscal position.

The headline announcements in the Budget included:

- \$4.7 billion over four years to increase Child Care Subsidy rates to 90 per cent from July 2023, for eligible families earning less than \$530,000.
- \$531.6 million over four years to expand Paid Parental Leave to 26 weeks by 2026.
- A new national Housing Accord that brings together Governments, investors and industry to boost supply and deliver up to 20,000 new affordable homes over five years from 2024 (as part of a plan with an "aspirational" target of 1 million new affordable homes).
- A "Powering Australia Plan" that aims to drive investment in cleaner, cheaper energy.

The Budget contained a number of initiatives that will be welcomed by Local Governments, including an expansion of the Local Roads and Community Infrastructure Program, additional funding for Disaster Mitigation and a new Growing Regions Program and Precincts and Partnerships Program (replacing the Building Better Regions Program and the Community Development Grants Program). The Budget also forecasts that the Australian economy will not be immune from the downturn in the global economy, with economic growth expected to slow to 1.5% and the unemployment rate to rise to 4.5% in 2023-24.

Of note for Local Governments was the adjustment to the timing for funding for transport and rail infrastructure projects, presumably designed to address the challenges of delivering projects in the current high cost and supply constrained environment. This will see funding for a number of projects pushed out beyond the forward estimates and could have implications for some projects important to some Local Governments and their communities. WALGA is seeking further information from the Commonwealth Government as to whether Local Government programs will be affected by this change and will keep Members informed of any developments.

Further information on key areas of funding and initiatives relevant for Local Governments can be found in [WALGA's Federal Budget Analysis](#).

Comment

In its submission in advance of the Budget, WALGA identified a number of priority areas for spending including telecommunications and digital connectivity, road infrastructure and coastal risk planning. The Budget contained funding for important election commitments related to telecommunications, however, more could be done to manage the impact of climate change on our coastal areas.

WALGA will advance these and other key issues for the sector in the lead up to the May 2023 Federal Budget.

Zone Consideration	
Avon Midland Country Zone	WALGA recommendation supported
Central Country Zone	WALGA recommendation supported
Central Metropolitan Zone	WALGA recommendation supported
East Metropolitan Zone	WALGA recommendation supported
Gascoyne Country Zone	WALGA recommendation supported
Goldfields Esperance Country Zone	WALGA recommendation supported
Great Eastern Country Zone	WALGA recommendation supported
Great Southern Country Zone	WALGA recommendation supported
Kimberley Country Zone	WALGA recommendation supported
Murchison Country Zone	WALGA recommendation supported
North Metropolitan Zone	WALGA recommendation supported
Northern Country Zone	WALGA recommendation supported
Peel Country Zone	WALGA recommendation supported
Pilbara Country Zone	WALGA recommendation supported
South East Metropolitan Zone	WALGA recommendation supported
South Metropolitan Zone	WALGA recommendation supported
South West Country Zone	WALGA recommendation supported

WALGA RECOMMENDATION

Moved: Cr Doug Thompson
Seconded: Mayor Logan Howlett JP

That the update on the 2022-23 October Federal Budget be noted.

RESOLUTION 406.8/2022

CARRIED

6.3 Supporting the Trajectory for Low Energy Buildings – Release of 7 Star Homes Cost Investigation

By Claire Lings, Project Officer, Building

WALGA RECOMMENDATION

That the release of the 7 Star Homes Cost Investigation, completed as part of the Association's position to support the Trajectory for Low Energy Buildings, be noted.

Executive Summary

- In December 2021, State Council endorsed an advocacy position in support of the Trajectory for Low Energy Buildings (the Trajectory) to achieve net zero energy and carbon buildings in Australia.
- WALGA's March 2022 Discussion Paper [Supporting the Trajectory to Low Energy Buildings](#) identified the State Government's adoption of higher residential energy efficiency standards in the National Construction Code (NCC), as recommended by the Australian Building Codes Board (ABCB), as a priority action to achieving net zero energy and carbon buildings in Australia.
- There is some concern that moving to the higher thermal performance standard will significantly increase construction costs. WALGA engaged an independent expert to investigate the additional cost of constructing new dwellings to meet the proposed new 7 Star energy efficiency standards in climate zones that experience the highest levels of new home construction in Western Australia.
- The investigation found the additional upfront cost of constructing a north-orientated, single-storey home to a 7 Star standard, from the current 6 Star baseline, in climate zones where most of Western Australia's new homes are constructed (i.e. Perth and the South-West Coast) is modest, ranging from \$1,750 for brick cavity to \$2,500 for timber frame construction. However, the additional cost would be higher for some dwelling types (double-storey, timber-framed construction) and in cooler climate zones (Albany, Manjimup).
- The 7 Star Homes Cost Investigation Report summarises these findings.

Attachment

- [7 Star Cost Investigation Report 2022](#)

Policy Implications

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

6.6 Building Act and Regulations

WALGA supports the Australian Building Codes Boards Trajectory for Low Energy Buildings by supporting Local Governments to meet community strategic objectives of a net zero carbon future by 2050 through work with members, state agencies and industry groups.

December 2021 – 295.7/2021

Background

80 per cent of WALGA's members have adopted community strategic plans and/or local planning strategies which include objectives that indirectly or directly aim to achieve energy efficient homes, offices and other buildings.

In December 2021, WALGA's State Council endorsed an advocacy policy position to support the Trajectory for Low Energy Buildings (the Trajectory), which is a plan prepared by the Council of

Australian Governments and endorsed by all State and Territory building ministers to achieve net zero energy and carbon buildings in Australia.

In March 2022, WALGA released a [discussion paper](#) that identified actions WALGA and Local Governments can take to help ensure that the Trajectory, and associated changes to the NCC's energy efficiency standards, are implemented in Western Australia.

Efficient implementation of the Trajectory to achieve net zero energy and carbon buildings requires adoption of the ABCB's recommended changes to the NCC's energy efficiency standards. A key concern raised by state agencies and industry groups was the potential increase in construction costs from moving to a higher thermal performance standard. In April 2022, WALGA engaged an independent, Western Australian energy efficiency expert to identify and cost the required design modifications to construct new homes to meet the proposed 7 Star standard, in climate zones that experience the highest levels of new home construction in Western Australia.

The investigation identified that the additional cost of constructing a north-orientated, single-storey home to a 7 Star standard, from the current 6 Star baseline, in climate zones where most of Western Australia's new homes are constructed (i.e. Perth and the South-West Coast) is likely to range from \$1,750 for brick cavity to \$2,500 for timber frame construction. The report identifies the most cost-effective way to reduce additional construction costs is to orientate living areas to the north. The report also outlines other low-cost or cost-free modifications. The report indicates that costs will be higher for some dwelling types (double-storey, timber-framed construction) and in cooler climate zones (Albany, Manjimup).

Comment

The findings of the Cost Investigation Report have made a valuable contribution in support of WALGA's advocacy in support of the adoption of higher residential building energy efficiency standards. WALGA provided the report to the Building Minister and the Department of Mines, Industry Regulation and Safety (DMIRS) ahead of the meeting of State and Territory Building Ministers in August 2022. At that meeting all Ministers agreed to endorse the ABCB's recommended energy efficiency changes.

In October 2022, DMIRS announced that Western Australia would adopt full application of the revised energy efficiency standards, with some exceptions for apartments with limited solar exposure. These standards will become mandatory in Western Australia on 1 May 2025. DMIRS has advised that a 24-month transition period will accommodate current supply chain constraints, particularly for higher-grade glazing products.

The State Government's adoption of the revised standards is a positive step toward achieving net zero carbon and energy dwellings in Western Australia well before 2050. For instance, energy assessors have advised WALGA that a 7 Star home with solar panels will achieve a net zero operational energy and carbon dwelling. These new standards will create a consistent state-wide regulatory approach and reduce the need for Local Governments to amend local planning frameworks.

Local Governments will be able to use the Cost Investigation Report to educate new homebuyers about cost-efficient ways of achieving a 7 Star standard. As the Cost Investigation Report demonstrates, low-cost and no-cost design modifications can save homebuyers thousands of dollars. Over the coming months, WALGA will prepare information materials that Local Governments can modify to educate new homebuyers. WALGA is also working with Local Governments in cooler climate zones to prepare more detailed cost investigations to use for community and industry education purposes.

Zone Consideration	
Avon Midland Country Zone	WALGA recommendation supported
Central Country Zone	WALGA recommendation supported
Central Metropolitan Zone	WALGA recommendation supported
East Metropolitan Zone	WALGA recommendation supported
Gascoyne Country Zone	WALGA recommendation supported
Goldfields Esperance Country Zone	WALGA recommendation supported
Great Eastern Country Zone	WALGA recommendation supported
Great Southern Country Zone	WALGA recommendation supported
Kimberley Country Zone	WALGA recommendation supported
Murchison Country Zone	WALGA recommendation supported
North Metropolitan Zone	WALGA recommendation supported
Northern Country Zone	WALGA recommendation supported
Peel Country Zone	WALGA recommendation supported
Pilbara Country Zone	WALGA recommendation supported
South East Metropolitan Zone	WALGA recommendation supported
South Metropolitan Zone	WALGA recommendation supported
South West Country Zone	WALGA recommendation supported

WALGA RECOMMENDATION

Moved: Cr Doug Thompson
Seconded: Mayor Logan Howlett JP

That the release of the 7 Star Homes Cost Investigation, completed as part of the Association's position to support the Trajectory for Low Energy Buildings, be noted.

RESOLUTION 406.8/2022

CARRIED

6.4 WALGA October 2022 Quarterly Economic Briefing

By Daniel Thomson, Economist

WALGA RECOMMENDATION

That the WALGA October 2022 Quarterly Economic Briefing be noted.

Executive Summary

- The WALGA October 2022 Economic Briefing shows the WA economy is continuing to face rising prices, a tight labour market and capacity constraints.
- These factors are impacting Local Governments ability to deliver infrastructure programs.
- In the year to June 2022 the Local Government Cost Index (LGCI) increased by 6.4%.
- Growth in the LGCI is expected to peak in coming months, before slowing to 3.3% and 2.4% respectively in the following two financial years.

Attachment

- [WALGA October 2022 Quarterly Economic Briefing](#)

Background

The WALGA Economics Team produces a Quarterly Economic Briefing for Members which provides an overview of the economic climate and the impact this has on the Sector. Included in the Economic Briefing is an update of the Local Government Cost Index (LGCI). The LGCI forecasts changes in the cost base for Members and is used to inform Local Government budgets.

The format of the Quarterly Briefing has been revamped and it is also being promoted via numerous LinkedIn accounts, including those of the WALGA CEO and the Economics team, as well as being distributed by targeted email and housed on the WALGA website. Elected Members and senior Local Government staff can now also sign up to the Briefing via the LG Direct email, the [WALGA website](#) and LinkedIn.

Comment

As the WA economy emerges from the COVID-19 pandemic, it is facing a new challenge in the form of rising prices and capacity constraints.

Inflation is surging across global economies, driven primarily by the conflict in Ukraine which is pushing commodity (particularly oil) prices skywards, as well as supply chain issues resulting from efforts to contain COVID-19, particularly in China.

State and Federal Governments are unwinding stimulus programs as we approach the end of the COVID-19 pandemic. At the same time, the Reserve Bank has been quick to shift from its emergency monetary policy settings, raising the official cash rate from 0.1% in April 2022 to 2.6% by October 2022.

Inflation is impacting Local Governments' capacity to deliver infrastructure programs, with key challenges reported including rising costs for materials and labour, accessing key supplies, and delays in the timing of major projects.

Rapid cost increases in these areas have seen the Local Government Cost Index (LGCI) continue to accelerate, increasing by 6.4% over the year to June 2022. Increases of this magnitude have not been seen since the peak of the mining boom back in 2008. The LGCI measures cost increases for key expenditure items for WA Local Governments.

However, it's not just the cost of construction that is on the rise. In recent months, there have also been increases in the costs of other key services such as vehicle and equipment hire, real estate and engineering services.

There are signs that the tight labour market and widespread shortages of workers, is starting to exert pressure on wages. Wages represent more than a third of the sector's cost base and have been contained in recent years, taking some of the pressure off growth in the sector's costs. However, the wage price index picked up in the June quarter of 2022 to reach its highest annual rate of growth since 2013.

The number of people employed in the state and the hours worked have reached a ceiling despite businesses crying out for more workers. Job vacancies also remain at historically high levels and outnumber the number of unemployed people available to absorb these roles.

Looking ahead, growth in the LGCI is expected to peak in coming months, before slowing to 3.3% and 2.4% respectively in the following two financial years. It is important to note that costs are not predicted to fall – but to stabilise at higher levels.

The outlook for the WA economy more broadly is also uncertain. Forecasts for the WA economy will next be updated in December in the State Government's Mid Year Financial Projections Statement. Given the significant risks on the horizon from the slowing global economy, rising interest rates and ongoing capacity constraints, there may be a case for Treasury to revise growth projections for the WA economy lower.

The significant challenges of forecasting in the current economic environment, mean the LGCI should be used with caution. It is important that Local Governments take into account their own local issues and experiences when considering cost pressures. It would also be prudent for Local Governments to prepare for multiple scenarios for cost increases in coming years.

Zone Consideration	
Avon Midland Country Zone	WALGA recommendation supported
Central Country Zone	WALGA recommendation supported
Central Metropolitan Zone	WALGA recommendation supported
East Metropolitan Zone	WALGA recommendation supported
Gascoyne Country Zone	WALGA recommendation supported
Goldfields Esperance Country Zone	WALGA recommendation supported
Great Eastern Country Zone	WALGA recommendation supported
Great Southern Country Zone	WALGA recommendation supported
Kimberley Country Zone	WALGA recommendation supported
Murchison Country Zone	WALGA recommendation supported
North Metropolitan Zone	WALGA recommendation supported
Northern Country Zone	WALGA recommendation supported
Peel Country Zone	WALGA recommendation supported
Pilbara Country Zone	WALGA recommendation supported
South East Metropolitan Zone	WALGA recommendation supported
South Metropolitan Zone	WALGA recommendation supported
South West Country Zone	WALGA recommendation supported

WALGA RECOMMENDATION

Moved: Cr Doug Thompson
Seconded: Mayor Logan Howlett JP

That the WALGA October 2022 Quarterly Economic Briefing be noted.

RESOLUTION 406.8/2022

CARRIED

6.5 WALGA Submission on Phase Two of the Aboriginal Cultural Heritage Act 2021 Co-design Process

By Alina Hobson, Policy Officer, Resilient Communities

WALGA RECOMMENDATION

That State Council note the submission to the Department of Planning, Lands and Heritage relating to Phase 2 of the *Aboriginal Cultural Heritage Act 2021 Co-design Process*, endorsed via Flying Minute.

Executive Summary

- The *Aboriginal Cultural Heritage Act 2021* (ACH Act) is expected to commence on 1 July 2023.
- The Department of Planning, Lands and Heritage (DPLH) is undertaking three phases of co-design during 2022 to develop the regulations, statutory guidelines and operational policies that will support the ACH Act.
- WALGA's May 2022 [submission to Phase One](#) of the Co-design process made 25 recommendations.
- WALGA's submission to Phase Two of the Co-design process, endorsed via Flying Minute on 18 August 2022, made 27 recommendations and included proposed activity tables for emergency activities and roadworks. The submission reinforced key recommendations from the Phase One submission, relating to the proposed activity categories, the desire for ongoing sector consultation, and the requirement to balance the protection of Aboriginal cultural heritage with the requirement for Local Governments to undertake necessary infrastructure and maintenance works.
- [Phase Three of the Co-design process](#) will commence in November 2022 with workshops being held in 34 locations across Western Australia. WALGA will make another submission informed by feedback obtained directly from the sector via officer review and from WALGA's Aboriginal Heritage Reference Group.
- WALGA is a member of a Working Group that has been established to bring together five industry groups and five Aboriginal corporations to further refine and agree the activity categories. Meetings of the Working Group were held on 20 and 31 October 2022.

Attachment

- [Flying Minute: WALGA Submission Aboriginal Cultural Heritage Act 2021 Co-design Process, Phase Two](#)
- [WALGA submission: Aboriginal Cultural Heritage Act 2021 Phase Two, August 2022](#)

Policy Implications

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

3.1.3 *Aboriginal Heritage Act 1972 and South West Native Title Settlement*

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

July 2019 – Resolution no. 68.5/2019

3.1.2 *Reconciliation*

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

September 2012 – Resolution no. 118.5/2012

It should be noted that an updated Aboriginal Cultural Heritage Advocacy Position on is on the Agenda for decision at the December 2022 State Council meeting ([Agenda item 5.5](#)).

Previous WALGA submissions:

- *Aboriginal Heritage Act 1972 - 2018 Review Submission* endorsed by State Council in July 2018;
- AHA Review Consultation Phase Two, submission endorsed by State Council in July 2019;
- WALGA's 2020 response to survey during Phase 3 consultation based on previous submissions and member feedback (including the Aboriginal Heritage Reference Group);
- WALGA and DPLH co-facilitated online place-based workshops in February 2021 for Local Governments which considered the activities regularly undertaken by Local Government.
- Aboriginal Cultural Heritage Act 2021 – Co-design Phase One Submission endorsed by State Council in May 2022.

Background

The *Aboriginal Cultural Heritage (ACH) Act 2021* is expected to commence on 1 July 2023. The new legislation provides a modern framework for the recognition, protection, conservation and preservation of Aboriginal cultural heritage while recognising the fundamental importance of Aboriginal cultural heritage to Aboriginal people.

DPLH is currently developing the regulations, statutory guidelines and operational policies that will support the ACH Act. Phase One of DPLH's co-design process involved a short, five week consultation period during April-May 2022. Guided by feedback obtained during Phase One, a suite of amended documents was released for consideration during Phase Two, which ran from 18 July 2022 for 4 weeks.

Comment

Several of WALGA's recommendations from the Phase One submission were incorporated into the draft documents released during Phase Two, providing better developed and more detailed guidelines and activity categories. Therefore, the Phase Two submission had a narrower focus.

WALGA's Phase Two submission was informed via the following engagement activities (noting that the short timeframe prevented more thorough engagement with members):

- Facilitation of WALGA's Aboriginal Cultural Heritage Reference Group on 19 July 2022;
- Direct communications with various Local Governments via phone and emails;
- A WALGA facilitated webinar delivered in partnership with DPLH on 3 August 2022 and attended by approximately 30 Local Governments;
- WALGA participated in the co-design workshop facilitated by DPLH on 4 August 2022;
- WALGA and Local Government participation in a meeting with DPLH, the Department of Fire and Emergency Services (DFES) and the City of Wanneroo, Shire of Dundas and Shire of Ashburton to discuss the intersect with emergency management on 8 August 2022; and
- Written feedback on the draft submission from Aboriginal Cultural Heritage Reference Group members and Local Government attendees at the 3 August 2022 webinar.

Feedback obtained through the consultation process primarily related to the need for further refinement of some activity categories, particularly with respect to fire break notices and other emergency related activities, road works and infrastructure maintenance and replacement works, concerns around the impact of ACH timeframes on expenditure of grant moneys, and the need for fees to vary depending on the status of proponents (not for profit vs for profit/annual revenue). It was recommended that all works undertaken to comply with Local Government Section 33 Fire Break notices are categorised as exempt in the Activity table.

The Director General of DPLH provided an update on the ACH Act at the September 2022 State Council Strategic Forum.

Zone Consideration	
Avon Midland Country Zone	WALGA recommendation supported
Central Country Zone	WALGA recommendation supported
Central Metropolitan Zone	WALGA recommendation supported
East Metropolitan Zone	WALGA recommendation supported
Gascoyne Country Zone	WALGA recommendation supported
Great Eastern Country Zone	WALGA recommendation supported
Great Southern Country Zone	WALGA recommendation supported
Kimberley Country Zone	WALGA recommendation supported
Murchison Country Zone	WALGA recommendation supported
North Metropolitan Zone	WALGA recommendation supported
Northern Country Zone	WALGA recommendation supported
Peel Country Zone	WALGA recommendation supported
Pilbara Country Zone	WALGA recommendation supported
South East Metropolitan Zone	WALGA recommendation supported
South Metropolitan Zone	WALGA recommendation supported
South West Country Zone	WALGA recommendation supported

GOLDFIELDS ESPERANCE COUNTRY ZONE

GVROC note the WALGA submission to the Department of Planning, Lands and Heritage relating to Phase 2 of the Aboriginal Cultural Heritage Act 2021 Co-design Process, endorsed via Flying Minute, and also request WALGA consider its comments:

Noting the current submission, the GVROC would also like WALGA to consider separately but alongside this co-design process the process for how land use agreements are managed for land developments that have native title issues, particularly around vacant land parcels in and around townsites.

SECRETARIAT COMMENT

The Zones comment is noted. WALGA staff will make contact with the Zone to clarify the issue and include the matter in WALGA's Aboriginal Cultural heritage Phase 3 Co-Design process submission if appropriate.

WALGA RECOMMENDATION

Moved: Cr Doug Thompson
Seconded: Mayor Logan Howlett JP

That State Council note the submission to the Department of Planning, Lands and Heritage relating to Phase 2 of the *Aboriginal Cultural Heritage Act 2021* Co-design Process, endorsed via Flying Minute.

RESOLUTION 406.8/2022

CARRIED

6.6 Report Municipal Waste Advisory Council (MWAC)

By Rebecca Brown, Manager, Waste and Environment

WALGA RECOMMENDATION

That the resolutions of the Municipal Waste Advisory Council from its 29 June, 24 August and 26 October 2022 meetings be noted.

Executive Summary

This item summarises the outcomes of the MWAC meetings held on 29 June, 24 August and 26 October 2022.

Background

MWAC is seeking that State Council notes the resolutions from its 29 June, 24 August and 26 October 2022 meetings, consistent with the delegated authority granted to MWAC to deal with waste management issues.

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

Comment

The key issues considered at the meeting held on 29 June, 24 August and 26 October 2022 included:

Container Deposit Scheme – Minimum Network Standards Review

On 6 September, the Department of Water and Environmental Regulation (DWER) released the third review of the Container Deposit Scheme (CDS) Minimum Network Standards.

The main focus of this review was on the requirement for minimum operating hours under the Minimum Network Standards and the economic viability of Refund Points based on population criteria. Reviews of the CDS Minimum Network Standards are required at least every 6 months for the first three years of the Scheme.

The focus of the Submission was ensuring that smaller population centres continue to receive a certain level of service, and if that service is not viable then alternative options be explored.

MUNICIPAL WASTE ADVISORY COUNCIL MOTION

That the Municipal Waste Advisory Council endorse the Submission on the Review of the Container Deposit Scheme Minimum Network Standards Third Review.

Moved: Cr Price Seconded: Mayor Butterfield

CARRIED

Further Restriction of Nitrous Oxide Supply

From [1 October 2022](#), the sale of nitrous oxide gas will be regulated under the *Medicines and Poisons Act 2014*, in line with new national restrictions. Nitrous oxide gas canisters, commonly known as nangs, have been raised as an issue by Local Government as they are frequently littered in public areas, inappropriately disposed of and have serious human health impacts.

These restrictions are the first step in address the issue. Consultation on the Regulatory Impact Statement, provided further opportunities to support the restriction on the sale of the gas canisters.

MUNICIPAL WASTE ADVISORY COUNCIL MOTION

That the Municipal Waste Advisory Council endorse the Submission on the Consultation Regulatory Impact Statement: Nitrous Oxide Supply.

Moved: Cr Price Seconded: Mayor Butterfield

CARRIED

Single Use Plastic Ban – Stage 2

The Department of Water and Environmental Regulation has commenced consultation on [Stage 2 of Western Australia's Plan for Plastics](#) (Single-use Plastics Ban). WALGA hosted an information session, to discuss the scope and impact of the bans, on Tuesday, 18 October and information gathered as part of this session has been incorporated into the Submission.

This is the second stage of the Single-use Plastics Ban, focuses on:

- Expanded polystyrene packaging
- Degradable plastics (plastics designed to break up more rapidly into fragments under certain conditions)
- Barrier/produce bags
- Expanded polystyrene cups
- Coffee cups and lids
- Lids for cups, bowls and takeaway food containers
- Cotton buds with plastic shafts
- Microbeads.

The key impact for Local Government relates to:

- Local Government venues/events using single-use plastics
- Dog-poo bags – the ban requires either compostable or conventional fossil fuel based plastics (the ban covers degradable plastics)
- Use of compostable alternatives to single use plastics and the interaction with Food Organic Garden Organic kerbside collection systems.

MUNICIPAL WASTE ADVISORY COUNCIL MOTION

That the Municipal Waste Advisory Council endorse the Submission on Western Australia's Plan for Plastics Stage 2.

Moved: Cr Price Seconded: Mayor Butterfield

CARRIED

Zone Consideration	
Avon Midland Country Zone	WALGA recommendation supported
Central Country Zone	WALGA recommendation supported
Central Metropolitan Zone	WALGA recommendation supported
East Metropolitan Zone	WALGA recommendation supported
Gascoyne Country Zone	WALGA recommendation supported
Goldfields Esperance Country Zone	WALGA recommendation supported
Great Eastern Country Zone	WALGA recommendation supported
Great Southern Country Zone	WALGA recommendation supported
Kimberley Country Zone	WALGA recommendation supported
Murchison Country Zone	WALGA recommendation supported
North Metropolitan Zone	WALGA recommendation supported
Northern Country Zone	WALGA recommendation supported
Peel Country Zone	WALGA recommendation supported
Pilbara Country Zone	WALGA recommendation supported
South East Metropolitan Zone	WALGA recommendation supported
South Metropolitan Zone	WALGA recommendation supported
South West Country Zone	WALGA recommendation supported

WALGA RECOMMENDATION

Moved: Cr Doug Thompson
Seconded: Mayor Logan Howlett JP

That the resolutions of the Municipal Waste Advisory Council from its 29 June, 24 August and 26 October 2022 meetings be noted.

RESOLUTION 406.8/2022

CARRIED

7. ORGANISATIONAL REPORTS

7.1 Policy Team Reports

7.1.1 Environment and Waste Policy Team Report

Presented by Policy Team Chair, Cr Les Price

WALGA RECOMMENDATION

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

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

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

This Report provides an update on matters considered, since the last State Council meeting, by the Environment and Waste Policy Team at its meetings held on 7 September and 26 October.

1. Matters for State Council Decision

Nil.

2. Matters for State Council Noting

The Policy Team considered the feedback from Zones on the recommendations in [WALGA Biosecurity and Agriculture Management Act Review Discussion Paper](#) and provided feedback on updated Position Statement on Biosecurity. The Position Statement on Biosecurity was updated to reflect Policy Team feedback and is being considered by State Council in [Agenda item 5.3](#). The Policy Team also engaged with the Local Government Representative on the Biosecurity Council, President Cr Tony Dean.

The Policy Team viewed two videos which have been developed by the Policy and Advocacy Teams focusing on the Urban Forest Grant Program, funded by Water Corporation, and Innovative Weed Control activities being undertaken by Local Governments. Feedback from the Policy Team was incorporated into the videos.

The Policy Team received an update on WALGA's work regarding:

- Foot and Mouth Disease – outlining WALGA's active engagement with Local Government and the Department of Primary Industries and Regional Development
- The Review of Australian Government Drought Response, Resilience and Preparedness Plan and the engagement process for input.

Zone Consideration	
Avon Midland Country Zone	WALGA recommendation supported
Central Country Zone	WALGA recommendation supported
Central Metropolitan Zone	WALGA recommendation supported
East Metropolitan Zone	WALGA recommendation supported
Gascoyne Country Zone	WALGA recommendation supported
Goldfields Esperance Country Zone	WALGA recommendation supported
Great Eastern Country Zone	WALGA recommendation supported
Great Southern Country Zone	WALGA recommendation supported
Kimberley Country Zone	WALGA recommendation supported
Murchison Country Zone	WALGA recommendation supported
North Metropolitan Zone	WALGA recommendation supported
Northern Country Zone	WALGA recommendation supported
Peel Country Zone	WALGA recommendation supported
Pilbara Country Zone	WALGA recommendation supported
South East Metropolitan Zone	WALGA recommendation supported
South Metropolitan Zone	WALGA recommendation supported
South West Country Zone	WALGA recommendation supported

WALGA RECOMMENDATION

Moved: Cr Ken Seymour
Seconded: President Cr Laurene Bonza

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

RESOLUTION 407.8/2022

CARRIED

7.1.2 Governance and Organisational Services Policy Team Report

Presented by Policy Team Chair, Cr Russ Fishwick

WALGA RECOMMENDATION

That State Council:

1. Retains Advocacy Positions:
 - a. 2.5.10 Control of Certain Unvested Reserves
2. Deletes Advocacy Positions:
 - a. 2.5.16 Disposal of Property and Commercial Enterprises
 - b. 2.5.33 Revoking or Changing Decisions
3. Amends Advocacy Positions
 - a. 2.5.34 Contents of Minutes to be retitled and amended to read as follows:

Advocacy Position 2.5.34 Content of Agenda and Minutes (Transparency)

 1. ***Amend Administration Regulation 11 to require information presented in, or attached to, a Council or Committee meeting agenda to be included in the minutes of that meeting.***
 2. ***Amend Section 5.95(3) and Administration Regulation 11 to enable confidential attachments to a report included in a Council or Committee meeting agenda and minutes to remain confidential at the discretion of Council, despite the meeting not having been closed to the public when deciding the relevant matter.***
 - b. 2.5.42 Dispositions of Property to be amended to read as follows:

Amend Functions and General Regulation 30 to:

 1. ***Remove the financial threshold limitation on a disposition where it is used exclusively to purchase other property – R.30(3).***
 2. ***Modify the disposal by sale (only) limitations prescribed in R.30(2), so that***
 - a. ***Local Government may dispose of land consistent with the s.3.58 definition of ‘disposal’, where the disposal terms are consistent with the nature of interest that the transferee has in the adjoining land; and***
 - b. ***The market value limitation of \$5000, set in 1996, is increased to reflect contemporary land values.***
 3. ***Insert an additional exemption for disposal of redundant plant and equipment to another Local Government, Regional Local Government, the government of the State or the Commonwealth or any of its agencies.***
4. Requests the WALGA Secretariat write to the Minister for Local Government as the responsible Minister, reiterating the Sector’s concerns regarding Cat Act local law limitations, requesting the Minister commit to a timeframe for progressing the Cat Act 2011 Review.
5. Request the WALGA Secretariat to write to the Department of Premier and Cabinet, Cyber Security Unit and the Department of Local Government, Sport and Cultural Industries, requesting:
 - a. Details of the range of services, resources and support provided by the Cyber Security Unit to support the Local Government sector to improve the sector’s cyber security profile.
 - b. Consideration of State Government funding options for the Local Government sector, to further support improving the sector’s cyber security profile, including:

- i. **Providing access to State Government infrastructure and controls at no cost to Local Governments to ensure that the Local Government industry has the same level of protection as State Government departments.**
- ii. **Funded by State Government, in a similar approach to how State Government departments cyber security is funded.**
- iii. **Making a funding pool available for Local Governments to improve cyber security through purchasing of hardware and software infrastructure.**

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

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

This Report provides an update on matters considered, since the last State Council meeting, by the Governance and Organisational Services (GOS) Policy Team at its meeting held by Flying Minute concluding on 30 September 2022.

1. Matters for State Council Decision

The GOS Policy Team seeks State Council decision on two matters referred from Zones and reviewed a number of WALGA Advocacy Positions, providing recommendations for State Council consideration.

Advocacy Positions may be reviewed in the WALGA [Advocacy Position Manual](#).

1.1 Advocacy Position 2.5.10 Control of Certain Unvested Reserves

GOS Policy Team comment: This remains an important advocacy position. Noted that a number of South West Local Governments have become responsible for former forestry land, including bridges and culverts under s.3.53. It is inequitable for Local Governments to acquire responsibility for unvested facilities, where no funding is provided for maintenance.

The GOS Policy Team recommends State Council retain Advocacy Position .5.10 Control of Certain Unvested Reserves.

1.2 Advocacy Position 2.5.16 Disposal of Property and Commercial Enterprises

GOS Policy Team comment: This advocacy position was adopted as a result of consultation with members re 2019 Local Government Act reform proposals. In the absence of specific matters to be addressed in 'modernising' disposal of property and commercial enterprise provisions under s.3.58 and s.3.59...

The GOS Policy Team recommends State Council delete Advocacy Position 2.5.16 Disposal of Property and Commercial Enterprises.

1.3 Advocacy Position 2.5.33 Revoking or Changing Decisions

GOS Policy Team comment: Despite the intent, the consequence of any endeavour to revoke a decision that has already been implemented is that the revocation would not be actionable. Additionally, WALGA is unaware of any circumstances of this actually occurring.

The GOS Policy Team recommends State Council delete Advocacy Position 2.5.33 Revoking or Changing Decisions.

1.4 Advocacy Position 2.5.34 Content of Minutes

GOS Policy Team comment: The effect and perhaps unintended consequences, of recent amendments to Administration Re.11 (g) and s.5.95(3) is that decision making transparency is eroded, so that for a Council to retain confidentiality of information included in a s.5.23(2) confidential attachment to the Agenda, it **MUST** close the meeting to the public, where otherwise debate could proceed in public, with the substantial body of information provided in the public agenda / minutes.

The GOS Policy Team recommends State Council amend Position 2.5.34 Content of Minutes.

1.5 Advocacy Position 2.5.42 Disposition of Property

GOS Policy Team comment: This Advocacy Position remains relevant with two further matters recommended for inclusion in the advocacy position as detailed in the recommendation.

The GOS Policy Team recommends State Council amend Advocacy Position 2.5.42 Disposition of Property.

1.6 Cat Control Measures and Advocacy for Reforms to the Cat Act

GOS Policy Team comment: This is a developing issue in the sector. A number of Local Governments have attempted to make Cat Local Law to prohibit cats from roaming, require cats to be securely kept on premises and prohibit cats from being in any public place. The Parliamentary Delegated Legislation Committee has disallowed such provisions on the grounds that the Cat Act 2011 provisions do not contemplate local laws for these purposes.

The GOS Policy Team recommends State Council request the WALGA Secretariat to write to the Minister for Local Government.

1.7 Improving Cybersecurity in Local Government

GOS Policy Team comment: WALGA has endorsed and is progressing establishing an ICT Governance subscription service. The Peel Country Zone considered that funding the Local Government Sector to implement cybersecurity software and hardware, would not be addressed through the future WALGA ICT Governance Subscription and required State Government consideration.

The GOS Policy Team recommends State Council request the WALGA Secretariat to write to the Department of Premier and Cabinet, Cyber Security Unit and the Minister for Local Government.

2. Matters for State Council Noting

Nil.

Zone Consideration	
Avon Midland Country Zone	WALGA recommendation supported
Central Country Zone	WALGA recommendation supported
Central Metropolitan Zone	WALGA recommendation supported
East Metropolitan Zone	WALGA recommendation supported
Gascoyne Country Zone	WALGA recommendation supported
Goldfields Esperance Country Zone	WALGA recommendation supported
Great Eastern Country Zone	WALGA recommendation supported
Great Southern Country Zone	WALGA recommendation supported
Kimberley Country Zone	WALGA recommendation supported
Murchison Country Zone	WALGA recommendation supported
North Metropolitan Zone	WALGA recommendation supported
Northern Country Zone	WALGA recommendation supported
Peel Country Zone	WALGA recommendation supported
Pilbara Country Zone	WALGA recommendation supported
South East Metropolitan Zone	WALGA recommendation supported
South Metropolitan Zone	WALGA recommendation supported
South West Country Zone	WALGA recommendation supported

WALGA RECOMMENDATION

Moved: Cr Russ Fishwick JP

Seconded: Cr Frank Cvitan JP

That State Council:

1. Retains Advocacy Positions:
 - a. 2.5.10 Control of Certain Unvested Reserves
2. Deletes Advocacy Positions:
 - a. 2.5.16 Disposal of Property and Commercial Enterprises
 - b. 2.5.33 Revoking or Changing Decisions
3. Amends Advocacy Positions
 - a. 2.5.34 Contents of Minutes to be retitled and amended to read as follows:

Advocacy Position 2.5.34 Content of Agenda and Minutes (Transparency)

1. Amend Administration Regulation 11 to require information presented in, or attached to, a Council or Committee meeting agenda to be included in the minutes of that meeting.
2. Amend Section 5.95(3) and Administration Regulation 11 to enable confidential attachments to a report included in a Council or Committee meeting agenda and minutes to remain confidential at the discretion of Council, despite the meeting not having been closed to the public when deciding the relevant matter.

b. 2.5.42 Dispositions of Property to be amended to read as follows:

Amend Functions and General Regulation 30 to:

- 1. Remove the financial threshold limitation on a disposition where it is used exclusively to purchase other property – R.30(3).***
 - 2. Modify the disposal by sale (only) limitations prescribed in R.30(2), so that*
 - a. Local Government may dispose of land consistent with the s.3.58 definition of ‘disposal’, where the disposal terms are consistent with the nature of interest that the transferee has in the adjoining land; and***
 - b. The market value limitation of \$5000, set in 1996, is increased to reflect contemporary land values.*****
 - 3. Insert an additional exemption for disposal of redundant plant and equipment to another Local Government, Regional Local Government, the government of the State or the Commonwealth or any of its agencies.***
- 4. Requests the WALGA Secretariat write to the Minister for Local Government as the responsible Minister, reiterating the Sector’s concerns regarding Cat Act local law limitations, requesting the Minister commit to a timeframe for progressing the Cat Act 2011 Review.**
 - 5. Request the WALGA Secretariat to write to the Department of Premier and Cabinet, Cyber Security Unit and the Department of Local Government, Sport and Cultural Industries, requesting:**
 - a. Details of the range of services, resources and support provided by the Cyber Security Unit to support the Local Government sector to improve the sector’s cyber security profile.**
 - b. Consideration of State Government funding options for the Local Government sector, to further support improving the sector’s cyber security profile, including:**
 - i. Providing access to State Government infrastructure and controls at no cost to Local Governments to ensure that the Local Government industry has the same level of protection as State Government departments.**
 - ii. Funded by State Government, in a similar approach to how State Government departments cyber security is funded.**
 - iii. Making a funding pool available for Local Governments to improve cyber security through purchasing of hardware and software infrastructure.**

RESOLUTION 408.8/2022

CARRIED

7.1.3 Infrastructure Policy Team Report

Presented by Policy Team Chair, President Cr Chris Pavlovich

WALGA RECOMMENDATION

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

The Infrastructure Policy Team includes the following subject areas:

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

This Report provides an update on matters considered, since the last State Council meeting, by the Infrastructure Policy Team at its meeting held on 7 September.

1. Matters for State Council Decision

Nil.

2. Matters for State Council Noting

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

- **Agricultural Freight Policy Forum**
 - Requested further information about the deficiencies in current State strategies in relation to freight movement in the agricultural region.
- **Local Government Principles for Speed Management Reform**
 - Supported consultation with Local Governments commence, subject to some further amendments of the draft principles and feedback document.
- **Western Power requirements for 32amp circuit breaker be installed in regional and rural households**
 - Requested that WALGA engage with Western Power concerning this matter.

Zone Consideration	
Avon Midland Country Zone	WALGA recommendation supported
Central Country Zone	WALGA recommendation supported
Central Metropolitan Zone	WALGA recommendation supported
East Metropolitan Zone	WALGA recommendation supported
Gascoyne Country Zone	WALGA recommendation supported
Goldfields Esperance Country Zone	WALGA recommendation supported
Great Eastern Country Zone	WALGA recommendation supported
Great Southern Country Zone	WALGA recommendation supported
Kimberley Country Zone	WALGA recommendation supported
Murchison Country Zone	WALGA recommendation supported
North Metropolitan Zone	WALGA recommendation supported
Northern Country Zone	WALGA recommendation supported
Peel Country Zone	WALGA recommendation supported
Pilbara Country Zone	WALGA recommendation supported
South East Metropolitan Zone	WALGA recommendation supported
South Metropolitan Zone	WALGA recommendation supported
South West Country Zone	WALGA recommendation supported

WALGA RECOMMENDATION

Moved: President Cr Chris Pavlovich
Seconded: President Cr Laurene Bonza

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

RESOLUTION 409.8/2022

CARRIED

7.1.4 People and Place Policy Team Report

Presented by Policy Team Chair, President Cr Tony Dean

WALGA RECOMMENDATION

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

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

- *Community*
- *Emergency Management*
- *Planning and Building*

This Report provides an update on matters considered, since the last State Council meeting, by the People and Place Policy Team at its meeting held on 19 October.

1. Matters for State Council Decision

Nil.

2. Matters for State Council Noting

The People and Place Policy Team:

- Considered and endorsed the **following updated advocacy positions for State Council decision** at the December 2022 meeting:
 - Coastal Planning ([Agenda item 5.6](#) refers); and
 - Aboriginal Cultural Heritage ([Agenda item 5.5](#) refers).
- Considered an Agenda item on the Aboriginal and Torres Strait Islander Voice to Parliament, resolving:
 - not to support a recommendation that an advocacy position to establish an Aboriginal and Torres Strait Islander Voice to Parliament enshrined in the Constitution be considered by State Council in December 2022; and
 - that WALGA remains apolitical and chooses not to have involvement in this issue.
- Noted the 2022 Coastal Award for Excellence that WALGA received in September 2022 on behalf of the Local Government Coastal Hazard Risk Management and Adaptation Planning (CHRMAP) Forum.

Zone Consideration	
Avon Midland Country Zone	WALGA recommendation supported
Central Country Zone	WALGA recommendation supported
Central Metropolitan Zone	WALGA recommendation supported
East Metropolitan Zone	WALGA recommendation supported
Gascoyne Country Zone	WALGA recommendation supported
Goldfields Esperance Country Zone	WALGA recommendation supported
Great Eastern Country Zone	WALGA recommendation supported
Great Southern Country Zone	WALGA recommendation supported
Kimberley Country Zone	WALGA recommendation supported
Murchison Country Zone	WALGA recommendation supported
North Metropolitan Zone	WALGA recommendation supported
Northern Country Zone	WALGA recommendation supported
Peel Country Zone	WALGA recommendation supported
Pilbara Country Zone	WALGA recommendation supported
South East Metropolitan Zone	WALGA recommendation supported
South Metropolitan Zone	WALGA recommendation supported
South West Country Zone	WALGA recommendation supported

WALGA RECOMMENDATION

Moved: President Cr Tony Dean

Seconded: Cr Frank Cvitan JP

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

RESOLUTION 410.8/2022

CARRIED

7.2 Key Activity Reports

7.2.1 Report on Key Activities, Advocacy Portfolio

By Narelle Cant, Executive Manager Advocacy

WALGA RECOMMENDATION

That the Key Activities Report from the Advocacy Portfolio to the December 2022 State Council meeting be noted.

The Advocacy Portfolio comprises the following work units:

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

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

There have been numerous WALGA-led events over the past few months, including the annual WA Local Government Convention and Trade Exhibition. All events have been supported by refreshed event marketing and communication strategies to support increased registrations and enhance the profile and perception of Local Government in WA.

WA Local Government Convention and Trade Exhibition

The WA Local Government Convention and Trade Exhibition was held Sunday, 2 to Tuesday, 4 October. Themed 'Embracing Change', the 2022 Convention explored changes to the Local Government landscape over the coming years and how the sector can come together to inform, guide, and embrace change. Full delegate registrations were 481, a 17% increase on 2021 full delegate numbers (411). The event also attracted 14 Members of Parliament.

This year's event was supported by an integrated marketing and communications strategy including:

- Personalised email marketing, targeting both those who attended last year, and Local Government representatives that have not attended in recent years.
- Pre and post social media activity across WALGA's LinkedIn, Facebook and Instagram channels.
- Refined feedback strategy, with in-situ surveys and post event questionnaires
- Updated event collateral, including a new look and feel brochure, and social media tiles.

High-level marketing and media statistics from the event include:

- 5,321 page views on the WALGA website, an increase from 1,500 in 2021.
- 459 event App downloads, up from 39 in 2021, with 375 questions submitted during interactive sessions.
- 15 targeted emails sent pre and post event to registrants and those yet to register. Average open rate was 60%, 22% higher than the WALGA average, and average click through rate was 15% higher than the WALGA average.
- 21 social media posts pre and post event across LinkedIn, Facebook and Instagram. The total engagement rate¹ was 6%, well above the WALGA benchmark of 2.8%.

¹ Engagement rate is the total engagement (likes, shares, comments etc.) by reach (followers) and is the most accurate measure of social media performance.

- A significant increase in media coverage across television, radio, print and online including:
 - stories on ABC TV 7pm state-wide news bulletin (featuring State Local Government Minister, Hon John Carey MLA) and *The West Australian newspaper* (featuring the Ukrainian Ambassador to Australia Vasyl Myroshnychenko's speech at the Convention); and
 - coverage across print, radio and online of Local Government honours and awards recipients, AGM motions and a mention of the Convention by speaker Justin Langer in his column in *The West Australian*.

Aboriginal Engagement and Reconciliation Forum 2022

More than 200 people (a 35% increase on 2021) attended the 2022 Aboriginal Engagement and Reconciliation Forum held on Wednesday, 5 October at Optus Stadium. This year, the forum was themed 'Kanan- Dhabagarn –Wabirriny' (Truth - Justice - Healing). It was a day of learning and a celebration of the partnership between Local Governments and their Aboriginal communities.

The audience heard from a diverse range of speakers, including Aboriginal elders, Federal Minister for Indigenous Australians, Hon Linda Burney and State Minister for Aboriginal Affairs, Hon Dr Tony Buti, as well as representatives from Local Government.

High-level marketing statistics from the event include:

- Average open rate on targeted emails was 48.6%, 10.6% higher than the WALGA average and the click through rate was 23% higher than the WALGA average
- Total engagement rate on social media posts across LinkedIn, Facebook and Instagram was 4.8%, above the WALGA benchmark of 2.8%.
- Website traffic increased by 24% on last year.

Planning Showcase

The 2022 Local Government Planning Showcase was held on Tuesday 4 October. The purpose of this event was to showcase excellence and innovation in Local Government planning. Speakers from both metropolitan and regional Local Governments shared their knowledge and experience across strategic and statutory planning issues, innovations and legal updates.

- Average open rate on targeted emails was 53%, 15% higher than the WALGA average and average click through rate was 15% higher than the WALGA average
- Total engagement rate on social media posts across LinkedIn, Facebook and Instagram was 4.6%, the WALGA benchmark of 2.8%.
- Website traffic increased by 25% on last year.

Interview with Business News

President Karen Chappel did an extensive interview with Business News for their Local and State Government lift-out, to be published on 14 November. Topics covered included Local Government reforms, regional subsidiaries, JDAPs, WALGA's forthcoming State Budget submission, superannuation for Elected Members and WALGA's relationship with the State Government.

Publications

Annual Report

The 2021-22 WALGA Annual Report was streamlined to 68 pages, down from 88 pages the previous year. The Annual Report had a refreshed look with emphasis on highlighting WALGA's numerous key outcomes across the Member Services, Advocacy, Policy and Infrastructure portfolios throughout the year.

Economic Briefing

The revamped quarterly WALGA Economic Briefing is now also promoted via numerous LinkedIn accounts, including those of the WALGA CEO and the Economics team, as well as being distributed

by targeted email and housed on the WALGA website. Elected Members and senior Local Government staff can now also sign up to the Briefing via the LG Direct email, the website and LinkedIn. The October edition can be viewed here: [October Economic Briefing](#)

State Budget Submission

WALGA's 2023-24 State Budget Submission, endorsed by State Council, includes priority areas of funding across four themes – *Supporting Industry and Diversifying our Economy, Taking Action on Climate Change, Investing in Health, Safety and Wellbeing, and Delivering a Modern Legislative Framework*. The Submission will be provided to the Local Government Minister, the Treasurer (and Premier) and the Leader of the Opposition in the first half of November, and then shared with other relevant State Government Ministers and heads of agencies, and industry groups. WALGA will also seek meetings with key stakeholders to discuss the Submission in detail.

Annual Preferred Supplier Report and Quarterly Services Report

In early November, WALGA distributed the annual Preferred Supplier Program Report, providing members with a summary of service and preferred supplier uptake for the year, together with the latest Quarterly Services Report. Both reports have been redesigned to be more succinct and easier to read.

WALGA Best Practice Governance Review – Consultation

To complement the consultation process underway on the Best Practice Governance Review, research agency Ipsos has been engaged by WALGA to gather independent feedback on the awareness and understanding of the current Governance Model and the Review, and the proposed new models. The research will include quantitative surveys and qualitative one-on-one interviews, all anonymous.

WALGA RECOMMENDATION

Moved: Cr John Daw
Seconded: Cr Les Price

That the Key Activities Report from the Advocacy Portfolio to the December 2022 State Council meeting be noted.

RESOLUTION 411.8/2022

CARRIED

7.2.2 Report on Key Activities, Infrastructure Portfolio

By Ian Duncan, Executive Manager Infrastructure

WALGA RECOMMENDATION

That the Key Activities Report from the Infrastructure Portfolio to the December 2022 State Council meeting be noted.

The Infrastructure Portfolio comprises the following work units:

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

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

Roads

Condition Assessment of Roads of Regional Significance

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

Local Government Transport and Roads Research and Innovation Program

WALGA and Main Roads are developing a research program that will deliver practical guidance for Local Governments to enhance productivity and identify best practice initiatives. A scope of work for prioritised projects has been developed and approved. Proposed project budgets are now being developed by ARRB for review by the end of 2023.

WALGA Road Visual Condition Assessment Manual Update

WALGA is working with the IPWEA WA Asset Management Committee to review and update the Road Visual Condition Assessment Manual, originally published in 2016. The Manual provides the guidelines for the manual collection of visual surface condition data and has been used widely across WA. The update is forecast to be completed by mid-2023.

Transport and Roads Forum 2023

WALGA has commenced early planning for the next Transport and Roads Forum. Program planning is progressing, and proposed speakers have begun to be contacted. It is intended that the Forum take place Wednesday, 8 March 2023 and will be run as a joint event with the WALGA Field Day, in which various machinery, equipment and services are displayed by suppliers. The event will be held at Canning Show Grounds.

Funding

State Road Funds to Local Government Agreement

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

Urban and Regional Transport

Local Government Cycling Reference Group

WALGA reconvened the Local Government Cycling Reference Group in September 2022, to seek feedback from Local Government officers on key matters for advocacy concerning cycling and eRideables. It was resolved at this meeting that the group would return to regular scheduled meetings, on a quarterly basis. The next meeting will be held in late January 2023.

Utilities

Streetlighting

Following a submission to the Economic Regulation Authority in April and a meeting with the Authority in early October, WALGA staff, supported by senior officers from four metropolitan Local Governments participated in a workshop with Western Power, Synergy and Energy Policy WA facilitated by the Economic Regulation Authority seeking to agree streetlighting service definitions and performance for the coming five-year period. No agreement was reached. Western Power will submit a revised proposal by 15 November 2022. Depending on the content of this proposal, WALGA will make a further submission to the Economic Regulation Authority on or before 16 December 2022.

Underground Power

WALGA has met with Energy Policy WA to discuss the governance arrangements for the Targeted Underground Power Program that was announced by the Minister for Energy in November. The Association is continuing to advocate for an appropriate level of State Government funding support to enable the ambitious program to be delivered in lower socio-economic areas.

Road Safety

Road Safety Ratings for Local Government Roads Project

WALGA recently held consultation workshops across WA, which gave Local Governments the opportunity to provide input on how best to develop a new tool or adapt an existing tool to evaluate the safety of Local Government roads. These workshops provided very useful information to inform the direction of the project and support the adaptation or development of a tool to best suit the needs of Local Governments. Now in the development phase of the project, WALGA is in the process of developing/adapting a tool. WALGA will pilot the new tool in the first two quarters of 2023 and has identified five interested Local Governments to participate.

Road Safety Council Update

The Road Safety Council (RSC) at their meeting held on 16 September, considered matters such as the 2023-24 Road Trauma Trust Account budget process, the Report on Activities 2021-22 that is tabled in Parliament each year in accordance with Section 13 of the RSC Act 2022, the RAC member priorities tracker results survey and the results of the annual review survey of RSC members.

The RSC also received an update from the new Chair (Katie Hodson-Thomas) along with presentations, from: the RAC on the Safer Speeds Trial Project, WALGA on WALGA's Perspective on Speed Management, and the Road Safety Commission on the Safety Camera Trial and eRideables.

WALGA RECOMMENDATION

Moved: Cr John Daw

Seconded: Cr Les Price

That the Key Activities Report from the Infrastructure Portfolio to the December 2022 State Council meeting be noted.

RESOLUTION 411.8/2022

CARRIED

7.2.3 Report on Key Activities, Member Services Portfolio

By Tony Brown, Executive Director Member Services

WALGA RECOMMENDATION

That the Key Activities Report from the Member Services Portfolio to the December 2022 State Council meeting be noted.

The Member Services Portfolio comprises the following work units:

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

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

Commercial

Construction

The modular housing category of the new PSP012 Construction and Built Environments Panel is now active. The new panel has been well received by Members. Phase two of the Panel development has been to Tender for the categories of new building construction, building refurbishment, demolition, earthworks and site remediation. The tender closed on 1 November and evaluation is currently in progress.

Investment Services

WALGA has engaged financial consultants to further scope and research a potential investment vehicle for Members. The consultancy is being undertaken by Kurt Smith and Englebert Bets of Global Business Partners. Dr Shayne Silcox is supporting the consultancy with Local Government legislative and regulatory policy guidance. It is anticipated that the report will provide comment on the relevant structural options and commercial viability. Results of this research will be presented to State Council in early 2023 to determine whether business case development should proceed.

Employee Relations

State Industrial Relations (IR) transition – 1 January 2023

The State Government has announced that the 'relevant day' for the transition to the State industrial relations (IR) system will be **1 January 2023**. Please see media statement from the WA Government [here](#). This will require all WA Local Governments (except the Shires of Christmas Island and Cocos (Keeling) Island) and Regional Councils to operate in the State IR system from 1 January 2023.

This means that from 1 January 2023:

- The [Minimum Conditions of Employment Act 1993](#) (WA) (MCE Act) and the [Industrial Relations Act 1979](#) (WA) will cover Local Government employers and employees (not the *Fair Work Act 2009* (Cth), with the exception of some provisions that apply to non-national system employers).
- The employment tribunal will be the [Western Australian Industrial Relations Commission](#) (not the Fair Work Commission).

- The regulator which enforces compliance against the State employment laws will be the [Department of Mines, Industry Regulations and Safety](#) (DMIRS) (not the Fair Work Ombudsman).
- The Federal Local Government Industry Award 2020 (LGIA) will become a transitional instrument and will continue to apply for each Local Government, subject to provisions in the MCE Act.
- For Local Governments with a Federally registered enterprise agreement, the agreement will become a transitional instrument and will continue to apply, subject to provisions in the MCE Act.

WALGA Employee Relations is supporting Local Governments to transition through the extensive resources it has developed for subscribers to the service including a checklist to prepare for the transition, factsheets and recorded webinars.

WALGA has also scheduled a webinar with DMIRS to address frequently asked questions about the transition and the transitional legislation, as well as a webinar on record keeping enabling Local Governments to comply with the new requirements on 1 January 2023.

WALGA Salary and Workforce Survey 2022

The annual WALGA Salary and Workforce Survey is currently live and will be closing on 2 December. This annual remuneration survey has been conducted for over 20 years, with 70 Local Governments participating last year. The more Local Governments who participate, the greater the quality of the resulting data. As of 7 November, 62 Local Governments have commenced the survey.

The collective survey results can help guide a Local Government's recruitment and remuneration strategies, inform workforce plans, track the diversity and make-up of the workforce and help to measure performance across key HR metrics.

Webinar on Visas

WALGA hosted a webinar on 25 August presented by Sarah Pettit, Associate Director, Mapien on the topic, "*Navigating the skills shortage – Are visas the answer?*" The webinar provided general information on different visa types for Local Governments.

To complement the webinar, WALGA Employee Relations updated a number of its recruitment and record keeping template resources to incorporate the relevant checks Local Governments need to undertake when engaging employees on visas and developed a new Visa Recruitment Checklist.

Governance and Procurement

Attendance at Electronic Meetings – Amendments to Administration Regulations

As reported to the sector by the Department of Local Government, Sport and Cultural Industries' LG Alert of 4 November, new provisions were introduced effective from 9 November permitting Council meetings to be held by electronic means, and for Council Members to attend in-person Council meetings by electronic means. These provisions are required due to the cessation of the State of Emergency declaration on 4 November and will be introduced by way of amendment to Regulations 14A to 14E of the *Local Government (Administration) Regulations 1996*.

In summary, Council will have the ability to determine to hold a council or committee meeting by electronic means, and the Mayor, President or Council will be permitted to authorize a request from a Council Member to attend an in-person meeting by electronic means. In the latter case, the new provision is being introduced to provide broad flexibility that strike a balance between attending in-person or by electronic means. The requirement to be in a location that is suitable to the maintenance of confidentiality is included in the amendments.

WALGA is currently reviewing the suite of resources and guidelines pertaining to meetings to ensure they align with the new provisions and assist member Local Governments transition to the new provisions.

Corporations Act and Director Identification

In November 2021, the Federal Government introduced the Director ID initiative under the Modernising Business Registers program. All directors regulated by the Australian Securities and Investments Commission (ASIC) and registered under the *Corporations Act 2001* (Corporations Act) are required by law to obtain a Director ID via the Australian Business Registry Services (ABRS) within the prescribed timeframes.

This new obligation does not affect Council Members performing roles and responsibilities under the *Local Government Act 1995*. However, some Council Members holding positions on external organisations may have obligations to obtain a Director ID. Examples of directors captured by this requirement include a company, a registered Australian body or a registered foreign company under the Corporations Act; Aboriginal and Torres Strait Islander corporation registered under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (CATSI Act); or a charity or not-for-profit organisation that are public companies limited by guarantee under the Corporations Act.

Council Members you can search company details, including director details, on:

- [ASIC Connect](#) for a company, a registered Australian body or a registered foreign company under the Corporations Act; or
- the [Office of the Registrar of Indigenous Corporations \(ORIC\) homepage](#) for companies registered under the CATSI Act.

Training

2022/2023 Training and Professional Development – Course Directory

The training team has produced and released the [2022/2023 Training and Professional Development – Course Directory](#), outlining our current course offerings with a clear index for Elected Members and Officers. The Training Directory is available in print or digital copy and can be downloaded from the [Training website](#). Dates are all listed on the Training Calendar, one with Elected Member training dates and one for Officer training dates.

Short Courses and General Overview

Our trainers have had a busy very year, training the newly elected Councillors of October 2021 for their Council Members Essentials Training. This activity is now slowing down and is now mainly concentrated on eLearning activity by Elected Members.

In preparation for a busy start to 2023, we are all set and ready for the New Year with all courses displayed on the website and set up in our student booking system. We have already received enrolments for 2023 which is fantastic compared to the last few years where we were busy developing the Directory in January. Our focus is on continually finetuning processes, acting on opportunities to improve operation and delivering high quality client service, from enquiry to enrolment.

LGA30120 Certificate III in Local Government

The Certificate III in Local Government program is now on our RTO scope of registration and we are developing the last Units of Competencies to start delivery in 2023. There are two different streams available - Administration and Waste.

Even though they are both delivered slightly different, standard course duration is 12 months and the course is available as a Traineeship for new employees or a fee for service enrolment for existing workers.

LGA50220 Diploma of Local Government – Elected Member

The Diploma course has now been fully developed and the students are thoroughly enjoying their course program and the extensive content. The mentoring sessions offered after each WALGA workshop are also very well received as it summarises and contextualises the learning content of each subject in preparation for each assessment task. We are hopeful that at the next WALGA Convention we have a full stage of Graduates to celebrate their study achievements.

WALGA RECOMMENDATION

Moved: Cr John Daw
Seconded: Cr Les Price

That the Key Activities Report from the Member Services Portfolio to the December 2022 State Council meeting be noted.

RESOLUTION 411.8/2022

CARRIED

7.2.4 Report on Key Activities, Policy Portfolio

By Nicole Matthews, Executive Manager Policy

WALGA RECOMMENDATION

That the Key Activities Report from the Policy Portfolio to the December 2022 State Council meeting be noted.

The Policy Portfolio comprises the following work units:

- *Economics*
- *Environment and Waste (see MWAC Report)*
- *Planning and Building*
- *Resilient Communities (Emergency Management and Community Development)*

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

Economics

Economic Briefing

WALGA's latest quarterly [Economic Briefing](#) was released in October, containing updated forecasts for the Local Government Cost Index (see Agenda item [6.4](#)). This edition shows that the LGCI is continuing to accelerate at rates not been seen since the height of the mining boom back in 2008, but is expected to peak in 2022.

2023-24 State Budget Submission

WALGA's State Budget Submission, endorsed by State Council in September (376.7/2022) has been finalised. The Submission will be provided to the Premier/Treasurer, Local Government Minister, Leader of the Opposition, relevant Ministers, Heads of Agencies, and industry groups.

October Federal Budget

In advance of the October 2022 Federal Budget, WALGA wrote to the Treasurer supporting ALGA's Budget submission and outlining the priority areas of spending from the perspective of WA Local Governments. The Budget was handed down on 25 October 2022 and WALGA provided a [summary of the key initiatives](#) and relevant issues for WA Local Governments (see Agenda item [6.2](#)).

Engagement with Department of Jobs, Tourism, Science and Innovation

WALGA is representing the Sector on the Superyacht Industry Development Working Group which has been convened by the Department of Jobs, Tourism, Science and Innovation to investigate the opportunities for the State across tourism, manufacturing and the servicing of superyachts. Fifteen Local Governments have expressed interest in participating in the research project.

Census Webinar

WALGA has received feedback from a number of members in regional WA concerned with the accuracy of the recently released Census data, particularly with respect to undercounting of population. WALGA recently met with the Australian Bureau of Statistics (ABS) to raise the sector's concerns and will host a [webinar](#) on 15 November for affected Local Governments to hear directly from the ABS on this issue.

Environment

Biosecurity

WALGA, with other key stakeholders, is part of the Pest Parrot and Cockatoo Strategy Steering Group. Over the next 9 months this Group will be progressing the development of a strategy to

address these pest species. Consultation sessions have been held in metropolitan and non-metropolitan areas. WALGA will actively engage the sector as the strategy is developed.

Stage Two of the *Biosecurity and Agriculture Management Act 2007* Review has commenced (see Agenda item [5.3](#)). WALGA is hosting a [webinar](#) on 24 November for Local Governments to learn more about the results from Stage One and provide feedback to the Review Panel. It is anticipated that the Review Panel will put forward draft proposals for reform in February/March 2023. WALGA may undertake further consultation with the Sector during this time, depending on the nature of the proposed reforms.

Release of WALGA Environment and Sustainability eLearning Course

The [Environment and Sustainability eLearning Course](#), designed for Elected Members and Local Government Officers, is comprised of five modules designed to provide Local Governments with a comprehensive grounding in key areas of climate change, biosecurity, biodiversity, sustainability and water.

Field Days

WALGA held a [Roadside Vegetation Management Field Day](#) at the Shire of Pingelly on 29 September 2022, attended by works managers and roadworks crew members from eight Local Governments.

Local Government staff participated in WALGA's Natural Area Management Field Day on 26 October. Attendees heard from experienced ecologists, Local Government staff and community volunteers who shared their knowledge about the characteristics of plant communities, site management issues, and lessons from restoration works.

Planning and Building

Local Government Planning Showcase

WALGA's *Local Government Planning Showcase* was held on Tuesday, 4 October at Crown in conjunction with the WA Local Government Convention. Over 120 Local Government, State Government and industry planning professionals attended to hear from Local Government presenters across statutory and strategic planning projects. Now in its second year, the Showcase has become an important event for networking and capacity building of Local Government planners, and for promoting new planning practice and knowledge-sharing.

Coastal Award for Excellence

The WA Coastal Awards for Excellence celebrate the outstanding efforts and achievements of individuals, community groups, Local and State Government agencies and other organisations in planning, managing and protecting WA's coast. On 19 September, WALGA accepted the Coastal Planning award on behalf of the Local Government Coastal Hazard Risk Management and Adaptation Planning (CHRMAP) Forum. The Forum was recognised for preparing coastal communities for the effects of coastal erosion and inundation. The Forum has been facilitated and supported by WALGA since its inception five years ago.

Planning Reform

The Planning and Building Team is working with the DPLH and members on the State Government's ongoing planning reform agenda through the following stakeholder reference groups: consistent local planning frameworks, application of discretion in decision-making, planning application system online portal, and the neighbourhood design policy. The Team has also prepared a discussion paper on local development plans which will inform an upcoming planning reform project.

Building Reform

In October, the Team met with the Department of Mines, Industry Regulation and Safety (DMIRS) - Building and Energy to discuss building reforms including the introduction of mandatory inspections during construction and minimum standards for documentation submitted with building permit applications. These positions align with WALGA's current policy positions and would help address systemic failures in the current building control model.

Draft Structure Plan Guidelines

WALGA has provided a technical response to Draft Structure Plan Guidelines released for comment by DPLH. These technical guidelines are intended to provide contemporary and consistent guidance on the preparation, use and assessment of structure plans (both standard and precinct structure plans) with an extensive section on pre-lodgement engagement.

CoastWA Local Government Facilitator Visits

WALGA's CoastWA Local Government Facilitator has been visiting coastal and estuarine Local Governments to build relationships with staff, better understand challenges that coastal Local Governments are facing and discuss future projects and grant opportunities. Visits during September to December have included the Cities of Stirling, Nedlands, Busselton, Kwinana, Greater Geraldton and Albany, the Shires of Denmark, Capel, Irwin, Dandaragan and Shark Bay and the Towns of Port Hedland and East Fremantle.

Swimming Pool Barriers

WALGA has provided a technical response to DMIRS on the *Draft Building Amendment Regulations – Swimming Pool and Safety Barrier Control*. These regulation amendments aim to improve, clarify and update requirements for private swimming pools and safety barriers. These amendments were proposed in an earlier Decision Paper, which was endorsed by WALGA's State Council in [September 2020](#).

Urban Forest Conference

The Urban Forest Conference will be held on 17 February 2023 at Curtin University with the theme "Valuing Canopy". The Conference will showcase the latest research, policy and best practice examples in urban forest management and bring together Local and State Government, industry and academic stakeholders to explore challenges and opportunities for preserving and enhancing the urban forest.

Resilient Communities

Child Safe Policy for Local Government

The Department of Communities (DoC) and Department of Local Government Sport and Cultural Industries (DLGSC) have developed a draft Child Safe Awareness Policy Template for Local Government. The draft policy is informed by consultation with WALGA, Local Government and the Commissioner for Children and Young People. The draft Policy will be provided to State Council for consideration in March 2023. The Director Generals of DoC and DLGSC presented on the draft Policy at the State Council Information Forum on 2 November.

Meeting with Emergency Services Minister

The WALGA President, CEO and staff met with the Minister for Emergency Services; Innovation and ICT; Medical Research; Volunteering, the Hon Stephen Dawson MLC and Fire and Emergency Services Commissioner Daren Klemm on 19 October to discuss progress with development of the new Emergency Services legislation and WALGA's recently endorsed Emergency Management Advocacy Positions funding requests for the 2023-24 State Budget.

State Emergency Management Committee (SEMC) - Subcommittees Update

SEMC Risk Subcommittee

The Risk Subcommittee consults and advises on the coordination and application of an evidence-based approach to emergency risk management for all hazards. The subcommittee met on 25 October. Key items included:

- SEMC tasking of the report recommendations from the Review of the Norseman West Complex of Bushfires. The review raised the vulnerability of critical inter-state roads to natural hazards and flow on implications to transport and supply and WALGA will work with DFES to assess the extent that local emergency plans consider this risk.

- The revised State Capability Framework was endorsed by the committee, to be considered at the SEMC meeting on 3 December.

SEMC Response Capability Subcommittee

The Response Capability Subcommittee promotes a collaborative and strategic dialogue to address emergency response capability gaps in WA. The subcommittee met on 26 October. Key items included:

- SEMC has published its [2022-2025 Strategic Plan](#).
- The draft revision of 5.12 - Funding Arrangements for Emergency Response, relating to funding arrangements for traffic management during incidents, is currently [out for consultation](#).

Recovery and Community Engagement Subcommittee

The Recovery and Community Engagement Subcommittee aims to strengthen WA's resilience and enhance recovery and community engagement capabilities. The Subcommittee is meeting on 4 November. The first meeting of the Medium to Long Term Accommodation for Recovery Working Group occurred on 24 October to consider a project plan to clarify definitions, roles, responsibility, and preferred delivery models for medium to long term accommodation following emergencies.

Climate Change Subcommittee

The first meeting of the new SEMC Climate Change Subcommittee will be held on 22 November and will be attended by Nick Sloan as Sponsor and Nicole Matthews.

2022 WALGA Aboriginal Engagement and Reconciliation Forum

The Communities and Environment team hosted WALGA's sixth [Aboriginal Engagement and Reconciliation Forum](#), themed 'Kanan - Dhabagarn - Wabiriny' (Truth - Justice - Healing) at Optus Stadium on Wednesday, 5 October. The Forum has become one of WALGA's showcase annual events for the sector, attracting over 200 delegates from Local Government (including 40 Elected Members), State Government, not-for-profits and the private sector. A video of highlights from the Forum can be viewed [here](#).

Local Government Grant Scheme Q&A Session

29 Local Government officers representing 32 Local Governments attended a WALGA and DFES hosted online Q&A Session on the Local Government Grant Scheme (LGGS) aimed at assisting Local Governments to get the most out of their applications.

Animal Welfare in Emergencies Grant Program

The Animal Welfare in Emergencies Grant Program was established in 2020 between DPIRD and WALGA to improve the capacity of Local Governments and their communities to manage the impacts of emergency situations on animal welfare. At the conclusion of the Grant Program in June 2022, 40 Local Governments shared in \$410,931.06 through project grants and reimbursement of costs to attend a tailored residential training course at the Muresk Institute. WALGA expects that the training course developed through the grant program will continue to be offered to Local Governments in 2023.

WALGA RECOMMENDATION

Moved: Cr John Daw
Seconded: Cr Les Price

That the Key Activities Report from the Policy Portfolio to the December 2022 State Council meeting be noted.

RESOLUTION 411.8/2022

CARRIED

7.3 President's Report

WALGA President, Cr Karen Chappel JP

Report previously distributed to all Zones.

RESOLUTION

Moved: Cr Chris Mitchell

Seconded: Cr Ken Seymour

That the President's Report for December 2022 be received.

RESOLUTION 412.8/2022

CARRIED

7.4 CEO's Report

WALGA Chief Executive Officer, Mr Nick Sloan

Report provided under separate cover.

RESOLUTION

Moved: Cr Chris Mitchell

Seconded: Cr Ken Seymour

That the CEO's Report for December 2022 be received.

RESOLUTION 412.8/2022

CARRIED

7.5 Ex-Officio Reports

7.5.1 City of Perth Report

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

7.5.2 LG Professional's Report

Ms Annie Riordan, President, LG Professionals WA, provided a report to the meeting.

8. ADDITIONAL ZONE RESOLUTIONS

WALGA RECOMMENDATION

That the additional Zone Resolutions from the December 2022 round of Zone meetings as follows be referred to the appropriate policy area for consideration and appropriate action, noting that some may have already been referred.

EAST METROPOLITAN ZONE (Policy Portfolio)

Voice to Parliament

That the East Metropolitan Zone supports a recommendation that an advocacy position to establish an Aboriginal and Torres Strait Islander Voice to Parliament enshrined in the constitution be considered by State Council at a future meeting of the Zones and State Council.

PEEL COUNTRY ZONE (Policy Portfolio)

Aboriginal and Torres Strait Islander Voice to Parliament

The Peel Zone requests that WALGA:

1. Supports a robust and respectful national debate on the Voice to Parliament;
2. Requests that the Commonwealth Government provide further details on the proposed constitutional changes in relation to the Voice to Parliament; and
3. Requests that the Commonwealth Government ensure that Local Governments and local communities across WA are meaningfully engaged with on this issue.

SOUTH METROPOLITAN ZONE (Policy Portfolio)

Aboriginal and Torres Strait Islander Voice to Parliament

That:

1. The South Metropolitan Zone supports the Commonwealth Government with its intent to implement the Uluru Statement from the Heart in full.
2. The South Metropolitan Zone requests WALGA to prepare an advocacy position supporting establishing an Aboriginal and Torres Strait Islander Voice to Parliament enshrined in the Constitution.
3. The Advocacy position be circulated to WALGA Zones for their next meeting for consideration and feedback.

EAST METROPOLITAN ZONE (Member Services Portfolio)

Advocacy for Equitable Rates Exemption Controls

That the matter of equitable rate exemption controls is presented to State Council as an advocacy priority for WALGA to seek support from the Minister for Local Government.

GREAT SOUTHERN COUNTRY ZONE (Infrastructure Portfolio)

Reliable Digital Connectivity / Telecommunications

That the Great Southern Zone requests WALGA to advocate for the upgrade of existing infrastructure [telecommunication] (towers).

GREAT SOUTHERN COUNTRY ZONE (Infrastructure Portfolio)

South Coast Highway

That the Great Southern Zone request WALGA to consider an advocacy position on the South Coast Highway reconstruction in relation to the proposed cost and invite all Local Governments along the South Coast corridor to participate.

GREAT SOUTHERN COUNTRY ZONE (Infrastructure Portfolio)

Disaster Recovery Funding Arrangements

That the Great Southern Zone requests WALGA to advocate for a review of the Disaster Recovery Funding Arrangements (DRFA, WA) to reduce the extensive delays in the reporting system.

MURCHISON COUNTRY ZONE (Infrastructure Portfolio)

Sealing of Goldfields Highway – Meekatharra Wiluna Road

That the Murchison Country Zone of WALGA:

1. Support the Shires of Meekatharra and Wiluna in sealing the remainder of the Goldfields Highway (Meekatharra Wiluna Road) as a matter of priority;
2. Make representation to the State and Federal Governments on behalf of the Shires of Meekatharra and Wiluna to provide funding for the completion of the project; and
3. Include this motion and support in the next WALGA State Council Agenda.

MURCHISON COUNTRY ZONE (Policy Portfolio)

Review of the Biosecurity and Agriculture Management Act 2007: Consideration of WALGA Discussion Paper

That the Zone endorse the following recommendations:

1. Strategic direction and regional priorities: The State Government develop a strategic framework that enables the prioritisation of biosecurity threats in geographically defined regions and sets targets for declared pest management.
2. Agency responsibilities: The roles and responsibilities of each State Government department responsible for biosecurity management need to be a clearly defined and communicated, a formalised structure for different agencies to work together established, and increased investment made in declared pest management on State Government managed land.
3. Declared Pest Rate and Recognised Biosecurity Groups: If the Declared Pest Rate and Recognised Biosecurity Groups (RBGs) are to continue to be key mechanisms for the management of widespread and established declared pests, changes are required to improve their operation and effectiveness to better support the concept of shared responsibility.
4. Environmental biosecurity: A more balanced view of biosecurity that has a greater focus on environmental biosecurity is required, through increased recognition and management of pest species that have significant ecological impacts.
5. Responses to incursions: Increased and more equitable distribution of funding is required to ensure each step of the biosecurity continuum is adequately resourced for all stakeholders, including Local Government.
6. Management of declared pests in urban areas: Declared pest management in all urban areas requires support through an appropriate funding mechanism.
7. Problematic non-declared pests: The process for the listing of declared pests needs to be timely and transparent to ensure that land managers, including Local Government, are not resourcing the control of an increasing number of problematic non-declared pest species.
8. Sustainable funding model: A sustainable and equitable funding model is required to manage the increasing biosecurity management threat.
9. Compliance and enforcement: The Department of Primary Industries and Regional Developments responsibility for compliance and enforcement needs to be adequately resourced and enacted.

10. Monitoring, research and innovation: Strategic monitoring, use of new technologies and the establishment of data management systems are required to inform biosecurity investment decisions and support adaptive management.
11. Community education and involvement: A stronger focus on community education to increase understanding and awareness will improve engagement with biosecurity management programs and assist with timely incursion responses.

NORTHERN COUNTRY ZONE (Policy Portfolio)

Rural and Regional Bank Closures

1. That WALGA and ALGA support a motion to advocate on behalf of rural and regional communities that, prior to the closure of a rural and regional bank branch, all banks be required to conduct a Social Impact Assessment to gauge the potential impact of the closure on rural and regional communities; and
2. That WALGA and ALGA support a motion to encourage Westpac to maintain its Carnamah Branch beyond 24 February 2023.

SOUTH WEST COUNTRY ZONE (Infrastructure Portfolio)

Heavy Haulage Cost Recovery – Advocacy for Update of Framework and Costings

That:

1. The South West Country Zone of WALGA supports and advocates that WALGA update the suite of User Guides and Technical Tools for Recovering the Cost of Road Wear and Heavy Haulage.
2. WALGA investigate an extractive industry royalty for Local Government.

CENTRAL COUNTRY ZONE (Policy Portfolio)

Aged Care Services

That the Zone request WALGA to research the impact of this issue on local communities in WA and look to engage the Commonwealth and State Ministers for Health and Health Departments to consider solutions.

MOTION

Moved: Cr Paul Kelly

Seconded: Cr Doug Thompson

That the additional Zone Resolutions from the December 2022 round of Zones meetings as follows (excluding the items relating to the Aboriginal and Torres Strait Islander Voice to Parliament) be referred to the appropriate policy area for consideration and appropriate action, noting that some may have already been referred.

RESOLUTION 413.8/2022

CARRIED

MOTION

Moved: President Cr Michelle Rich
Seconded: Cr Doug Thompson

That the Zone items relating to the Aboriginal and Torres Strait Islander Voice to Parliament be considered at this meeting.

RESOLUTION 414.8/2022

CARRIED

MOTION

Moved: President Cr Michelle Rich
Seconded: Cr Doug Thompson

That State Council:

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

AMENDMENT

Moved: Mayor Peter Long
Seconded: President Cr Chris Pavlovich

That point 3 be amended to read:

3. Requests WALGA prepare a paper on constitutional recognition to be circulated to WALGA Zones for their next meeting for consideration and feedback.

THE AMENDMENT WAS PUT AND LOST

The original motion was put:

That State Council:

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

RESOLUTION 415.8/2022

CARRIED

President Cr Michelle Rich called for a division.

For	Against
1. Mayor Carol Adams	1. President Cr Phil Blight
2. Mayor Ruth Butterfield	2. President Cr Laurene Bonza
3. Cr Carl Celedin	3. Cr Cheryl Cowell
4. Cr John Daw	4. Cr Frank Cvitan
5. President Cr Tony Dean	5. President Cr Moira Girando
6. Cr Catherine Ehrhardt	6. Mayor Logan Howlett
7. Cr Russ Fishwick	7. Cr Chris Mitchell
8. Mayor Mark Irwin	8. Cr Chris Pavlovich
9. Cr Paul Kelly	9. Cr Les Price
10. Mayor Peter Long	10. Cr Ken Seymour
11. President Cr Michelle Rich	
12. Cr Kerry Smyth	
13. Cr Doug Thompson	

9. DATE OF NEXT MEETING

The next meeting of the WALGA State Council will be held at WALGA, ONE70, Level 1, 170 Railway Parade, West Leederville on **Wednesday, 1 March 2023**.

The State Council meeting schedule for 2023 is as follows:

Date	Venue
Wednesday, 1 March	WALGA
Wednesday, 3 May	South East Metropolitan Zone, City of Armadale
Wednesday, 5 July	WALGA
Thursday-Friday, 7-8 September	Great Southern Country Zone, Shire of Katanning
Wednesday, 6 December	WALGA

10. CLOSURE

*There being no further business the Chair declared the meeting closed at **6:22pm**.*

STATUS REPORT ON STATE COUNCIL RESOLUTIONS To the December 2022 State Council Meeting

MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
9 September 2022 Item 5.1 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). RESOLUTION 376.7/2022	The State Budget Submission was updated to include an initiative to support increased funding to the Community Sporting and Recreation Facilities Fund (CSRFF). The document will be presented to State Government in November.		Nicole Matthews Executive Manager Policy
9 September 2022 Item 5.2 Proposed Advocacy Position on Management of Bush Fire Brigades	That the following Advocacy Position on Management of Bush Fire Brigades be endorsed. <i>Management of Bush Fire Brigades</i> <ol style="list-style-type: none"> 1. <i>Bush Fire Brigade volunteers play a critical role in helping to protect their local communities. Local knowledge and skills are integral to bushfire management in Western Australia.</i> 2. <i>Future management and funding of volunteer Bush Fire Brigades must:</i> <ol style="list-style-type: none"> a) <i>Recognise the changing risk environment, including work health and safety requirements, and the increasing intensity and frequency of bushfires;</i> b) <i>Take account of the differing circumstances of Bush Fire Brigade units and regional variations in bush firefighting approaches; and</i> c) <i>Be adequately and equitably resourced through the Emergency Services Levy.</i> 3. <i>The State Government, through the Consolidated Emergency Services Act and/or other mechanism's must:</i> <ol style="list-style-type: none"> a) <i>Establish a clear framework to enable transfer of Bush Fire Brigades to the State Government if a Local Government decides to do;</i> b) <i>Consult on the process, timeline, and implications for transfer of responsibility for</i> 	The Advocacy Positions Manual has been updated.		Nicole Matthews Executive Manager Policy

MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
	<p><i>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);</i></p> <p>c) <i>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</i></p> <p>d) <i>Develop a co-designed suite of relevant management guidelines and materials to assist in the management of Bush Fire Brigades.</i></p> <p>4. <i>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.</i></p> <p>RESOLUTION 377.7/2022</p>			
9 September 2022 Item 5.3 Finance and Services Committee Minutes 31 August 2022	<p>That the Minutes of the Finance and Services Committee meeting held on 31 August 2022 be endorsed.</p> <p>RESOLUTION 378.7/2022</p>	<p>All items have been actioned</p>	<p>November 2022</p>	<p>Tony Brown Executive Director Member Services</p>

MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
9 September 2022 Item 5.4 Selection Committee Minutes 17 August 2022	That the recommendation contained in the 17 August 2022 Selection Committee Minutes be endorsed. RESOLUTION 379.7/2022	All items have been actioned.	November 2022	Tony Brown Executive Director Member Services
9 September 2022 Item 5.5 LGIS Board Minutes 23 June 2022 – CONFIDENTIAL	That State Council note the Minutes of the LGISWA Scheme Board meeting held on 23 June. RESOLUTION 380.7/2022	All items have been actioned.	November 2022	Tony Brown Executive Director Member Services
9 September 2022 Item 5.6 LGIS Board Remuneration – CONFIDENTIAL	PROCEDURAL MOTION That the item be deferred for consideration at the next meeting of State Council when further information about the current remuneration of LGIS Board members has been provided. RESOLUTION 381.7/2022	This item will be re-considered at the December State Council meeting.	November 2022	Tony Brown Executive Director Member Services
9 September 2022 Item 5.7 CEO Performance Review Report 2021-2022 – CONFIDENTIAL	That State Council: 1. Notes that the appraisal of Mr Nick Sloan, Chief Executive Officer, has been completed for the period of July 2020 to June 2021. 2. Endorses the findings of the 2021-22 Annual Performance Review Report as presented by Price Consulting and thanks Mr Sloan for his efforts. 3. Approves the CEO's Performance Criteria for the 2022-2023 period, as per Attachment 1. 4. Notes that the CEO contract includes a clause that provides an annual CPI increase, however the CEO has requested a lower percentage increase in line with the recent staff increase of 2.5%. RESOLUTION 383.7/2022	All items have been noted and actioned where applicable.	November 2022	Tony Brown Executive Director Member Services

MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
9 September 2022 Item 5.8 CEO Performance Review Committee	That State Council: 1. endorses the attached updated Terms of Reference; and 2. authorises the WALGA President to approve CEO's leave applications on behalf of State Council. RESOLUTION 384.7/2022	This item has been actioned.	November 2022	Tony Brown Executive Director Member Services
9 September 2022 Item 6.5 2023-24 State Budget Submission Approach	That the approach for the 2023-24 State Budget Submission, which was endorsed via Flying Minute, be noted. RESOLUTION 385.7/2022	The State Budget Submission was endorsed by State Council at the September meeting (see item 5.1 from the 9 September meeting above).	9 September 2022	Nicole Matthews Executive Manager Policy
9 September 2022 Item 7.1.2 Governance and Organisational Services Policy Team Report	That State Council: 1. Retains Advocacy Positions: a. 2.1.1 Rating Exemptions – Rate equivalency payments b. 2.4.3 NBN Delivery to Regional WA c. 2.5.6 Leave of Absence: State or Federal Elections d. 2.5.7 Disqualification Due to Conviction e. 2.8.1 Payment of Sitting Fees to Local Government Representatives 2. Amends Advocacy Position 2.5.60 External Oversight, by inserting an additional item 5 as follows 5. <i>If State Government, does not support external oversight of behaviour complaint, WALGA advocates for a new category of interest be included in the Act, that requires any Council Member who is either the complainant or the respondent to a behaviour complaint, be required to disclose the interest and be required to leave the meeting and therefore be prohibited from participation in debate or voting on the matter.</i> 3. Requests the Secretariat write to the Minister for Local Government reinforcing WALGA's Advocacy Position	The Advocacy Positions Manual has been updated.	November 2022	Tony Brown Executive Director Member Services

MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
	<p>2.5.60 'External Oversight' and the sector's concerns with the potential for undue influence on fair and reasonable consideration of a behaviour complaint by members who are party to the complaint, advising the Minister of the additional item 5 as WALGA's alternative advocacy.</p> <p>RESOLUTION 387.7/2022</p>			
<p>9 September 2022</p> <p>Item 7.1.3</p> <p>Infrastructure Policy Team Report</p>	<p>That State Council:</p> <ol style="list-style-type: none"> amend Advocacy Position 5.3.2 Western Australian Bicycle Network by inserting: <ul style="list-style-type: none"> <i>That WALGA advocate for:</i> <ol style="list-style-type: none"> <i>At least 33% increase in funding for the Perth Bicycle Network and Regional Bicycle Network programs; and</i> <i>That PBN and RBN grants be offered to Local Governments on the basis of \$2 from the State and \$1 from Local Government, in line with road funding arrangements.</i> amend Advocacy Position 5.2.5 The Role of Local Government in the Future of Warden Controlled Children's Crossings by inserting: <ul style="list-style-type: none"> <i>That WALGA:</i> <ol style="list-style-type: none"> <i>Through its representation on the Children's Crossings and Road Safety Committee of the WA Police Force:</i> <ol style="list-style-type: none"> <i>Oppose any recommendation by the Children's Crossings and Road Safety Committee to the Minister of Police that the moratorium on removing Children's Crossings be lifted.</i> <i>Support finding alternative methods to alleviating the lack of Traffic Wardens which may, amongst other measures, include advocating:</i> <ol style="list-style-type: none"> <i>That income from serving as a Traffic Warden is exempt from income tax, and the income test for pension eligibility, to make the job more attractive.</i> 	<p>The Advocacy Positions Manual has been updated.</p>	<p>November 2022</p>	<p>Ian Duncan Executive Manager Infrastructure</p>

MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
	<p>ii. For an increase in the pay of Traffic Wardens.</p> <p>iii. Removing the requirement to live within a specified distance of the crossing.</p> <p>iv. For providing funding to support the training of volunteer Traffic Wardens.</p> <p>c) Support <u>consideration of the conversion of Children's Crossings on roads 60 km/h and above to fixed, mid-block, pedestrian priority, signalised crossings, reducing the need for Traffic Wardens.</u></p> <p>2. Advocate for funding to create safe active travel routes within a 1500m radius of schools.</p> <p>3. note the matters considered by the Infrastructure Policy Team at its meeting on 6 July 2022.</p> <p>RESOLUTION 388.7/2022</p>			
1 December 2021 Item 5.3 2021 Annual General Meeting	<p>That:</p> <p>1. The following resolutions from the 2021 WALGA Annual General Meeting be endorsed for action:</p> <p><u>Cost of Regional Development</u></p> <p>That WALGA makes urgent representation to the State Government to address the high cost of development in regional areas for both residential and industrial land, including the prohibitive cost of utilities headworks, which has led to market failure in many regional towns.</p> <p>...</p> <p>RESOLUTION 294.7/2021</p>	<p>It is proposed to include a request for significant funding increase and re-structuring of the Regional Development Assistance Program in the WALGA submission to the 2023/24 State Budget.</p>	Ongoing	Ian Duncan Executive Manager Infrastructure

MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
1 December 2021 Item 5.11 Constitution and Governance Review	<p>That the proposed Constitution and Governance Review as outlined in this report be endorsed.</p> <p>RESOLUTION 301.7/2021</p>	<p>The Governance Review Project is now well underway. A Steering Committee has been formed, with membership including the WALGA President and Deputy President, 2 State Councillors, 2 Elected Members and 2 Chief Executive Officers together with the WALGA CEO.</p> <p>Price Waterhouse Coopers (PwC) have been appointed as consultants to support the Committee through their deliberations. There will be ongoing engagement with State Council, the Zones and other stakeholders throughout the Project, with the aim of presenting an item on principles and framework to 2022 Annual General Meeting and looking to finalise a report by the end of this calendar year.</p> <p>Any proposed constitutional amendments will need to be scheduled for the 2023 WALGA AGM for Member consideration and endorsement.</p>	October 2023	Tony Brown Executive Director Member Services
3 September 2021 Item 5.2 Tender Exemption Provisions – General Practitioner Services	<p>That WALGA:</p> <ol style="list-style-type: none"> Adopt a new Advocacy Position Statement under ‘Local Government Legislation - Tender Exemption General Practitioner Services’: <p><i>WALGA advocates for the inclusion of a tender exemption for General Practitioner (GP) services under Part 4, Division 2 of the Local Government (Functions and General) Regulations 1996, to support Local Governments to secure and retain necessary primary health care services for their communities; and</i></p> Undertake additional research in support of the Advocacy Position with the following aims: <ol style="list-style-type: none"> Identify State and Federal Government policy settings and other factors contributing to gaps in primary health care services in regional communities; and Quantify the number of regional Local Governments that have current contracts, or are proposing to enter into contracts, for General Practitioner services and the associated costs to Local Government incurred. <p>RESOLUTION 264.5/2021</p>	<ol style="list-style-type: none"> Correspondence has been sent to the Minister for Local Government advocating for this position. The Minister for Local Government has held 2 roundtable meetings with some of the effected Local Governments and has listened to the argument. The Minister has advised of the following position he will look to implement. <p><i>“Recognising the importance of obtaining value for money in a competitive way in the initial procurement of medical services, an exemption is proposed from the requirement to seek public tenders where a local government is extending, varying or renewing a contract. This will make it easier for local governments to vary and extend contracts relating to the provision of medical services; however, they will still need to go through a public tender process when first engaging a GP. To ensure the transparency of the decision to extend a medical services contract, it is proposed that an absolute majority of council as currently defined in the Local Government Act 1995 is required. This will require a council report to be prepared and presented, setting out the basis for making the decision. This is consistent with other</i></p> 	December 2022	Tony Brown Executive Director Member Services

MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
		<p><i>decision-making and reporting processes currently undertaken by local governments."</i></p> <p>Between 35 and 40 Local Governments in regional Western Australia currently subsidise a local GP service in their community. This is an advocacy success for WALGA.</p> <p>3. The regulations are expected to be amended shortly.</p>		
3 September 2021 Item 6.1 Stop Puppy Farming Legislation	<p>1. That the update on the Dog Amendment (Stop Puppy Farming) Bill 2021 be noted.</p> <p>2. That:</p> <ol style="list-style-type: none"> any additional costs incurred by a Local Government in administering the Dog Act be paid by the State Government; and the Fees and Charges set in Regulations are reviewed bi-annually and at minimum, be adjusted by the Local Government Cost Index. <p>RESOLUTION 275.5/2021</p>	<p>Correspondence has been sent to the Minister for Local Government advising of resolution 2.</p>	Ongoing	Tony Brown Executive Director Member Services
5 May 2021 Item 5.4 Review of the State Industrial Relations System	<p>That WALGA:</p> <ol style="list-style-type: none"> Seek confirmation from the State Government on whether it intends to re-introduce legislation for Local Governments to operate solely in the State Industrial Relations System. If the State Government reintroduces legislation to require all Local Governments to operate within the State Industrial Relations System, continue to advocate for the State Government to: <ol style="list-style-type: none"> Amend the <i>Industrial Relations Act 1979</i> (WA) to include additional provisions to modernise the State IR system; and Provide adequate funding and resourcing to ensure Local Governments are equipped with the appropriate tools and training to enable a smooth transition. <p>RESOLUTION 207.2/2021</p>	<p>The State Government has announced that the 'relevant day' for the transition to the State industrial relations (IR) system will be 1 January 2023.</p> <p>Please see the media statement released by the WA Government here.</p> <p>This means that from 1 January 2023:</p> <ul style="list-style-type: none"> The <u><i>Minimum Conditions of Employment Act 1993</i></u> (WA) (MCE Act) and the <u><i>Industrial Relations Act 1979</i></u> (WA) will cover Local Government employers and employees (not the <i>Fair Work Act 2009</i> (Cth), with the exception of some provisions that apply to non-national system employers). The employment tribunal will be the Western Australian Industrial Relations Commission (not the Fair Work Commission). The regulator which enforces compliance against the State employment laws will be the Department of Mines, Industry Regulations and Safety (DMIRS) (not the Fair Work Ombudsman). 	Ongoing	Tony Brown Executive Director Member Services

MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
		<ul style="list-style-type: none"> The Local Government Industry Award 2020 (LGIA) will become a transitional instrument and will continue to apply for each Local Government. If any provisions of the MCE Act are more beneficial than the LGIA provisions, you will have to apply the MCE Act provision. If you have an enterprise agreement, it will become a transitional instrument and will continue to apply. If any provisions of the MCE Act are more beneficial than the agreement provisions, you will have to apply the MCE Act provisions. <p>WALGA's ER Service will continue to provide resources and support for Local Government subscribers of this service.</p>		

State Council

Agenda

1 March 2023

NOTICE OF MEETING

Ordinary meeting no. 1 of 2023 of the Western Australian Local Government Association (WALGA) State Council to be held at ONE70, LV1, 170 Railway Parade, West Leederville on Wednesday, 1 March 2023 beginning at 4:15pm.

1. ATTENDANCE & APOLOGIES

1.1. Attendance

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

1.2. Apologies

2. ACKNOWLEDGEMENT OF COUNTRY

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

3. ANNOUNCEMENTS

4. MINUTES

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

RECOMMENDATION

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

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

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

RECOMMENDATION

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

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

5. DECLARATIONS OF INTEREST

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

6. EMERGING ISSUES

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

7. MATTERS FOR DECISION

- As per matters listed
- Items Under Separate Cover to State Council only

8. POLICY TEAM REPORTS

- 8.1 Environment and Waste Policy Team Report
- 8.2 Governance and Organisational Services Policy Team Report
- 8.3 Infrastructure Policy Team Report
- 8.4 People and Place Policy Team Report

9. MATTERS FOR NOTING / INFORMATION

- As per matters listed

10. ORGANISATIONAL REPORTS

10.1 Key Activity Reports

- 10.1.1 Report on Key Activities, Advocacy Portfolio
- 10.1.2 Report on Key Activities, Infrastructure Portfolio
- 10.1.3 Report on Key Activities, Member Services Portfolio
- 10.1.4 Report on Key Activities, Policy Portfolio

10.2 President's Report

RECOMMENDATION

That the President's Report for March 2023 be received.

10.3 CEO's Report

RECOMMENDATION

That the CEO's Report for March 2023 be received.

10.4 Ex Officio Reports

- 10.4.1 The Rt. Hon. Lord Mayor Basil Zempilas will provide the City of Perth Report to the meeting.
- 10.4.2 LG Professionals President, Annie Riordan, will provide the LG Professionals Report to the meeting.

11. ADDITIONAL ZONE RESOLUTIONS

To be advised following Zone meetings.

12. DATE OF NEXT MEETING

The next meeting of the WALGA State Council will be a Regional meeting hosted by the South East Metropolitan Zone on **Wednesday, 3 May 2023**.

13. CLOSURE

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7. MATTERS FOR DECISION

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

By Rachel Armstrong, Senior Policy Advisor Emergency Management

WALGA RECOMMENDATION

That the following Advocacy Position be endorsed:

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

Executive Summary

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

Attachment

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

Policy Implications

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

3.1.2 Reconciliation Position Statement

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

(September 2012 - 118.5/2012)

1.1 State-Local Government Partnership Agreement

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

(December 2020 - 142.6/2020)

2.5 Local Government Legislation

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

(February 2022 - 312.1/2022)

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

Background

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

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

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

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

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

Comment

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

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

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

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

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

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

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

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

Constitutional Recognition of Aboriginal and Torres Strait Islander People

Information Paper

January 2023

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

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

Acknowledgement

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

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

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

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

1. Purpose

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

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

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

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

2. What is being proposed?

2.1 The referendum

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

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

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

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

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

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

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

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

¹ Albanese, Anthony (2023) [Speech, 28 Dec 2022, Woodford, Queensland, Prime Minister](#), Prime Minister of Australia
Attachment 2 - 12.1b Agenda of WALGA State Council Meeting, 1 March 2023

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

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

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

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

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

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

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

2.2 What is the Voice to Parliament?

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

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

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

The Voice as a body will:

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

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

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

- work alongside existing organisations and traditional structures.

The Voice will not have a:

- program delivery function; or
- veto power.

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

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

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

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

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

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

2.2 Regional and Local representation in the Voice to Parliament

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

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

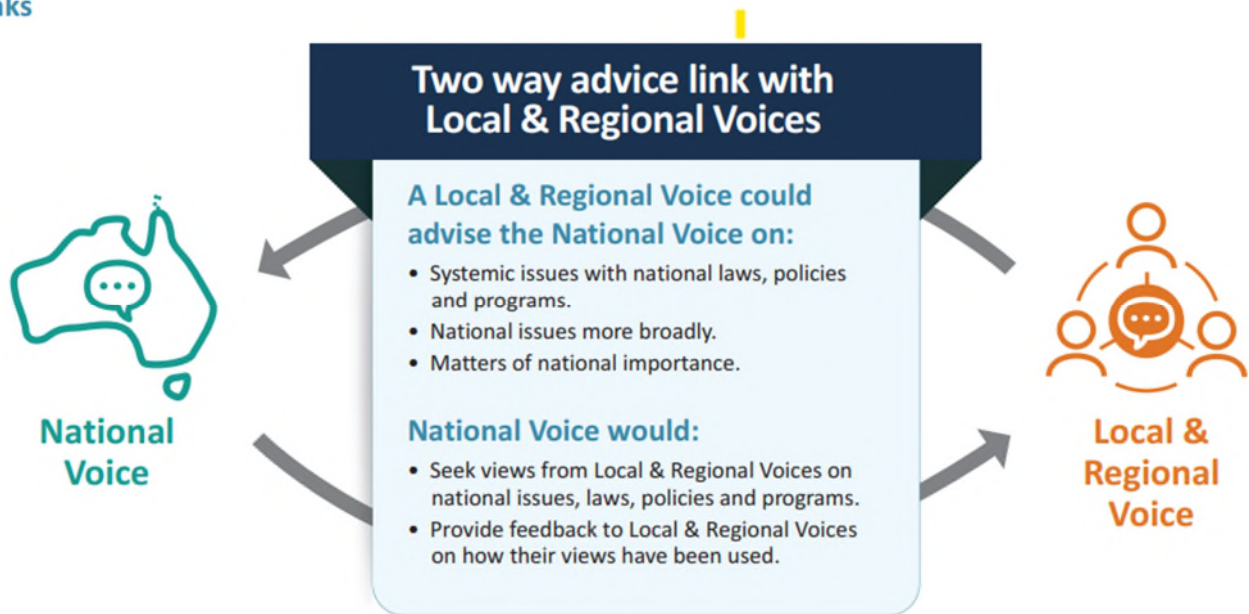
² Wensing, Ed (2022) Briefing A First Nations Voice to Parliament: Local Government's Role. LGIU Members Briefing. 12 September 2022.

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

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

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

Links



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

2.2.1 Relevance for Local Government

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

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

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

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

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

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

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

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

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

3. Support for constitutional recognition

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

3.1 Community

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3.2 Aboriginal and Torres Strait Islanders

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

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

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

3.3 Local Government

3.3.1 Western Australia

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

3.3.2 Nationally

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

3.3.3 Local Government Associations

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

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

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

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

Further information on Association positions is at Appendix 3.

3.4 States and Territories

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

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

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

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

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

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

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

3.4.1 Western Australia

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

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

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

3.4.2 South Australia

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

3.4.3 Victoria

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

3.4.4 New South Wales

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

3.4.5 Tasmania

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

3.4.6 Queensland

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

3.4.7 Northern Territory

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

⁸ Indigenous Affairs Ministers meeting communiqué, 6 December 2022

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

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

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

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

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

3.4.8 Australian Capital Territory

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

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

3.5 Opposition and other Political Parties

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

The NSW Coalition Government supports a Voice to Parliament.

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

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

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

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

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

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

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

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

4. Opposition to constitutional recognition

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

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

4.1 Lack of information

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

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

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

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

4.2 The role of the Voice in Australian democracy

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

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

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

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

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

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

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

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

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

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

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

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

*The Uluru Statement represented a historic, unprecedented moment in the ongoing struggle of Indigenous peoples for substantive constitutional recognition and empowerment. The Indigenous advocacy of the past has tended to emanate from particular regions and First Nations: never before has a national Indigenous consensus position been achieved. Though seven delegates walked out of the Uluru convention citing a preference for 'sovereign treaties', the consensus position was powerful. It reflected views expressed at every dialogue, each of which advocated a First Nations Voice as the preferred constitutional reform*³¹

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Appendices

Appendix 1: Uluru Statement from the Heart

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

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

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

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

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

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

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

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

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

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

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

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

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

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By: **Happy Reid**
CHARMAINE Kuluja
Christine Rumbur
Rene Kuluja

By: **Sammy Wilson**
yangKungTjara
PITjan Tjara
MARUKU ARTS by PA

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

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

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

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

Indigenous Voice Co-Design Process

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

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

Joint Select Committee on Constitutional Recognition - 2018

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

The Referendum Council – 2015-2017

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

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

Uluru Statement from the Heart

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

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

Australian Local Government Association

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

56 Newcastle City Council NSW

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

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

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

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

Municipal Association of Victoria

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

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

Local Government Association of Queensland (LGAQ)

Motion 8 carried at the 2019 Conference:

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

Motion 29 carried at the 2022 Annual Conference

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

The LGAQ:

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

Local Government Association of New South Wales (LGNSW)

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

That Local Government NSW:

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

39/2022S

Policy Platform 20. Aboriginal and Torres Strait Islander People

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

OUR POSITION

LGNSW:

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

Local Government Association of Western Australia (WALGA)

Government Association of Tasmania (LGAT)

Local Government Association of South Australia (LGASA)

Local Government Association of the Northern Territory (LGANT)

No position

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Appendix 4: Mayors for the Voice to Parliament Public Statement

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

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

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

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

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

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

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

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

- Peter Scott – Cook Shire Council (Qld)
- Hon George Gear JP – City of Melville (WA)

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

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

Appendix 5: New South Wales Indigenous Law Centre Issues Papers

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

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

The Constitutional Amendment should:

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

The Constitutional Amendment should not:

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

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

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

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

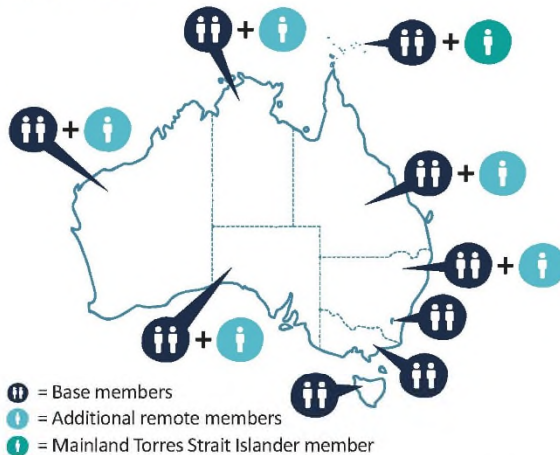
- **Respect for voters** including sufficient detail to make an informed choice
- **Assurance to First Nations** including that membership of the Voice will not be imposed by parliament without their input
- **Maintaining flexibility** to enable the Voice to adapt and evolve over time.

Appendix 6: National Voice Overview

National Voice overview

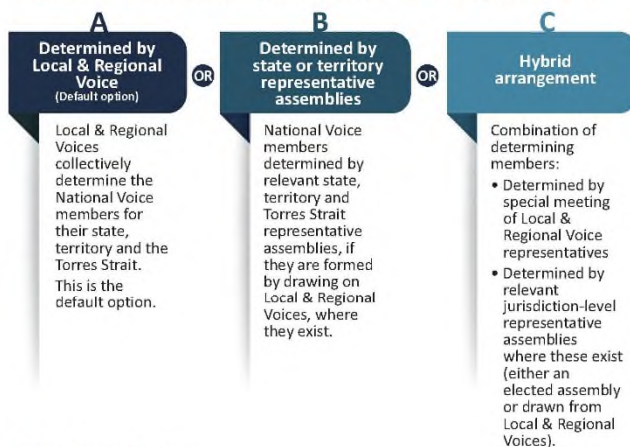
Structure and membership

24 Members



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

Membership structurally linked to Local & Regional Voice



Role of members

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

Membership features

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

Parliament and Government

Consultation standards

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

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

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

Transparency mechanisms

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

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

Policy and expert input

Two permanent committees, separate to the membership:

- A Youth Permanent Advisory Group
- Disability Permanent Advisory Group

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

Corporate form

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

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

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

Functions

Role of the National Voice

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

Core function

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



Advice function scope

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

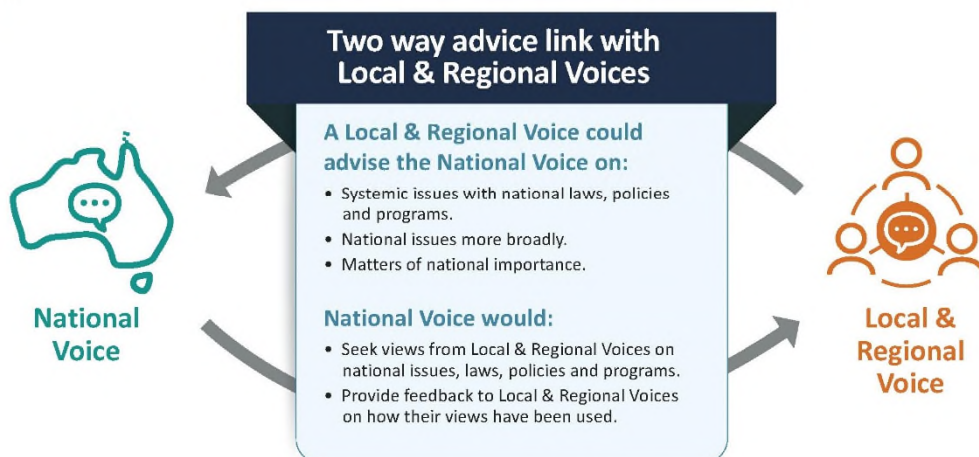
Advice function features

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

Engagement with other Aboriginal and Torres Strait Islander organisations

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

Links



The National Voice would not:

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

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

Principles-based framework for Local & Regional Voice

What is the Local & Regional Indigenous Voice Framework?

Purpose

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

How will it be achieved?

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

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

Context

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

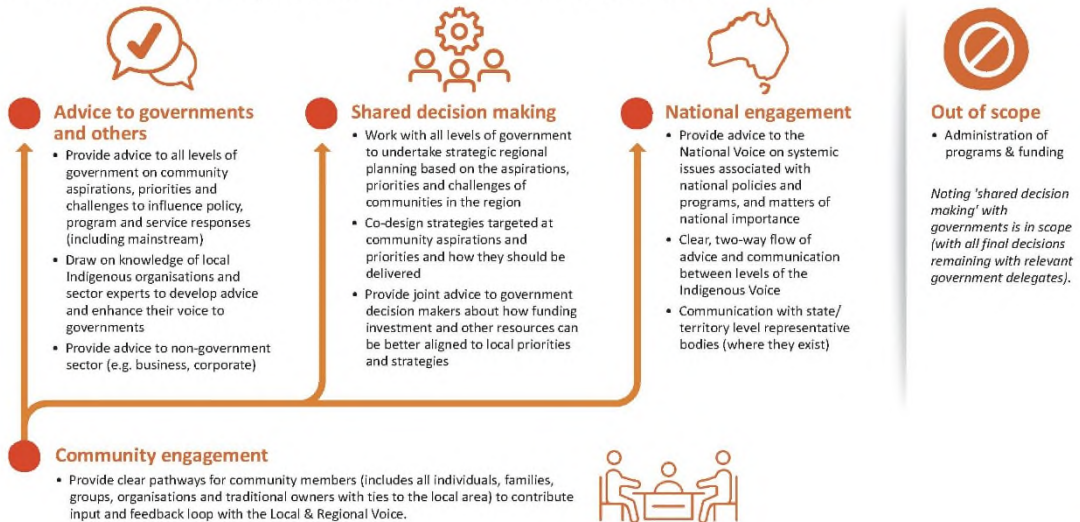
The Local & Regional Co-design Group's task is to articulate preferred approaches to improved local and regional decision making and Indigenous regional governance, and provide advice on preferred options.

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

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

Scope

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



Principles

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

★ Empowerment

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

★ Inclusive Participation

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

★ Cultural Leadership

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

★ Community-led Design

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

★ Non-duplication and Links with Existing Bodies

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

★ Respectful Long-term Partnerships

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

★ Transparency and Accountability

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

★ Capability Driven

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

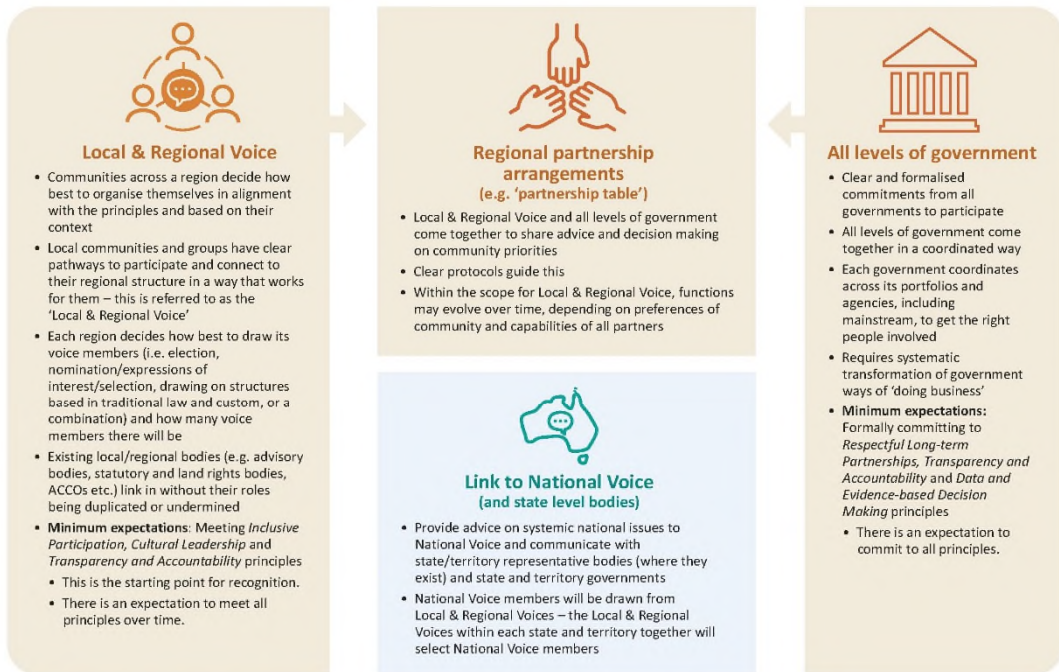
★ Data and Evidence-based Decision-Making

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

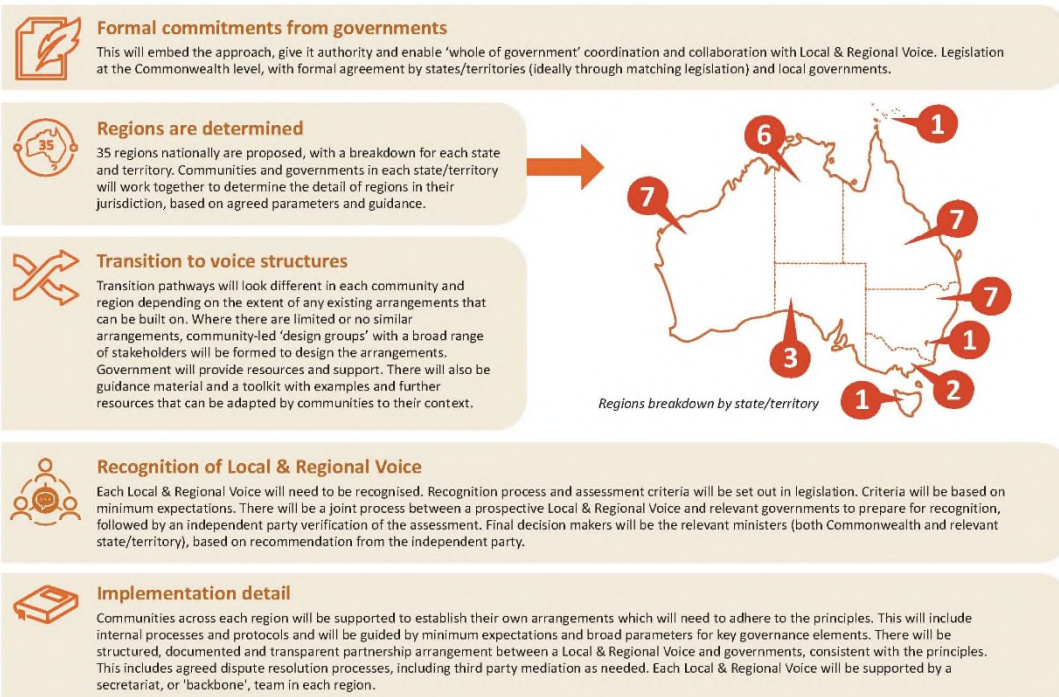
Item 7.1 Proposed Advocacy Position on Constitutional Recognition of Aboriginal and Torres Strait Islander People

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

How does this work in practice?



What are the steps to get there?



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

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

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7.2 Community Disaster Resilience Strategy Submission

By Rachel Armstrong, Senior Policy Advisor, Emergency Management

WALGA RECOMMENDATION

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

Executive Summary

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

Attachments

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

Policy Implications

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

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

The following WALGA advocacy positions are also relevant.

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

Background

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

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

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

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

Comment

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

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

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

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

Community Disaster Resilience Strategy

WALGA Submission – March 2023

Executive Summary

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

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

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

WALGA provides the following overall comment and recommendations:

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

Item 7.2 Community Disaster Resilience Strategy Submission

Attachment: WALGA Submission March 2023 - Community Disaster Resilience Strategy

Introduction

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

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

Background

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

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

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

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

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

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

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

Comment

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

Guiding Principles

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

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

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

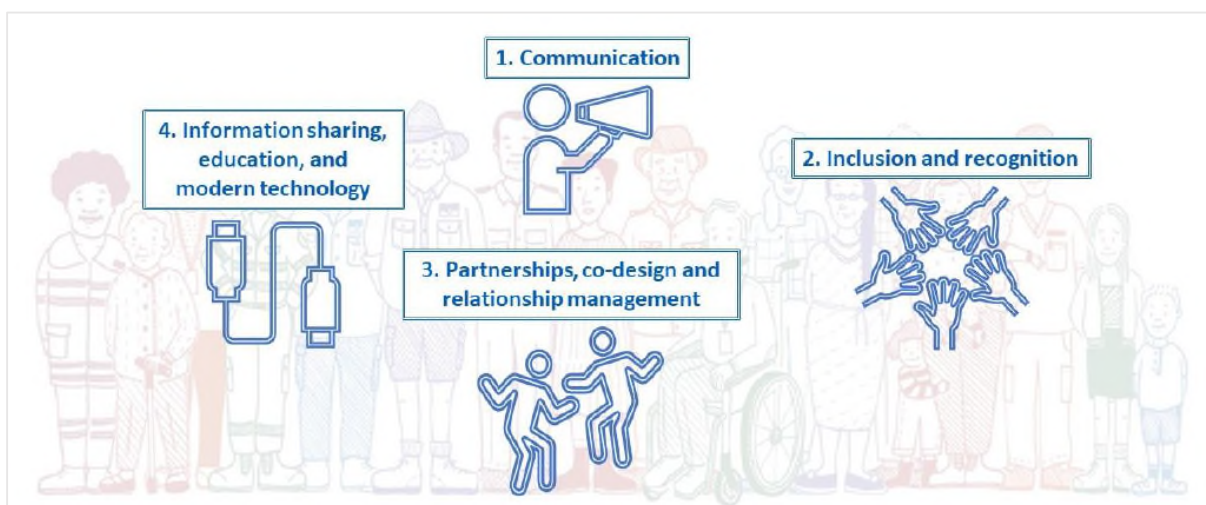


Figure 1: CDRS Guiding Principles (Pg.11)

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

1. Community engagement and education

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

4. Communication and modern technology

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

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

Key Objectives

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

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

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

Item 7.2 Community Disaster Resilience Strategy Submission

Attachment: WALGA Submission March 2023 - Community Disaster Resilience Strategy

<p>3.1 Objective - We are a capable community</p> <p>Critical infrastructure is more resilient through risk reduction, mitigation, and innovation. Communities use local knowledge to develop local solutions.</p> <p>Outcome: Communities are self-sufficient following an incident.</p>	<p>3.2 Objective - We return to an accepted normal state as quickly as possible</p> <p>Local leaders, schools and businesses are involved in localised preparedness, response and recovery initiatives, activities, and exercises, including continuity planning for service delivery.</p> <p>Outcome: Communities experience less severe physical, emotional, social, and economic impacts from disasters caused by natural hazards.</p>
<p>3.3 Objective - We feel safe, supported, and informed</p> <p>Networks and relationships within and between the emergency management sector and the community are strengthened in the quiet times to create trust in an emergency.</p> <p>Outcome: People are connected, have access to up-to-date and consistent information and are better informed.</p>	<p>3.4 Objective - We feel empowered</p> <p>The community has capacity to understand risk, accept responsibility and implement initiatives.</p> <p>Outcome: Communities support each other, are cooperative, become influential, and make good decisions.</p>

Figure 2: CDRS Key Objectives (pg.16)

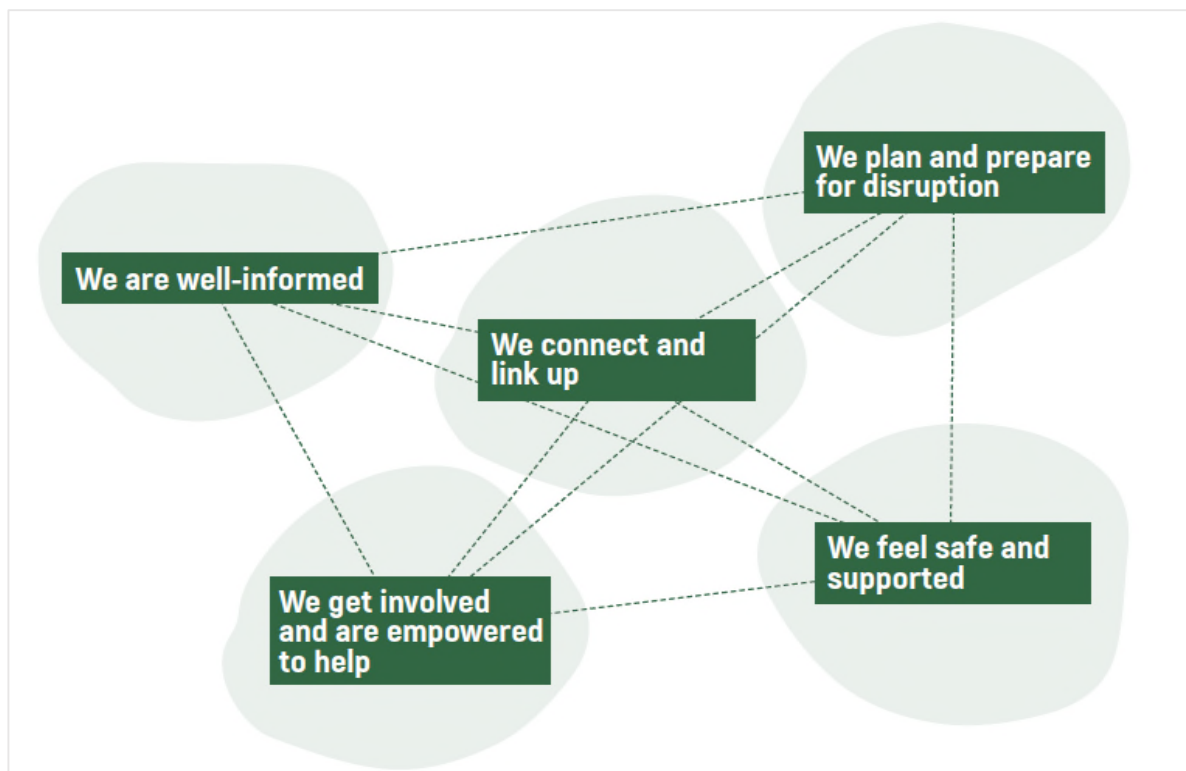


Figure 3: CDRS Discussion Paper October 2021 outcomes framework (pg. 17-28)

Item 7.2 Community Disaster Resilience Strategy Submission

Attachment: WALGA Submission March 2023 - Community Disaster Resilience Strategy

Monitoring and evaluation

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

This would set out:

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

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

Initiatives and Opportunities

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

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

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

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

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

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

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

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

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

Conclusion

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

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

APPENDIX ONE: Relevant WALGA Advocacy Positions

3.1.1 Service Delivery to Aboriginal Communities

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

3.11 Homelessness

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

4.1 Climate Change

Local Government acknowledges:

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

Local Government is committed to addressing climate change.

Local Government is calling for:

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

5.4.3 Betterment (resilience)

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

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

8.1 Emergency Management Principles

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

8.2 State Emergency Management Framework

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

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

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

8.3 Sustainable Grant Funding Model for Emergency Management

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

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

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



04 April 2022

Our Ref: 05-024-02-0067

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

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

Dear Dr Edwards

WALGA feedback on Community Disaster Resilience Strategy Discussion Paper

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

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

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

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

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

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

Strategic Alignment

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

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Working Together

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

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

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

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

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

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

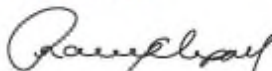
- A clearer outline of where the CDRS sits within the State Emergency Management Framework.
- The clear identification of roles, mechanisms and accountabilities in the implementation plan for the CDRS.
- Consideration of the possible interactions with existing Local Government business, specifically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

Detailed comments on the Discussion Paper are attached.

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

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

Yours sincerely



President Cr Karen Chappel JP
President

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Detailed comments on the Discussion Paper

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

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

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

7.3 Child Safeguarding Advocacy Position

By Vikki Barlow, Senior Policy Advisor Community

WALGA RECOMMENDATION

That the Child Safeguarding Advocacy Position as follows be endorsed:

Child Safeguarding

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

Executive Summary

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

Attachment

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

Policy Implications

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

3.10.2 National Redress Scheme

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

(March 2020 – Resolution 14.1/2020)

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

Child Safeguarding

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

Background

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

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

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

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

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

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

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

Comment

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

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

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

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

By Rebecca Brown, Manager, Environment and Waste

WALGA RECOMMENDATION

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

Executive Summary

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

Attachment

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

Policy Implications

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

6.11 Public Open Space

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

Background

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

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

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

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

Comment

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

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

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

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

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

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

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

Draft Guideline:

Minimising noise impact from outdoor community basketball facilities

WALGA Submission

January 2023

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

1. About WALGA

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

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

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

2. Background

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

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

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

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

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

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

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

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

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

3. General Comments

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

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

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

Facility Siting

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

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

Example 1: Local Park, small pad

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

Example 2: Neighbourhood Park, half court

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

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

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

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

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

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

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

Engineering Controls

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

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

Facility management options

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

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

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

4. Conclusion

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

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

7.5 Main Roads Draft Roadside Advertising Policy and Application Guidelines

By Max Bushell, Policy Officer Road Safety and Infrastructure

WALGA RECOMMENDATION

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

Executive Summary

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

Attachment

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

Policy Implications

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

Background

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

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

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

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

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

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

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

Comment

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

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

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

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

Item 7.5 Main Roads Draft Roadside Advertising Policy and Application Guidelines

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

Roadside Advertising Devices Policy and Guidelines

WALGA Submission

Item 7.5 Main Roads Draft Roadside Advertising Policy and Application Guidelines

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

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

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

WALGA requests the inclusion of a schedule of approval timeframes.

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

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

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

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

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

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

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

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

8. POLICY TEAM REPORTS

8.1 Environment and Waste Policy Team Report

By Nicole Matthews, Executive Manager Policy

RECOMMENDATION

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

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

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

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

1. Matters for State Council Decision

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

2. Matters for State Council Noting

The following updates were noted by the Policy Team:

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

8.2 Governance and Organisational Services Policy Team Report

By Tony Brown, Executive Director Member Services

RECOMMENDATION

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

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

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

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

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

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

8.3 Infrastructure Policy Team Report

By Ian Duncan, Executive Manager Infrastructure

RECOMMENDATION

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

The Infrastructure Policy Team includes the following subject areas:

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

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

1. Matters for State Council Decision

Nil.

2. Matters for State Council Noting

2.1 Policy Team meeting on 7 December 2022

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

Road Traffic Issues

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

Car Parking and Traffic Congestion Around Schools

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

Proposal for Regional Road Maintenance Contracts with Main Roads

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

Northern Australian Beef Roads Program

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

2.2 Policy Team meeting on 11 January 2023

Western Power Access Arrangement 5

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

8.4 People and Place Policy Team Report

By Nicole Matthews, Executive Manager Policy

RECOMMENDATION

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

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

- *Community*
- *Emergency Management*
- *Planning and Building*

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

1. Matters for State Council Decision

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

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

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

2. Matters for State Council Noting

The following noting items were considered:

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

9. MATTERS FOR NOTING / INFORMATION

9.1 Animal Welfare in Emergencies Grant Program Overview

By Cassandra Mora, Policy Officer, Emergency Management

WALGA RECOMMENDATION

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

Executive Summary

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

Background

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

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

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

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

Comment

Overall, 40 WA Local Governments shared in a total of \$414,066.06 funding to enhance their capability and capacity to prepare for, respond to and recovery from the impacts of emergency situations on animal welfare. A total of 30 Local Governments were awarded grants to support 24 individual and two joint projects. Projects ranged from the preparation of Animal Welfare in Emergencies Plans, acquiring materials to support community engagement and communications, and building local and regional capacity through investment in resources to support response activities

including the transportation and storage of animals during an evacuation. Additionally, a total of 65 Local Government officers from 22 Local Governments attended a three-day training course at the Muresk Institute to enhance their capability and knowledge in planning for and responding to animal welfare in emergencies.

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

9.2 Emergency Management Update

By Rachel Armstrong, Senior Policy Advisor, Emergency Management

WALGA RECOMMENDATION

That State Council note this Emergency Management update.

Executive Summary

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

Attachment

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

Background

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

Comment

Consultation Exposure Draft Bill - Emergency Services Act

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

Auditor General Report 13 Funding of Volunteer Emergency and Fire Services

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

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

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

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

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

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

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

Communication from DFES to WALGA regarding Bushfire Brigade Local Laws

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

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

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

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

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

Kimberley Floods Emergency

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

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

9.3 Local Development Plan Background Paper

By Coralie Claudio, Senior Policy Advisor Planning

WALGA RECOMMENDATION

That State Council note the Local Development Plan Background Paper.

Executive Summary

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

Attachment

- [Local Development Plan Background Paper](#)

Background

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

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

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

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

Comment

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

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

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

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

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

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

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

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

9.4 2023-24 WALGA Federal Budget Submission

By Daniel Thomson, Economist

WALGA RECOMMENDATION

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

Executive Summary

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

Attachments

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

Policy Implications

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

Background

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

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

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

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

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

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

Comment

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

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

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

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

By Alina Hobson, Policy Officer, Resilient Communities

WALGA RECOMMENDATION

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

Executive Summary

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

Attachment

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

Policy Implications

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

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

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

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

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

(State Council Resolution December 2022 – 399.8/2022)

Previous WALGA submissions:

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

Background

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

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

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

Comment

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

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

Key themes from WALGA's Phase Three submission included:

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

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

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

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

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

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

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

9.6 Child Care Premises Position Statement: Consultation Response

By Ruby Pettit, Policy Officer Planning

WALGA RECOMMENDATION

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

Executive Summary

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

Attachment

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

Background

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

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

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

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

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

Comment

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

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

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

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

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

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

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

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

9.7 Report Municipal Waste Advisory Council (MWAC)

By Rebecca Brown, Manager Waste and Environment

WALGA RECOMMENDATION

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

Executive Summary

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

Background

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

Comment

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

Expansion of the NSW Container Deposit Scheme Submission

A Submission was developed on the expansion of the NSW Container Deposit Scheme (CDS) as it is likely to impact on the future direction of the WA Scheme and the scope of containers included.

The Submission focuses on supporting the expansion of the Scheme to cover a range of additional products including wine and spirits, fruit and vegetable juice, plain and flavoured milk and milk substitutes, concentrated fruit juice, cordial, flavoured alcoholic beverages with a wine base and registered health tonics.

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

MUNICIPAL WASTE ADVISORY COUNCIL MOTION

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

Moved: Cr Abetz

Seconded: Cr Wheatland

CARRIED

Environmental Protection Act Discussion Paper

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

MUNICIPAL WASTE ADVISORY COUNCIL MOTION

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

Moved: Cr Abetz
Seconded: Cr Wheatland

CARRIED

Waste Priorities 2023

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

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

MUNICIPAL WASTE ADVISORY COUNCIL MOTION

That the Municipal Waste Advisory Council endorse priorities for 2023:

Regulatory Certainty

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

Effective Product Stewardship

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

Moved: Cr Abetz
Seconded: Cr Wheatland

CARRIED

PFAS National Environmental Management Plan 3.0 Submission

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

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

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

MUNICIPAL WASTE ADVISORY COUNCIL MOTION

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

Moved: Cr Abetz
Seconded: Cr Wheatland

CARRIED

10. ORGANISATIONAL REPORTS

10.1 Key Activity Reports

10.1.1 Report on Key Activities, Advocacy Portfolio

By Narelle Cant, Executive Manager Advocacy

RECOMMENDATION

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

The Advocacy Portfolio comprises the following work units:

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

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

2023 Urban Forest Conference – Valuing Canopy

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

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

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

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

Media

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

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

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

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

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

Transport and Roads Forum

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

New WALGA Website

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

Best Practice Governance Review Independent Research

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

Salary and Workforce Survey

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

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

Economic Briefing

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

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

Local Government Directory

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

10.1.2 Report on Key Activities, Infrastructure Portfolio

By Ian Duncan, Executive Manager Infrastructure

RECOMMENDATION

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

The Infrastructure Portfolio comprises the following work units:

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

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

Roads

Condition Assessment of Roads of Regional Significance

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

Local Government Transport and Roads Research and Innovation Program

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

Transport and Roads Forum 2023

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

Funding

State Road Funds to Local Government Agreement

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

Urban and Regional Transport

Local Government Cycling Reference Group

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

Utilities

Streetlighting

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

Underground Power

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

Road Safety

Road Safety Ratings for Local Government Roads Project

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

Road Safety Council Update

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

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

10.1.3 Report on Key Activities, Member Services Portfolio

By Tony Brown, Executive Director Member Services

RECOMMENDATION

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

The Member Services Portfolio comprises the following work units:

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

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

Commercial

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

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

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

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

Employee Relations

State Industrial Relations transition – commenced 1 January 2023

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

WALGA Salary and Workforce Survey 2022

The annual WALGA Salary and Workforce Survey closed on 2 December 2022. A record 77 WA Local Governments completed the survey, which is an increase on the 68 WA Local Governments which completed the survey in 2021. The survey report and results will be available on the online

portal in February 2023. The collective survey results can help guide a Local Government's recruitment and remuneration strategies, inform workforce plans, track the diversity and make-up of the workforce and help to measure performance across key HR metrics.

Governance and Procurement

Local Government Legislative Reform

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

- Electoral Reform
 - Number of Elected Members – tiered limits
 - Optional Preferential voting
 - Public vote to elect the Mayor/President for Bands 1 and 2
 - No electoral wards for Bands 3 and 4
 - Filling extraordinary vacancy without extraordinary election
- Standardised Council meeting procedures,
- Live streaming of meetings for Bands 1 and 2
- Recording of meetings for Bands 3 and 4
- Caretaker period
- Publication of information relating to CEO's performance
- Community Engagement
- Council/CEO Communications agreements
- Fees paid and expenses reimbursed to committee members
- Audit Committees

The second tranche that will be introduced later in the year will cover the following:

- Office of the Local Government Inspector
- Monitors
- Conduct Panel
- Elected Member Superannuation
- WALGA's role in the *Local Government Act*
- Streamlining Regional Subsidiaries

Training

LGA30120 Certificate III in Local Government

WALGA Training is proud to launch its first student intake on 1 February 2023 for the Certificate III in Local Government. Since the last report we have been appointed by the Department of Training and Workforce Development onto their Preferred Panel. This allows us to offer funded training through the Jobs and Skills WA program. We have received lots of interests from Local Governments for both the Traineeship and our fast-tracked Existing Worker program.

Short Courses and General Overview

We have received lots of interest and enrolments for our short courses in 2023 for both Elected Members and Officers.

The Environment team have been working hard to finalise the last 2 modules for the Environment and Sustainability eLearning program and the Climate Risk workshop. The Employee Relations (ER) team is looking at developing new training programs for HR professionals. In addition with the Local Government Act legislative reform underway, there will be continued work to ensure all learning resources are kept up to date and to prepare for the next Council Member Essentials training.

10.1.4 Report on Key Activities, Policy Portfolio

By Nicole Matthews, Executive Manager Policy

RECOMMENDATION

That the Key Activity Report from the Policy Portfolio to the March 2023 State Council meeting be noted.

The Policy Portfolio comprises the following work units:

- *Economics*
- *Environment and Waste*
- *Planning and Building*
- *Resilient Communities (Emergency Management and Community Development)*

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

Economics

Quarterly Economic Briefing

WALGA's latest quarterly Economic Briefing was released in December, containing updated forecasts for the Local Government Cost Index. This edition shows that while the Index is expected to remain above average in 2022-23 (4.1% growth), it will slow from the current record high levels as construction costs start to ease.

The March edition of the Economic Briefing is currently being prepared and will assist Local Governments with information and data to support their budgeting activities.

Federal Budget Submission

In January 2023, WALGA wrote to the Federal Treasurer to provide support for the initiatives outlined in ALGA's 2023-24 Budget Submission. WALGA's letter also seeks funding for several important initiatives for WA, including coastal hazard risk management and training for building surveyors. Further information is provided at [Agenda Item 9.4](#).

Strategic Policy Register

The Economics team has coordinated the development of WALGA's Strategic Policy Register, which will be presented to State Council at the March Strategic Forum. The team will commence working in coming weeks to review and refresh WALGA's policy prioritisation framework.

Environment and Waste

Natural Resource Management Grant

WALGA has been [awarded](#) a \$400,000 State Natural Resource Management Community Stewardship Grant aimed at enhancing the capacity of smaller Local Governments in the Southwest Ecoregion to incorporate biodiversity considerations in their land use planning, management and decision making. Devolved grants will be available for Local Governments to undertake roadside and reserve vegetation assessments and develop local biodiversity strategies and/or policies for native vegetation and biodiversity conservation. Best practice assessment methodology, templates and data for local biodiversity conservation planning, and a roadside vegetation management training package will also be developed.

Further information will be provided in coming weeks.

Gascoyne Waste and Environment Summit

WALGA, in partnership with the Shire of Shark Bay, will be hosting a Waste and Environment Summit on Thursday, 11 May with tours on Friday, 12 May. The event will bring together high-profile speakers to the region as well as showcasing local initiatives and opportunities.

Biosecurity

WALGA has continued to provide input to the [Biosecurity and Agriculture Management Act Review](#) following State Council's endorsement of the new WALGA Biosecurity Advocacy Position in December 2022. Further consultation will be undertaken as part of Stage 3 of the review which is expected to commence soon. WALGA is also participating in the State Government's development of a Pest Parrot and Cockatoo Strategy.

Planning and Building

7 Star Homes Cost Investigation – South Coast Addendum

WALGA has released an addendum to the [7 Star Homes Cost Investigation Report](#) for South Coast climate zones. The addendum provides an accurate estimation of the costs associated with shifting from a 6 Star thermal performance standard to a 7 Star standard on the South Coast (approximately Manjimup to Albany) by using a baseline house design specifically for cooler climate zones and sourcing costs from local suppliers. This information is useful for Local Governments who are seeking to educate their communities about the material and design changes needed to achieve a 7 Star home thermal performance standard. The 7 Star standard will come into effect in WA in May 2025. The full report is available [here](#).

Coastal Hazard Risk Management Grants

Six Western Australian Local Governments were successful in receiving funding of over \$11 million from the Federal Government Coastal and Estuarine Risk Mitigation Program (CERMP). The funding will support critical coastal adaptation projects that will help protect Western Australia's coastline. Information on successful projects is available [here](#).

Additionally, round one of the Federal Government Disaster Ready Fund (DRF) is now open, until 6 March 2023. The DRF will provide up to \$200 million annually for disaster resilience and recovery projects, including those addressing coastal erosion and inundation. Further information on the DRF is available [here](#). WALGA has been advocating for Federal Government funding to address coastal hazards. The CERMP and DRF are a welcome and much needed response.

Urban Forest Conference

The [2023 Urban Forest Conference](#) will be held on 17 February 2023 at Curtin University. The Conference will showcase innovative approaches to incorporating green space into the built environment and planning and policy interventions from across Australia. Program highlights include a keynote address from the City of Sydney, a discussion panel featuring PIA, UDIA, the WAPC and the Town of Victoria Park, a masterclass for Elected Members, and seven concurrent sessions across planning, design, health, urban heat, and community engagement. A full report on the Conference will be provided in the next State Council Agenda.

Short-Term Rental Accommodation

An inter-agency working group has been established by the State Government to provide advice on the establishment of a state-wide short-term rental accommodation registration scheme and planning policy position statement. This work follows a public consultation period in early 2022 on a draft position statement. WALGA is a member of the inter-agency working group and has been working closely with Local Governments to understand and represent Local Government interests.

Planning Fees and Charges

The fees that Local Governments can charge for providing certain planning services such as the assessment or review of development proposals, local development plans, subdivision proposals and structure plans are set by the State Government in the Planning and Development Regulations 2009. These fees have not been amended since 2013 despite several advocacy attempts by WALGA.

WALGA is establishing a Local Government working group to inform renewed advocacy to pursue changes to these fees. Further information will be provided to State Council as this work progresses.

Temporary Buildings and Uses

Many Local Governments have programs that aim to support small business and activate unused buildings by enabling the use of temporary buildings for small events and unused buildings for temporary uses. However, regulatory barriers have made it difficult for applicants and building permit authorities. In December, WALGA facilitated a meeting of building surveyors, the Department of Health, DMIRS and DFES to discuss solutions for overcoming these barriers and identified that changes to the Health (Public Buildings) Regulations 1992 will address the concerns raised by building surveyors regarding the appropriate governing legislation. Interim strategies that Local Governments can implement until the Regulations are amended were also identified.

Performance Monitoring

34 Local Governments have submitted their performance monitoring data for 2021-2022. WALGA is currently analysing the data and populating a dashboard that will make this data available to demonstrate sector performance in meeting statutory development, subdivision and building permit assessment timeframes. This year is the project's sixth consecutive year. The project provides a critical data set for Local Governments and supports WALGA advocacy on behalf of the sector. A report on the results will be provided in an upcoming State Council Agenda.

Upcoming Public Consultations

WALGA expects public consultation will open in early 2023 for the following planning instruments:

- *State Planning Policy 3.7 Planning in Bushfire Prone Areas;*
- *Development Control Policy 2.3 Public Open Space in Residential Areas;* and
- new regulations for the referral of planning schemes and amendments for environmental assessment under the *Environmental Protection Act 1986*.

Resilient Communities

Child Safety

The Department of Premier and Cabinet (DPC) presented to peak organisations on the draft policy proposals for the Independent Oversight of the National Principles for Child Safe Organisations on 6 December 2022.

WALGA is seeking more detailed information on who will be taking on the lead role of Independent Oversight, the framework for the capability building approach and how the proposed co-regulatory model will work including alignment of standards, capacity, powers, and scope.

WALGA has developed a new Child Safeguarding Advocacy Position to guide policy development and capacity building for the Local Government sector (see [Agenda item 7.3](#)).

The Department of Local Government Sport and Cultural Industries (DLGSC), in collaboration with the Department of Communities (DoC), have developed a draft Child Safe Awareness Policy for Local Government aligned with Royal Commission Recommendation 6.12 / Child Safety Officers. Officers from the Child Safeguarding Unit will be providing an update on the Policy at the February Zone meetings with the view to provide the Draft Policy to State Council in May 2023.

Public Health Act 2016

The Department of Health has advised that the work program and schedule to implement the final stages of the *Public Health Act 2016* have been delayed due to the impacts of COVID-19. New regulations for both stage 4 and stage 5, including the requirement for Local Governments to have Public Health Plans, are now not expected to commence within the next 2 years.

Emergency Management

High-Threat Period Incidents

WALGA attended All Hazard Liaison Group (AHLG) and State Emergency Coordination Group (SECG) meetings over December and January which were called in response to the flooding event in the Kimberley from ex-Tropical Cyclone Ellie and fire conditions. DFES coordinates AHLG meetings to brief key stakeholders on emergencies as they escalate. WALGA maintains situational awareness during emergencies through its participation at AHLG and SECG meetings, liaising with affected Local Governments and escalating issues of concern as required.

Current Consultations

The State Government is seeking feedback from Local Governments on several emergency management plans and strategies:

- The State Emergency Management Committee (SEMC) is consulting on the draft *Community Disaster Resilience Strategy*. The aim of the Strategy is to increase capacity of communities to cope and recover from the impacts of hazards and disasters and identify opportunities for investment. WALGA has coordinated a submission on behalf of the Local Government sector (see [Agenda item 9.2](#)). Feedback to [SEMC](#) is due by 3 March 2023;
- The Department of Communities is reviewing the *State Support Plan: Emergency Welfare Interim* (now known as, State Support Plan - Emergency Relief and Support) and is seeking feedback from Local Governments via a survey. The existing framework, which was last reviewed in 2017, has become a foundation document in the assessment and development of the State's capability to manage emergencies. Feedback is required via the [survey](#) by 15 March 2023; and
- The Department of Fire and Emergency Services (DFES) State Capability Team has completed a comprehensive review of the current State Emergency Management Committee (SEMC) *Emergency Management Capability Framework* (the framework). Feedback is due via the [DFES consultation portal](#) by 15 March.

Local Emergency Management Arrangements (LEMA) Review Workshops Findings Webinar

On 6 December 2022 WALGA hosted a webinar to present the consultation outcomes of the LEMA Review Workshops and to provide an overview of the State Emergency Management Committee's (SEMC) current initiatives. The Webinar was attended by over 55 Local Government officers, including four Elected Members. WALGA will continue to work in partnership with SEMC to prepare a LEMA Review Improvement Plan than will inform the next steps to improve the current LEMA model.

LGIS Work Health and Safety Forum

WALGA attended LGIS' Local Government Forum on WHS and Volunteer Bushfire Fighters held on 28 November 2022. Mayors, Presidents and CEOs were invited to join WorkSafe, the Department of Fire and Emergency Services, and Local Government leaders to explore the implications of WHS in the management of volunteer bushfire fighters. A presentation was provided by WALGA CEO Nick Sloan, providing an overview of WALGA's advocacy and work to date, as well as areas of investment in the future to continue to support Local Governments in their bushfire responsibilities.

STATUS REPORT ON STATE COUNCIL RESOLUTIONS To the March 2023 State Council Meeting

MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
7 December 2022 Item 5.1 2022 Annual General Meeting Resolutions	<p>That:</p> <p>1. the following resolutions from the 2022 WALGA Annual General Meeting be endorsed for action:</p> <p style="padding-left: 40px;">3.8 Review of the Rating Methodology used by the Valuer-General <i>Advocate for a full review of the rating methodology used by the Valuer-General to value all land in the State of Western Australia.</i></p> <p style="padding-left: 40px;">3.10 Reform of the <i>Cat Act 2011</i> <i>That the WA Local Government sector requests the WA State Government prioritise reforms to the Cat Act 2011, in accordance with the Statutory Review undertaken and tabled in the State Parliament on 27 November 2019.</i></p> <p>2. the following resolutions from the 2022 WALGA Annual General Meeting be referred to the relevant Policy Team for further work to be undertaken:</p> <p style="padding-left: 40px;">3.1 Road Traffic Issues <i>That WALGA advocate on behalf of the local government sector to the State Government and in particular, Main Roads, to increase importance and weight given to local knowledge and input regarding road traffic issues including requests for speed reduction, intersection treatments and overall preventative and traffic safety measures.</i></p> <p style="padding-left: 40px;">3.2 Car Parking and Traffic Congestion Around Schools <i>That WALGA engages with the State Government on behalf of Local Government to review issues associated with car parking and</i></p>	<p>In relation to item 3.8 Review of the Rating Methodology used by the Valuer-General, a letter has been sent to the Minister for Lands (with a copy also sent to the Minister for Local Government).</p> <p>In relation to item 3.10 Reform of the <i>Cat Act 2011</i>, a letter has been sent to the Minister for Local Government on this issue.</p> <p>In relation to item 3.1 Road Traffic Issues, the Infrastructure Policy Team resolved: <i>That efforts to increase the importance given to Local Government knowledge regarding traffic issues be deferred for consideration in mid-2023 after a clear Local Government advocacy position on speed management is developed and endorsed.</i></p> <p>In relation to item 3.2 Car Parking and Traffic Congestion Around Schools, the Infrastructure Policy Team resolved: <i>That WALGA uses its role at the Safe Active Travel to School Working Group to advocate for these outcomes and provide advice back to the Local Government sector.</i></p> <p>In relation to item 3.3 Proposal for Regional Road Maintenance Contracts with Main Roads WA, the Infrastructure Policy Team resolved: <i>That the opportunities and interest in contracting Local Governments to undertake maintenance and minor works on the State road network be explored in discussion with Main Roads WA.</i></p>	Ongoing	Tony Brown Executive Director Member Services

MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
	<p><i>traffic congestion around school sites including but not limited to:</i></p> <ol style="list-style-type: none"> <i>1. Reviewing car parking standards for schools;</i> <i>2. Ensuring sufficient land is set aside for the provision of parking on school sites;</i> <i>3. Reviewing the co-location of schools to avoid issues being exacerbated;</i> <i>4. Restricting school access from major roads;</i> <i>5. Developing plans to enable schools to manage school traffic;</i> <i>6. Develop programs to educate drivers; and</i> <i>7. Develop options and implement initiatives to encourage alternative modes of transport to school.</i> <p>3.3 Proposal for Regional Road Maintenance Contracts with Main Roads WA</p> <p><i>That WALGA assist Local Governments and work with the Hon Minister Rita Saffioti to introduce a similar program that is currently in play in Queensland and introduce a sole invitee Program for Local Governments to engage in a Road Maintenance Performance Contract with Main Roads WA.</i></p> <p>3.4 Northern Australia Beef Roads Program</p> <p><i>That WALGA work with the Hon Madeleine King MP Minister for Resources and Minister for Northern Australia to make Beef Road Funding available to all Australian Local Governments north and south, or establish a Southern Australia Beef Road Funding Program to allow for equitable support across Australia's beef and agriculture industries.</i></p> <p>3.5 3D House Printing Building Compliance</p> <p><i>That WALGA requests:</i></p> <ol style="list-style-type: none"> <i>1. Assistance from Minister for Industry and Science The Hon Ed Husic MP, Minister for Housing and Homelessness, Small Business The Hon Julie Collins MP,</i> 	<p>In relation to item 3.4 Northern Australia Beef Roads Program, the Infrastructure Policy Team resolved:</p> <p><i>That the Association write to the Goldfields Esperance Regional Road Group identifying the issue raised and invite them to consider whether they may partner with other organizations such as Meat and Livestock Australia, the Pastoral and Graziers Association and the Regional Development Commission and RDA to develop a business case to fund roads critical to the southern pastoral beef industry.</i></p> <p>In relation to item 3.6 South West Native Title Settlement, WALGA is preparing a formal letter to Anthony Kannis, Director General of Department of Planning, Lands and Heritage (DPLH) requesting:</p> <ul style="list-style-type: none"> A full list of potential land parcels that will be eligible for transfer as part of the Southwest Native Title Settlement to enable Local Governments to undertake early due diligence on the identified land, The consultation timeframe is increased for consideration of parcels of land for transfer from 40 days to 90 days (3 months) 		

MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
	<p><i>Minister for Infrastructure, Transport, Regional Development and Local Government The Hon Catherine King MP to work with Ministers from all State and Territory Governments who have Building and Construction in their portfolios, to collaborate and to consider removing impediments within the National Construction Code Series and associated Australian Standards, that dissuade industry from adopting 3D printing as a building method.</i></p> <p>2. <i>That the Government provide instruments to incentivise private industry to develop 3D printing and include this as an acceptable building practice.</i></p> <p>3.6 <i>South West Native Title Settlement That WALGA advocate to the State Government that Local Governments be provided with the full list of potential land to be requested for transfer as part of the South West Native Title Settlement and that a minimum of three months be provided for Council to provide feedback.</i></p> <p>3.7 <i>Land Offset Compensation to Local Governments That WALGA advocate to the State Government that the Developer requiring land offsets should be required to provide the offsets within the Local Government where the clearing occurs and where this is not possible, the Developer requiring land offsets within another Local Government be required to pay a fee to the Local Government for the loss of rates and ongoing maintenance of infrastructure to the Land.</i></p> <p>3.12.1 <i>Abandoned Shopping Trolleys That this meeting supports the recent petition to be tabled in the Legislative Council, Parliament of Western Australia, "Removal and Abandonment of Shopping Trolleys 22-0017" calling on the State Government to implement stringent and uniform shopping trolley</i></p>			

MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
	<p><i>containment laws for the whole state of Western Australia.</i></p> <p>3. the following resolutions from the 2022 WALGA Annual General Meeting be noted:</p> <p>3.11 WALGA Best Practice Governance Review – Principles</p> <p><i>That:</i></p> <ol style="list-style-type: none"> 1. <i>The update on the Best Practice Governance Review project be noted, and</i> 2. <i>The principles to inform WALGA's future governance model, as follows and as per the attached Principles document, be endorsed:</i> <ol style="list-style-type: none"> a. <i>Representative – WALGA unites and represents the entire Local Government sector in WA and understands the diverse nature and needs of members, regional communities and economies.</i> b. <i>Responsive – WALGA is an agile association which acts quickly to respond to the needs of members and stakeholders.</i> c. <i>Results Oriented – WALGA dedicates resources and efforts to secure the best outcomes for Local Government and supports the delivery of high-quality projects, programs and services.</i> <p>3.12.2 Mandatory Superannuation for Elected Members in Band 1 and 2 Councils</p> <p><i>That this meeting supports requesting WALGA to advocate for the Local Government reforms to include mandatory superannuation for elected members of Band 1 and Band 2 Councils and supports the optional payment of superannuation for Band 3 and 4 Councils.</i></p> <p>RESOLUTION 394.8/2022</p>			

MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
7 December 2022 Item 5.2 Elected Member Superannuation	<p>That WALGA:</p> <ol style="list-style-type: none"> advocates for superannuation to be required to be paid to Elected Members of Local Governments in Salaries and Allowances Tribunal (SAT) Band 1 and Band 2; and supports the position that superannuation payments to Elected Members of Local Governments in SAT Band 3 and Band 4 should be optional and determined by Council. <p>RESOLUTION 395.8/2022</p>	<p>Correspondence has been sent to the Minister for Local Government on this issue and the Advocacy Positions Manual has been updated.</p>	Complete	Tony Brown Executive Director Member Services
7 December 2022 Item 5.3 Biosecurity Advocacy Position	<p>That State Council endorse replacing Advocacy Position 4.5 <i>Post Border Biosecurity</i> with a new Biosecurity Advocacy Position as follows:</p> <p>4.5 Biosecurity <i>Western Australia's economy, environment and the community are facing increasing challenges posed by already established and new pests, weeds and diseases.</i></p> <p><i>Local Government has a significant role in biosecurity management, as land managers and regulators, and therefore has an interest in ensuring that Western Australia's biosecurity system, including control of declared pests, is effective and appropriately resourced.</i></p> <p><i>WALGA considers significant changes to the operation of the State's biosecurity system, including the Biosecurity and Agriculture Management Act 2007, are required to ensure these risks can be managed now and into the future.</i></p> <p><i>To be effective the Western Australian biosecurity system must:</i></p> <ol style="list-style-type: none"> <i>Take a transparent approach to the notion of 'shared responsibility' by ensuring that:</i> <ol style="list-style-type: none"> <i>The respective roles and responsibilities of Commonwealth, State and Local Government, industry, landholders, community groups and</i> 	<p>The Advocacy Positions Manual has been updated.</p>	Complete	Nicole Matthews Executive Manager Policy

MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
	<p><i>individuals are agreed and clearly articulated; and</i></p> <p>b) <i>There is improved pest management on State Government managed land and a formalised structure for State Government agencies with responsibilities for biosecurity management to work together and coordinate their activities.</i></p> <p>2. <i>Be underpinned by a strategic framework, developed in collaboration with stakeholders, that:</i></p> <p>a) <i>Establishes priorities for biosecurity threats in geographically defined regions, sets measurable targets and guides investment in biosecurity activities; and</i></p> <p>b) <i>Is regularly evaluated and reported on.</i></p> <p>3. <i>Have a greater focus on environmental biosecurity, through the increased recognition and management of pest species that have significant ecological impacts.</i></p> <p>4. <i>Be adequately, sustainably and equitably funded:</i></p> <p>a) <i>The appropriateness and effectiveness of the Declared Pest Rate (DPR) and Recognised Biosecurity Group (RBG) model as key mechanisms for the management of widespread and established declared pests should be reviewed and alternate mechanisms considered;</i></p> <p>b) <i>Increased and more equitable distribution of funding for every step in the biosecurity continuum and adequate resourcing for all stakeholders, including Local Government; and</i></p> <p>c) <i>The provision of funding for declared pest management in metropolitan areas.</i></p>			

MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
	<p>5. <i>Ensure that the criteria and process for listing of declared pests is evidence-based, timely and transparent.</i></p> <p>6. <i>Have an increased emphasis on compliance through education and enforcement activity, to ensure land managers are aware of their legislative responsibilities and are supported to implement biosecurity actions.</i></p> <p>7. <i>Facilitate the use of new technologies, strategic monitoring, and the establishment of data management systems to inform biosecurity investment decisions and support adaptive management.</i></p> <p>8. <i>Improve the community's understanding, awareness and action in relation to biosecurity to assist with threat surveillance and timely response to incursions.</i></p> <p>RESOLUTION 396.8/2022</p>			
7 December 2022 Item 5.5 Updated Aboriginal Cultural Heritage Advocacy Position	<p>That State Council endorse the following updated Advocacy Position on Aboriginal Cultural Heritage:</p> <p>3.1.3 Aboriginal Cultural Heritage Act 2021 and South West Native Title Settlement</p> <p><i>WALGA acknowledges Noongar people as the traditional owners of the South West Region. Local Government is supportive of conserving and protecting the State's Aboriginal cultural heritage.</i></p> <p><i>WALGA supports the introduction of the Aboriginal Cultural Heritage Act 2021 which will provide a modern framework for the recognition, protection, conservation and preservation of Aboriginal cultural heritage and recognises the fundamental importance of Aboriginal cultural heritage to Aboriginal people. The State Government must ensure that:</i></p> <ol style="list-style-type: none"> <i>The legislation balances the need to protect Aboriginal cultural heritage with the requirement for Local Government to undertake activities in a timely and affordable manner;</i> <i>The implementation and ongoing operation of the legislative system for the protection of</i> 	<p>The Advocacy Positions Manual has been updated.</p>	Complete	Nicole Matthews Executive Manager Policy

MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
	<p><i>Aboriginal cultural heritage is adequately resourced to ensure that all parties have the capacity, capability and resources to discharge their statutory obligations;</i></p> <p>3. <i>Support is provided to Local Governments to ensure that they have the resources, capacity and capability to comply with a complex legislative framework; and</i></p> <p>4. <i>Local Governments have the ability to deliver essential infrastructure works and emergency activities efficiently and effectively in order to maintain public safety.</i></p> <p>5. <i>WALGA advocate for and support the recognition of regional local Aboriginal people to be actively engaged in the Local Aboriginal Cultural Heritage Services (LACHS) groups; and</i></p> <p>6. <i>the various Prescribed Body Corporates (PBCs) be required to actively seek out local regional members to be included in the consultation and decision making process.</i></p> <p>RESOLUTION 399.8/2022</p>			
7 December 2022 Item 5.6 Review of Coastal Planning Policy Position	<p>That State Council endorse replacing Advocacy Position 6.8 <i>Coastal Planning</i> with a new Coastal Planning Advocacy Position as follows:</p> <p>6.8 <i>Coastal Planning</i> WALGA calls for:</p> <p>1. <i>Equitable legislative, regulatory and policy changes that preserve public coastal access for current and future generations.</i></p> <p>2. <i>The provision of sustainable and adequate long-term funding for Local Governments to manage the impacts of coastal erosion and inundation.</i></p> <p>RESOLUTION 400.8/2022</p>	<p>The Advocacy Positions Manual has been updated.</p>	Complete	Nicole Matthews Executive Manager Policy

MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
7 December 2022 Item 5.7 Finance and Services Committee Minutes 23 November 2022	That the Minutes of the Finance and Services Committee meeting held on 23 November 2022, including the mid-year Budget revision, be endorsed. RESOLUTION 401.8/2022	All items in the Minutes of the Finance and Services Committee have been actioned. Of note, correspondence has been sent to the Minister for Industrial Relations requesting WALGA be able to represent the industrial interests of Local Government employers by being named in the <i>Industrial Relations Act</i> (IR Act) similar to the Western Australian Branch of the Australian Medical Association Incorporated (AMA) at section 72B of the IR Act. The Ministers Office and the Department (DMIRS) have arranged to meet with WALGA staff to discuss this matter. Further updates will be provided when information is available.	Complete	Tony Brown Executive Director Member Services
7 December 2022 Item 5.8 Selection Committee Minutes 16 November 2022 – CONFIDENTIAL	That the: 1. Recommendations contained in the 16 November 2022 Selection Committee Minutes be endorsed, subject to the Lord Mayor Basil Zempilas' name being removed from the list of panellists in recommendation 5.1; and 2. Resolutions contained in the 16 November 2022 Selection Committee Minutes be noted. RESOLUTION 403.8/2022	All items have been actioned.	Complete	Tony Brown Executive Director Member Services
7 December 2022 Item 5.10 LGIS Board Remuneration – CONFIDENTIAL	That State Council approve the remuneration for LGIS Board members is increased by 3% for the 2022/23 financial year as per the LGIS Corporate Governance Charter guidance. RESOLUTION 405.8/2022	This item has been actioned.	Complete	Tony Brown Executive Director Member Services
7 December 2022 Item 7.1.2 Governance and Organisational Services Policy Team Report	That State Council: 1. Retains Advocacy Positions: a. 2.5.10 Control of Certain Unvested Reserves 2. Deletes Advocacy Positions: a. 2.5.16 Disposal of Property and Commercial Enterprises b. 2.5.33 Revoking or Changing Decisions 3. Amends Advocacy Positions a. 2.5.34 Contents of Minutes to be retitled and amended to read as follows:	The Advocacy Positions Manual has been updated.	Complete	Tony Brown Executive Director Member Services

MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
	<p><i>Advocacy Position 2.5.34 Content of Agenda and Minutes (Transparency)</i></p> <ol style="list-style-type: none"> <i>1. Amend Administration Regulation 11 to require information presented in, or attached to, a Council or Committee meeting agenda to be included in the minutes of that meeting.</i> <i>2. Amend Section 5.95(3) and Administration Regulation 11 to enable confidential attachments to a report included in a Council or Committee meeting agenda and minutes to remain confidential at the discretion of Council, despite the meeting not having been closed to the public when deciding the relevant matter.</i> <p>b. 2.5.42 Dispositions of Property to be amended to read as follows:</p> <p><i>Amend Functions and General Regulation 30 to:</i></p> <ol style="list-style-type: none"> <i>1. Remove the financial threshold limitation on a disposition where it is used exclusively to purchase other property – R.30(3).</i> <i>2. Modify the disposal by sale (only) limitations prescribed in R.30(2), so that</i> <ol style="list-style-type: none"> <i>a. Local Government may dispose of land consistent with the s.3.58 definition of ‘disposal’, where the disposal terms are consistent with the nature of interest that the transferee has in the adjoining land; and</i> <i>b. The market value limitation of \$5000, set in 1996, is increased to reflect contemporary land values.</i> <i>3. Insert an additional exemption for disposal of redundant plant and equipment to another Local Government, Regional Local Government, the government of the State or the Commonwealth or any of its agencies.</i> 			

MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
	<p>4. Requests the WALGA Secretariat write to the Minister for Local Government as the responsible Minister, reiterating the Sector's concerns regarding Cat Act local law limitations, requesting the Minister commit to a timeframe for progressing the Cat Act 2011 Review.</p> <p>5. Request the WALGA Secretariat to write to the Department of Premier and Cabinet, Cyber Security Unit and the Department of Local Government, Sport and Cultural Industries, requesting:</p> <ul style="list-style-type: none"> a. Details of the range of services, resources and support provided by the Cyber Security Unit to support the Local Government sector to improve the sector's cyber security profile. b. Consideration of State Government funding options for the Local Government sector, to further support improving the sector's cyber security profile, including: <ul style="list-style-type: none"> i. Providing access to State Government infrastructure and controls at no cost to Local Governments to ensure that the Local Government industry has the same level of protection as State Government departments. ii. Funded by State Government, in a similar approach to how State Government departments cyber security is funded. iii. Making a funding pool available for Local Governments to improve cyber security through purchasing of hardware and software infrastructure. <p>RESOLUTION 408.8/2022</p>			

MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
7 December 2022 Item 8 Additional Zone Resolutions – Zone items relating to the Aboriginal and Torres Strait Islander Voice to Parliament	That State Council: 1. Supports a robust and respectful national debate on constitutional recognition for Aboriginal and Torres Strait Islanders and requests the Commonwealth Government provide further details on the proposed Voice to Parliament. 2. Requests that the Commonwealth Government ensure that Local Governments and local communities across WA are meaningfully engaged with on this issue. 3. Requests WALGA prepare an advocacy position in support of constitutional recognition to be circulated to WALGA Zones for their next meeting for consideration and feedback. RESOLUTION 415.8/2022	An item for decision on the Voice to Parliament and Referendum on constitutional recognition for Aboriginal and Torres Strait Islanders will be considered at the March 2023 State Council meeting.	March 2023	Nicole Matthews Executive Manager Policy
9 September 2022 Item 5.2 Proposed Advocacy Position on Management of Bush Fire Brigades	That the following Advocacy Position on Management of Bush Fire Brigades be endorsed. <i>Management of Bush Fire Brigades</i> 1. <i>Bush Fire Brigade volunteers play a critical role in helping to protect their local communities. Local knowledge and skills are integral to bushfire management in Western Australia.</i> 2. <i>Future management and funding of volunteer Bush Fire Brigades must:</i> a) <i>Recognise the changing risk environment, including work health and safety requirements, and the increasing intensity and frequency of bushfires;</i> b) <i>Take account of the differing circumstances of Bush Fire Brigade units and regional variations in bush firefighting approaches; and</i> c) <i>Be adequately and equitably resourced through the Emergency Services Levy.</i> 3. <i>The State Government, through the Consolidated Emergency Services Act and/or other mechanism's must:</i> a) <i>Establish a clear framework to enable transfer of Bush Fire Brigades to the State Government if a Local Government decides to do;</i>	The Advocacy Positions Manual has been updated.	Complete	Nicole Matthews Executive Manager Policy

MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
	<p>b) Consult on the process, timeline, and implications for transfer of responsibility for Bush Fire Brigades in accordance with 3(a) through the establishment of a working group comprising representatives of Local Government, Bush Fire Brigades, the Department of Local Government, Sport and Cultural Industries (DLGSC) and the Department of Fire and Emergency Services (DFES);</p> <p>c) Provide for mandatory and minimum training requirements and recognition of competency and prior learning for Bush Fire Brigade volunteers, supported by locally delivered fit-for-purpose and universally accessible training program, designed in consultation with Bush Fire Brigade representatives, Local Government and LGIS, and managed by DFES; and</p> <p>d) Develop a co-designed suite of relevant management guidelines and materials to assist in the management of Bush Fire Brigades.</p> <p>4. As a matter of priority within the emergency services Acts review, the State Government to consider the most appropriate operational model for management of Bush Fire Brigades, which may include the establishment of an independent Rural Fire Service, as recommended in the 2016 Ferguson Report.</p> <p>RESOLUTION 377.7/2022</p>			

MEETING	RESOLUTION	COMMENT	Completion Date	Officer Responsible
1 December 2021 Item 5.3 2021 Annual General Meeting	That: 1. The following resolutions from the 2021 WALGA Annual General Meeting be endorsed for action: <u>Cost of Regional Development</u> That WALGA makes urgent representation to the State Government to address the high cost of development in regional areas for both residential and industrial land, including the prohibitive cost of utilities headworks, which has led to market failure in many regional towns. ... RESOLUTION 294.7/2021	The 2023-24 WALGA State Budget Submission includes a request for an additional \$5 million per year to a total of \$9 million per year for the Regional Development Assistance Program, particularly to meet the costs of headworks in residential and industrial land developments. The submission also requests that the program design be revised to separate projects in smaller towns from those in large regional centres. This submission has been presented to the Department of Primary Industries and Regional Development executive and the relevant Ministers.	Ongoing	Ian Duncan Executive Manager Infrastructure
3 September 2021 Item 6.1 Stop Puppy Farming Legislation	1. That the update on the Dog Amendment (Stop Puppy Farming) Bill 2021 be noted. 2. That: a. any additional costs incurred by a Local Government in administering the Dog Act be paid by the State Government; and b. the Fees and Charges set in Regulations are reviewed bi-annually and at minimum, be adjusted by the Local Government Cost Index. RESOLUTION 275.5/2021	Correspondence has been sent to the Minister for Local Government advising of resolution 2.	Ongoing	Tony Brown Executive Director Member Services