



Western Australian
Regional Capitals Alliance

**Western Australian Regional Capitals
Alliance Meeting**

Minutes

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MINUTES

1 OFFICIAL OPENING

Meeting opened at 10.41am

2 RECORD OF ATTENDANCE / APOLOGIES / ABSENCE

Members:

Peter Long	Mayor City of Karratha (Chair)
Chris Adams	CEO City of Karratha
Dennis Wellington	Mayor City of Albany
Sam Mastrolembo	CEO Shire of Broome
Victoria Brown	Shire President Shire of Esperance
Matthew Scott	CEO Shire of Esperance
John Bowler	Mayor City of Kalgoorlie-Boulder
John Walker	CEO City of Kalgoorlie-Boulder
Camilo Blanco	Mayor Town of Port Hedland
David Pentz	CEO Town of Port Hedland
Jason Whiteaker	CEO Shire of Northam

Dial in:

Andrew Sharpe	CEO City of Albany
Gary Brennan	Mayor City of Bunbury
Malcolm Osborne	Acting CEO City of Bunbury
Grant Henley	Mayor City of Busselton
Mike Archer	CEO City of Busselton
Shane van Styn	Mayor City of Greater-Geraldton
Ross McKim	Acting CEO City of Greater Geraldton
Paul Rosair	Executive Officer WARCA

Guests:

Alannah MacTiernan	Minister for Regional Development; Agriculture and Food
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Apologies:

Ron Johnston	Mayor Shire of Broome
Steven Pollard	Shire President Shire of Northam

3 DECLARATIONS OF INTEREST

Nil

4 CONFIRMATION OF MINUTES AND BUSINESS ARISING FROM MINUTES OF PREVIOUS MEETINGS

WARCA Resolution

That the Minutes of the Western Australian Regional Capitals Alliance meeting held on Thursday, 15 June 2017, be confirmed as a true and correct record of proceedings.

MOVED: Sam Mastrolembo CEO Shire of Broome
SECONDED: Jason Whiteaker CEO Shire of Northam

CARRIED

5 TREASURERS REPORT JUNE 2017

Date of Report:	24 July 2017
Report Author:	A/CEO – City of Greater Geraldton
Disclosure of Interest:	Nil
Attachment(s)	1. Balance Sheet as at 30 June 2017 2. Budgeted Profit and Loss for the period ending June 30 2017 3. Supplier Balance Summary as at 30 June 2017

Purpose

The following notes are provided as an explanation to significant variances in the Budgeted Profit and Loss statement:

1. Executive Support: Unbudgeted for as NAJA Business Consulting Services engaged during 16-17 budget year.
2. All other variances as per May 2017 report.

Accrued charges on the balance sheet relate to Naja's June 2017 services invoiced in the month of July 2017.

WARCA Resolution

That the Board receive and note the Treasurer's Report for the period ending 30 June 2017 and accompanying financial statements.

MOVED:	John Bowler	Mayor City of Kalgoorlie-Boulder
SECONDED:	Camilo Blanco	Mayor Town of Port Hedland

CARRIED

Accrual Basis

WARCA
Balance Sheet
As of June 30, 2017

	<u>Jun 30, 17</u>
ASSETS	
Current Assets	
Chequing/Savings	
Cash at Bank	63,258.02
Total Chequing/Savings	<u>63,258.02</u>
Total Current Assets	<u>63,258.02</u>
TOTAL ASSETS	<u>63,258.02</u>
LIABILITIES	
Current Liabilities	
Accounts Payable	
Trade creditors	7,875.00
Total Accounts Payable	<u>7,875.00</u>
Other Current Liabilities	
Accrued charges	7,159.09
Tax Payable	13,622.78
Total Other Current Liabilities	<u>20,781.87</u>
Total Current Liabilities	<u>28,656.87</u>
TOTAL LIABILITIES	<u>28,656.87</u>
NET ASSETS	<u>34,601.15</u>
EQUITY	
Opening Bal Equity	136,570.00
Retained Earnings	-134,023.94
Net Income	32,055.09
TOTAL EQUITY	<u>34,601.15</u>

Accrual Basis

WARCA
Profit & Loss Budget vs. Actual
 July 2016 through June 2017

	<u>Jul 16 - Jun 17</u>	<u>Budget</u>	<u>\$ Over Budget</u>
Ordinary Income/Expense			
Income			
Interest received	0.00	100.00	-100.00
Memberships 2016/2017	314,538.00	314,539.00	-1.00
Total Income	<u>314,538.00</u>	<u>314,639.00</u>	<u>-101.00</u>
Gross Profit	314,538.00	314,639.00	-101.00
Expense			
Accountancy fees	400.00	2,000.00	-1,600.00
Executive Support	16,363.63	0.00	16,363.63
General expenses	162.64	0.00	162.64
Meetings & Functions	584.31	2,000.00	-1,415.69
RCA Memberships 2016/2017	49,000.00	56,000.00	-7,000.00
Travelling expenses	0.00	4,000.00	-4,000.00
UWA - Media Relations	1,666.67	5,000.00	-3,333.33
UWA - Research Contribution	198,639.00	198,639.00	0.00
UWA - Secretariat	13,000.00	39,000.00	-26,000.00
UWA - Website Development	2,666.66	8,000.00	-5,333.34
Total Expense	<u>282,482.91</u>	<u>314,639.00</u>	<u>-32,156.09</u>
Net Ordinary Income	<u>32,055.09</u>	<u>0.00</u>	<u>32,055.09</u>
Net Income	<u><u>32,055.09</u></u>	<u><u>0.00</u></u>	<u><u>32,055.09</u></u>

WARCA
Supplier Balance Summary
As of June 30, 2017

	<u>Jun 30, 17</u>
NAJA Business Consulting Services	<u>7,875.00</u>
TOTAL	<u><u>7,875.00</u></u>

6 WARCA EXECUTIVE OFFICER - BI-MONTHLY UPDATE

Date of Report: 24 July 2017
Report Author: Executive Officer
Disclosure of Interest: Nil
Attachment(s): Bi-Monthly Executive Officer Report

Purpose

To update WARCA on the Executive Officer services provided for the June-July 2017 period.

Background

I have been performing the Executive Officer role for over three months and continue to engage with alliance members one-on-one and key government, industry and political stakeholders.

This report provides information about the services provided under the following main headings:

- Summary of bi-monthly actions
- Stakeholder engagement
- Issues and Opportunities
- Time Allocation

Discussion

Nil

Link to Strategic Directions

Providing engagement at national and state level

Effectively communicating the value of WARCA and its members with key stakeholders.

Budget Implications

Nil at this stage

WARCA Resolution

That the Board receive and note the Bi Monthly report provided by the Executive Officer.

The Executive Officer will:

1. **Write to Minister MacTiernan regarding engagement with WARCA and Innovation Hubs**
2. **Prepare a template questionnaire regarding what each WARCA member is doing in way of Innovation Hubs**

MOVED: John Bowler Mayor City of Kalgoorlie-Boulder
SECONDED: Peter Long Mayor City of Karratha

CARRIED

Bi-Monthly Update

WARCA Executive Officer Services

Prepared for WA Regional Capitals Alliance

June – July 2017



Business Consulting Services

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1. Summary of Bi-Monthly Actions

I have been performing the Executive Officer role for over three months and continue to engage with alliance members one-on-one and key government, industry and political stakeholders. On behalf of the group, I have been developing three submissions:

- Transitioning Regional Economies – Productivity Commission
- Inquiry into Regional Airfares in Western Australia – Economic and Industry Standing Committee
- Service Priority Review – State Government of Western Australia

I have also been overseeing the development of the WARCA strategic plan, website upgrade and the identification of key strategies to enhance the impact of the WARCA group to find opportunities to engage with government, industry political stakeholders, so as to achieve WARCA objectives.

Importantly, I have been concentrating on key stakeholders to raise the profile of WARCA and to keep abreast of current industry and sector issues to leverage relevant opportunities to promote and advocate for WARCA.

I am continuing to do further background work on growth plans and WARCA’s involvement in the review of the Local Government Act.

KEY OBJECTIVES		OVERVIEW OF MONTHLY ACTIONS
ADVOCACY & POLICY INFLUENCE	Engagement with Relevant Political Leaders and Senior Government Executive	Refer Section 2
	Preparation of Submission and Delegations	<p>Draft submissions on the following:</p> <ul style="list-style-type: none"> • Transitioning Regional Economies – Productivity Commission Two responses received from WARCA members. Draft submission sent out for approval. Final document sent to Chris Adams for submission. • Inquiry into Regional Airfares in Western Australia – Economic and Industry Standing Committee Eight responses received from WARCA members. Draft submission sent out for approval. Final document sent to Chris Adams for submission. • Service Priority Review – State Government of Western Australia Initial email sent to WARCA members on 6 June 2017. Matrix for submissions to be sent out on 24 July 2017



KEY OBJECTIVES		OVERVIEW OF MONTHLY ACTIONS
	Advocacy on Key Issues	Continuing to contact relevant stakeholders to further the work being done by WARCA on all key issues. Secured the attendance of Michelle Andrews (Deputy DG – DPC) and Mike Rowe (DG Department of Water) at the WARCA meeting on the 15 th of June 2017, to discuss the machinery of government (MOG) changes in State Government and WARCA’s approach in submitting to the Service Priority Review.
	Development of Policy Position Papers	As an outcome of the current strategic planning exercise and the preparation of the above submissions, there may be opportunities to develop formal policy positions for the alliance.
PARTNERSHIP & COLLABORATION	Insurance Services	No further action at this stage.
	Development of <i>WA Regional Capitals Platform</i>	Continuing to work on growth planning to identify common themes, areas for collaboration and minimum levels of services and infrastructure.
	Development of Bids	No current activity in this area.
	Engagement with Federal Government – City Deals and Smart Cities	<ul style="list-style-type: none"> During one-on-one meeting with Productivity Commissioner (Paul Lindwall) discussed WARCA’s stance on growing the regions through concentrated investment in regional centres. Will be presenting at the SEGRA (Sustainable Economic Growth for Regional Australia) conference in Port Augusta in October 2017 at a spotlight session called “<i>Politics and the Regions – Government, Political and Business Leadership</i>” where I will be promoting the role of the alliance in this space.
GOVERNANCE	Establishment of Not-For-Profit Incorporated Association	Providing background support to the City of Greater Geraldton as necessary.
	Communications Support	Overseeing the WARCA website upgrade to provide a better user experience and improve technical performance of the (see separate report on WARCA website)
	Meetings and Reporting	<ul style="list-style-type: none"> WARCA CEO meeting – 2 June 2017 WARCA Meeting – 15 June 2017 WARCA CEO meeting – 19 July 2017
	Development of Strategic Plan	The development of the Strategic Plan commenced. Draft circulated for review. Refer to Executive Report - 1 August 2017 meeting



2. Stakeholder Engagement

Stakeholder representatives	Meeting Date	Key Meeting Outcomes
John Walker <i>CEO City of Kalgoorlie Boulder</i>	2 June 2017	Discussed growth plans, WARCA governance and local issues.
Department of Transport: Richard Sellers <i>Director General</i> Nina Lyhne - Managing Director <i>Transport Services</i> Steve Beyer <i>A/ Managing Director</i>	8 June 2017	General discussion around regional transport issues and WARCA's role, machinery of government changes, regional airfares review, establishing a high-level point of contact for discussing submission. Confirmed Richard as potential speaker at future WARCA meeting.
Grahame Searle <i>DG Department of Communities</i>	9 June 2017	Explained the role of WARCA and covered issues such as Child Protection, Disability Services, Housing, Youth Justice, Community Sector and Remote Aboriginal Communities. Confirmed Graham as potential speaker at future WARCA meeting
Reece Waldock <i>Former DG Department of Transport</i>	9 June 2017	Explained the role of WARCA and reflected on opportunities for regional capitals to develop transport strategies.
Paul Lindwall <i>Commissioner – Productivity Commission</i>	16 June 2017	Explained the role of WARCA and discussed the Transitioning of Regional Economies submission and relevant elements to concentrate WARCA's input.
Kelly McManus <i>Principal Policy Officer</i> <i>Minister for Local Government</i>	19 June 2017	Explained the role of WARCA and discussed potential engagement with the Minister for Local Government, Culture and the Arts and his portfolio.
Eric Lumsden <i>Chair - Western Australian Planning Commission (WAPC)</i> Kerrine Blenkinsop <i>Secretary WAPC</i>	20 June 2017	Explained the role of WARCA and discussed potential engagement with the WAPC. Discussed WARCA presenting to the WAPC at the end of September. Confirmed Eric as potential speaker at future WARCA meeting
Gary Hamley <i>Chief of Staff</i> <i>Minister for Local Government, Culture and the Arts</i>	5 July 2017	Explained the role of WARCA and discussed potential engagement with the Minister for Local Government, Culture and the Arts and his portfolio.
John Bowler <i>Mayor</i> <i>City of Kalgoorlie Boulder</i>	11 July 2017	Discussed general WARCA matters in general and in particular performing arts and entertainment centre management issues in Regional WA.
Craig Huxtable <i>Principal Policy Officer</i> <i>Minister for Regional Development; Agriculture and Food;</i>	12 July 2017	Explained the role of WARCA and discussed potential engagement with the Minister for Regional Development; Agriculture and Food and her portfolio.



Stakeholder representatives	Meeting Date	Key Meeting Outcomes
Reece Whitby <i>Parliamentary Secretary to the Treasurer; Minister for Finance; Energy; Aboriginal Affairs; Parliamentary Secretary to the Minister for Environment; Disability Services</i>	12 July 2017	Explained the role of WARCA and discussed potential engagement with Minister Ben Wyatt and Minister Stephen Dawson and their portfolios.
Mike Archer <i>CEO - City of Busselton</i>	17 July	Discussed WARCA strategic plan and elements that related to Busselton.
Mal Osborne <i>CEO - City of Bunbury</i>	18 July	Discussed WARCA strategic plan and elements that related to Bunbury.
Mike Rowe <i>CEO Department of Water & Environment</i>	20 July	General discussion around regional water and environment issues and WARCA's role.
Kate Charters <i>Convener – SEGRA (Sustainable Economic Growth for Regional Australia) Conference</i>	21 July 2017	Discussed my presentation at the SEGRA conference in Port Augusta in October 2017 where I will be promoting the role of the alliance in this space.

3. Issues and Opportunities

Overview of Issue/Opportunity	Recommendations
Growth Planning / Regional Capitals Platform	Strategen Environmental has been requested to provide a proposal to assist WA Regional Capitals Alliance to assist its member Councils prepare and finalise Growth Plans for individual local governments and importantly, to review plans as required to provide consistency in approach on key issues. This would include the development of a shared approach to the delivery of key common actions and strategies which would have significant resource and cost saving benefits along with improved delivery outcomes.
Regionalising Government Services	Participating in the State Government's service review by preparing an Alliance submission and in regular contact with Michelle Andrews (Deputy DG – DPC) to keep abreast of the review and monitor opportunities to participate further. The Executive Officer is monitoring case studies statewide where Councils are endeavoring to engage and co locate State government services at a local level.
Marketing and Communications	Once the Strategic Plan has been completed and the Website upgraded attention will be directed to identifying marketing opportunities for the alliance.

4. Time allocation summary

Allocated total annual hours	Month total hours	YTD hours
400	35	90

7 WARCA STRATEGIC PLAN

Date of Report:	24 July 2017
Report Author:	Executive Officer
Disclosure of Interest:	Nil
Attachment(s):	Draft Strategic Plan

Purpose

To provide WACRA with an update on strategic plan which EO is currently overseeing.

Background

CreativeIQ has been engaged to develop a strategic plan for WARCA in consultation EO. An initial draft has been provided to WARCA members for comment, and EO has discussed the contents with some members (Busselton and Bunbury) face-to-face. Once feedback has been received and EO has had further discussion with remaining member representatives, a final draft will be prepared. Subject to approval of content, a publication aligned with the WARCA Style guide will be developed.

As part of the project, CreativeIQ undertook to prepare a Style Guide to allow for WARCA to have a consistent approach to branding and communicate style preferences to external service providers. As part of this process it was identified that WARCA does not have corporate stationery and CreativeIQ has developed an electronic letterhead template (no charge). It was also suggested that some stylistic changes are made to the logo font to give a more professional appearance as well as allowing more flexibility in terms of scaling (current logo has the graphic element which is significantly taller than font element and this reduces the size the logo can be scaled down and the text still be legible). Chairperson has approved these recommended changes. Style Guide is attached for noting – version showing original and recommended logo is attached.

In order to showcase each of the WARCA members in the strategic plan, a selection of high resolution images have been requested from each member. At this stage, images are still required from Bunbury, Kalgoorlie, Broome and Geraldton.

Discussion

Nil - update only

Link to Strategic Directions

Governance – Development of Strategic Plan

Budget Implications

Nil at this stage

Options

Nil

Conclusion

Strategic Plan development is on schedule and EO will consult with members on return to Australia, in the interim, members can liaise with Anna at CreativeIQ if they would like to provide any feedback directly and allow her to begin shaping the document based on comments from members.

WARCA Resolution

That the Board receive and note the Draft Strategic Plan and resolves to:

- 1. Provide Preliminary feedback to the Executive Officer by 18 August 2017**
- 2. The Executive Officers to provide a brief Strategic Plan workshop to members at the September meeting.**

MOVED: John Bowler

Mayor City of Kalgoorlie-Boulder

SECONDED: Peter Long

Mayor City of Karratha

CARRIED

WARCA

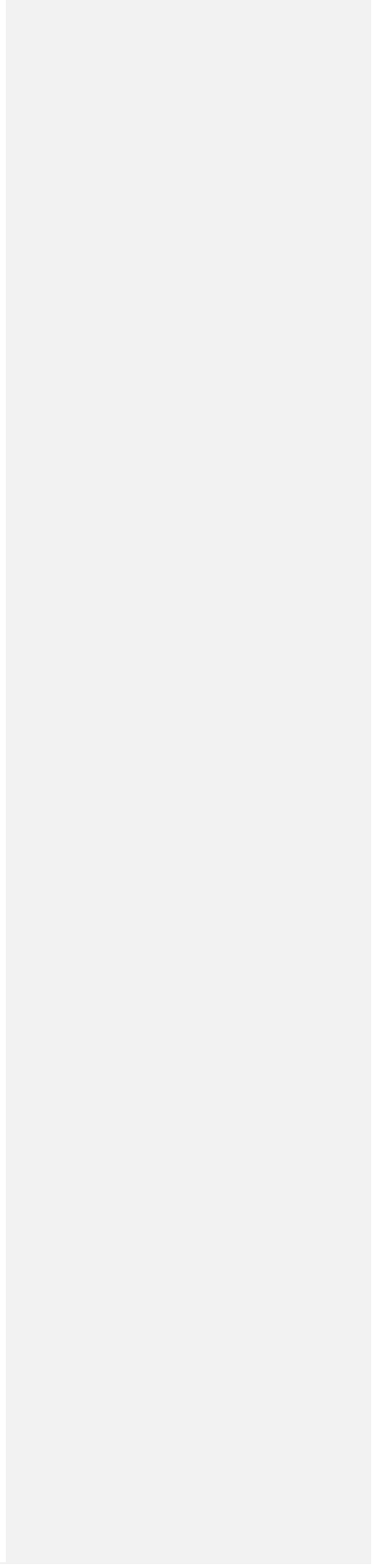
2017/18 - 2021/22

Strategic Plan

Draft Content



Creative
IQ



THE ALLIANCE

Home to over 250,000 people, the ten local government areas of the Western Australian Regional Capitals Alliance (WARCA) make up half of the population of regional Western Australia.

WARCA local governments represent the most significant concentrations of employment in regional Western Australia. With diverse economies and lifestyles, they offer exciting places to live, work and invest.

Whilst they might encompass a large section of the regional population, they are overshadowed by the population Perth metropolitan area. WARCA considers that significantly growing the regional population base, and strengthening the diverse regional economies, is critical to the future growth of our state.

Trends show that the capitals offer a genuine attraction, with a number experiencing very significant growth over the past five years. Leveraging this momentum and building communities that offer a real alternative to the metropolitan area requires a focused and tailored approach.

WARCA advocates for strategic planning for growth and investment in Western Australia's regional capitals. Regional capitals play a pivotal role in both strengthening the Western Australian economy, and supporting the growth of their region's economy. Each of the capitals are considered to have high capability and prospects, positioning them as ideal locations in which to focus the attention of government and industry to grow both the population base and economy of the state.

"Entire regions are likely to be successful if they are supported by a sustainable and resilient regional capital." Regional Capitals Australia

WARCA capitals do not reflect the stereotyped rural idea of a regional centre. Rather, each capital offers a unique, vibrant community with well-developed infrastructure, services and opportunities. Harnessing these assets and building the regions of Western Australia is at the core of WARCA's vision for the State.

Current Vision – Suggested amendment below

The Western Australian Regional Capitals Alliance will enable member regional capital communities to evolve into fully fledged alternatives to the Perth metropolitan areas with populations of at least 50,000 by 2026.

SUGGESTED VISION

Vibrant, sustainable regional capitals across regional Western Australia that are attractive places to live, work and invest.

Comment [AD1]: The vision currently encompasses Who, What, How and When, but does not strongly achieve the purpose of a mission statement to succinctly describe the clear and inspirational long-term desired change resulting from the organisation's work. I also note that developing populations of 50,000 by 2026 may be unrealistic, rather than a stretch goal, for some capital members (and not aligned with their existing intentions)

Comment [AD2]: This retains the essence of what the organisation is envisioning it will achieve in a tightly focused statement that does not delve into the detail (which is explored later in the document)

Current Mission (taken from Alliance's MoU purpose – suggested amendment below)

- Cooperation: To provide a strong and cohesive regional group that has the capacity to provide leadership and practical projects that will enhance the regional capitals within Western Australia.
- National Participation: To promote and participate in national forums which seek to enhance the role, stature and effectiveness of regional cities and regional capitals across Australia.
- Resource Sharing: To promote inter-council cooperation and resource sharing opportunities where these add value and do not diminish the way individual councils provide services to their communities.

Comment [AD3]: Currently no Mission Statement, these points have been used as a basis for developing a Mission Statement communicates what the organisation does in a clear, focused manner. Note that some of these elements are covered later in the document as they are more How than What.

SUGGESTED MISSION

To lead the sustainable, strategic growth of Western Australia's regional capitals.

Comment [AD4]: Articulating the core function of the group – LEADERSHIP and what they are leading.

WHAT WE DO

Comment [AD5]: I've developed this section based on the focus areas for WARCA's actions

ADVOCACY & POLICY INFLUENCE

WARCA provides strategic advice to government on the social and economic issues impacting on, and often unique to, regional locations. WARCA advocates for fair consideration of these needs at a State and Federal level – that legislation, policy, planning, strategy and investment matches the growth needs of the regions and builds thriving regional communities.

PARTNERSHIP & COLLABORATION

While WARCA members may have diverse local contexts they also share much common ground. WARCA members to partner and collaborate on opportunities to innovate and develop new ways of working to accelerate the growth of regional communities.

REPRESENTATION

WARCA provides a unified voice as a peak body for the regional capitals of Western Australia.

Comment [AD6]: Note that WARCA refers to this area as governance, I suggestion a change of perspective to Representation – strong governance underpins what they do, but what they DO is about the representative function of the organisation.

HOW WE WORK

Comment [AD7]: Suggest this section to provide high-level overview of the philosophy behind the organisation's approach as detailed later in the document. It is based on the overall concepts outlined by WARCA already, but tailored to be sharper and also position the intentions of the organisation more assertively.

UNITY

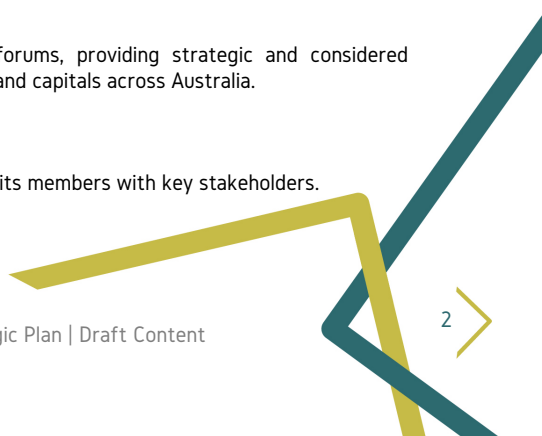
Acting as a strong, cohesive alliance to lead change and implement projects aligned with the WARCA mission.

PARTICIPATION

Active engagement at national and state level forums, providing strategic and considered contributions to the development of regional cities and capitals across Australia.

COMMUNICATION

Effectively communicating the value of WARCA and its members with key stakeholders.



OUR MEMBERSHIP

SHIRE OF BROOME

With a population of just over 16,000, Broome has experienced rapid growth over the past ten years, making it one of the fastest growing towns in WA. With projections for high permanent population growth in the next ten years, Broome is a dynamic and exciting community.

Broome is historically recognised as a pearling town, and in more recent years, an iconic tourist destination. There has been significant private investment in superior visitor accommodation and tourism experiences. With its white sandy beaches, red sandstone cliffs and clear, turquoise waters, Broome's population can double during the peak tourist season, drawing both domestic and international visitors to the north. However, Broome is more than just a tourist town.

As the gateway to the Kimberley region, Broome provides access to pastoral and mining ventures across the West Kimberley, as well as being a thriving services hub. Broome offers a unique blend of commercial services and economic activity, while retaining the beauty of a location where the wilderness meets the ocean.

The recent population growth means that Broome has increasingly become a place where families choose to settle. There are a variety of land options available to suit different budgets and the educational opportunities, including primary, high school and tertiary levels, are of a high standard. North Regional TAFE provides traditional vocational training options along with course offerings tailored to the industry needs of the region.

Diverse employment opportunities are on offer in Broome, with growth in industry and commerce creating jobs in service, pastoral, horticultural, aquaculture and the minerals and energy sectors.

The Shire of Broome is committed to building the liveability of the region and are engaged in a range of projects designed to further improve the community services available locally, as well as drive economic outcomes.

TOWN OF PORT HEDLAND

Port Hedland is the second largest town in the Pilbara region, with an urban population around 14,500. Whilst one of the smaller Alliance members, the Town is marked for significant growth, with predictions of a population of 50,000 by 2035.

This comparatively young community was established in the early 1960s as a result of iron ore mining development in the area. As the export port for this resource, Port Hedland is now the highest tonnage port in Australia and the largest bulk export port in the world, exporting about 372 million tonnes per annum.

Driving the expected population growth for Port Hedland is the planned expansion of the Port. To support this transformation into a regional City, focus is on developing the economic and social infrastructure that will underpin a sustainable community.

Comment [CIQ8]: Please seek clarification the Town's position on the Port Expansion - media articles indicate stakeholder concerns around the impact of dust on the liveability of the Town. Is this development supported by the LGA? Is it the key driver of growth? I assume so but if not, will need some input as to what their focus is.

The Town of Port Hedland is focused on supporting the predicted population growth in a sustainable manner. Strategies revolve around developing the robustness of the local economy and community, with infrastructure developments and human capacity building focused on local leadership.

Port Hedland offers a diverse local business environment. The economy features a variety of players, ranging from national and international corporations, particularly in the resources sector, through to small businesses delivering innovative solutions to niche needs and opportunities.

As the entry point to the East Pilbara, Port Hedland is well-positioned as services hub for region's resources industry, with strong potential to diversify its economy by leveraging of local expertise to develop new ways of working in this industry and supporting industries.

CITY OF KARRATHA

The City of Karratha makes the greatest contribution to the national economy of all local governments in Western Australia, and is the sixth largest contributor in Australia. The city has a population of about 21,500, with the aim of increasing this number to 50,000 by 2035, in line with the vision of transforming Karratha into a modern, vibrant 'City of the North'.

Karratha is a major service and extraction hub where transport, government and industry intersect.

The City has the second biggest airport in the state, seeing over 800,000 passengers per year, and has recently opened its \$100 million airport upgrade. Karratha is serviced by private rail networks transporting mineral resources for export to its three ports, exporting significant volumes of iron ore, as well as LNG.

Karratha is the regional hub for most government agencies, as well as being the main service centre in the West Pilbara. The City has a large amount of zoned industrial land south of the main township, which will provide much-needed land for logistics and industry.

Karratha has modern, first-class community facilities and the City has further plans for infrastructure and housing developments. Karratha offers a range of quality education choices for families and North Regional TAFE offers a selection of on campus options for tertiary education.

With strong plans for the continued development of the City's amenities and economy, Karratha is positioned to offer a quality lifestyle for residents and to stimulate further population growth.

CITY OF GREATER GERALDTON

A coastal city with nearly 39,000 permanent residents, Geraldton has been named one of Australia's regional capitals, as well as being the capital of the Mid-West region. The city supports numerous industries, including mining, fishing, manufacturing, agriculture, construction, retail and tourism.

The Port of Geraldton, which lies at the heart of the city, has been a major seaport for the Mid-West since 1840. The Port's strengths lie in its diversity. In addition to the import and export of grains, minerals, livestock, fertiliser, cargo and fuels, the Port also welcomes cruise ships, oil rig tenders and exhibition craft.

Geraldton's proximity to Asia makes the Port an attractive option for exporters. Geraldton Port Authority was renamed Mid-West Port Authority in 2014, which reflects the amalgamation of the ports of Geraldton, Oakajee, Useless Loop and Cape Cuvier.

Geraldton also has a strong tourist industry with attractions such as the iconic lighthouse, the HMAS Sydney Memorial and Houtman Abrolhos Islands, as well as an amazing coastline and recently upgraded foreshore development.

For those wishing to settle permanently in Geraldton, there are plenty of affordable established houses and land available, as well as new housing estates and subdivisions. For families, there are a number of public and private schools to choose from, including higher education options.

The City of Greater Geraldton currently has several ongoing key infrastructure projects to continue to improve transport and liveability in the city.

SHIRE OF NORTHAM

With a population of more than 11,000 people, Northam is the regional service centre of the Avon Valley and Central Wheatbelt. Its main industries are grain, sheep, cattle and agricultural services, along with tourism. Northam is also a major railway junction for the Wheatbelt.

Northam directly adjoins the metropolitan area and Northam itself is just over forty kilometres from the edge of the Perth. It is uniquely positioned to provide a more relaxed regional lifestyle while close to the amenities of the capital. It offers great potential in the push to diversify and decentralise Western Australia's projected growth.

Traditionally Northam has been an agricultural hub, and while the economy is still focussed on agriculture, it is diversifying into industries such as retail, health and education. Increasing the size of the professional services sector, to establish a more significant white-collar workforce that will offset the current Drive-In/Drive-Out (DIDO) patterns is seen as key for the Shire's sustained growth.

Northam is looking to grow as a regional centre, aiming to eventually service an Avon sub-regional population of 50,000. Key steps have been identified to achieve this goal, such as expanding the economy, diversifying housing, improving infrastructure to meet growth and revitalising the town centre to offer more opportunities for residents and attract tourists.

Northam has a well-established recreational aviation sector, with activities such as hot air ballooning on offer to tourists, as well as the second largest collection of historical buildings in Western Australia, behind Fremantle. Northam's geographical proximity to Perth makes it an easy and attractive option for visitors, and developing a self-sufficient tourist industry will contribute to the economy, by increasing both capital and employment.

CITY OF BUNBURY

With a population of almost 32,000 people, Bunbury is the commercial and administrative hub of the South West, and a significant regional city in Western Australia. The City boasts an enviable lifestyle, with a variety of facilities, schools, shops, dining options, nightlife and beaches on offer to residents and visitors. Bunbury is only a 90-minute drive from Perth, meaning that locals can enjoy a regional lifestyle while remaining close to the advantages of the State capital.

The main industries in Bunbury include mining, manufacturing, agriculture, timber production, retail and service, and tourism. Bunbury's port is one of Australia's biggest regional facilities, exporting bulk commodities like alumina, woodchips and mineral sands – in 2016 exports totalled 14.408m tonne.

Bunbury is well serviced by road, rail and bus services, including a small airport and a passenger train service that runs between Perth and Bunbury twice a day. Further improvements to infrastructure are planned or underway, including doubling the capacity of Bunbury's port, upgrading rail infrastructure, road construction and the completion of the Bunbury Outer Ring Road.

Bunbury is known as the City of Three Waters because it is surrounded on three sides by the Indian Ocean, Koombana Bay and Leschenault Inlet. It is a growing tourist destination, with about 425,000 visitors each year comprising a mixture of intrastate, interstate and international visitors. The retail and business sectors are also thriving, and Bunbury offers accommodation and facilities that are ideal for corporate meetings and state and national conferences. Again, the City's proximity to Perth makes it an attractive location for businesses.

The City of Bunbury is pursuing strategies that will strengthen its role and identity as a regional capital and enhance its image and linkages with national and international arenas. These strategies include providing facilities, services and information that will establish Bunbury as the most accessible regional city in Australia as well as continuing to build a supportive economic environment for established and developing businesses.

CITY OF BUSSELTON

Although it didn't gain its city status until 2012, Busselton is already home to more than 36,000 people and is one of the fastest growing towns in Western Australia, with an average annual growth rate of about four per cent. The population is expected to double to more than 55,000 by 2026.

Significant industries in Busselton include construction, agriculture, fishing, education and services, and manufacturing. Busselton also has a very strong tourist industry and has been voted Western Australia's top tourist town three times. The city sees more than 600,000 visitors per year, and the famous Busselton Jetty alone exceeds 400,000 visitors annually. As the longest timber jetty in the southern hemisphere, this tourism icon was awarded a permanent position on the State Heritage Register in 2014. The Jetty has recently started welcoming cruise ships, and two dedicated cruise landing facilities have been built, funnelling even more visitors into the city.

A \$60 million expansion has begun at Busselton Regional Airport, initially to increase the number of interstate flights, especially from the east coast, with a focus on flights from Sydney and Melbourne, but with a view to eventually accepting direct international flights to the Margaret River region.

The City of Busselton plans to accommodate population growth by transforming the foreshore into a recreational hub; maintaining the recently upgraded hospital and health campus; rolling out NBN across the district; completing the airport upgrades; construction of a new civic and administration building; two major shopping centre redevelopments and updating education facilities.

CITY OF ALBANY

With a population of more than 36,000 people, Albany is one of the largest regional cities in WA. It is also the oldest permanently settled town in the state, predating Perth and Fremantle by two years. This picturesque city is home to many heritage buildings, some dating back to the mid-nineteenth century.

Albany attracts significant tourist numbers with its strong ANZAC connection, dramatic coastline and surrounding natural beauty. It has a well-developed tourism sector with a wide range of quality visitor experiences. Cruise ships also bring large numbers of visitors to Albany, with an average of eleven ships per year coming to port, with a passenger capacity of between 500 – 2,500 people per ship.

Albany's main industries outside of tourism are agriculture, timber, fishing and aquaculture. The value of Albany's agricultural industry was over \$99 million in the 2011 Census, the largest commodity being livestock, which accounted for almost one-third of that amount. Albany's port is also an important bulk products port, primarily exporting grain and woodchips as well as silica. Total export tonnage in 2016 was 4.451m. Port of Albany is also an import point for fertiliser and fuel.

The City of Albany offers an attractive location to live and work, with good services including a range of quality schooling options. Albany also offers university and TAFE campus-based learning options.

As Albany grows, its focus is on strengthen the region's economic base and encouraging business innovation. It continues to develop its value in the tourism sector, taking advantage of its unique natural assets.

CITY OF KALGOORLIE-BOULDER

With a population of over 30,000 people, Kalgoorlie-Boulder is Australia's largest outback city. Born as a gold-rush town, today the City's economic base is still mining, with the mining industry being the largest employment sector in the Goldfields-Esperance region. The Goldfields-Esperance region contributes a major part of Western Australia's estimated \$30 billion mining industry, with the total value of mineral production in the region in 2015-16 totalling nearly \$9 billion.

The area is also home to the Fimiston Open Pit, famously known as the Super Pit, which is managed by Kalgoorlie Consolidated Gold Mines (KCGM). The mine produces approximately 850,000 ounces of gold per year. It is Australia's second largest open pit gold mine, and employs over 1000 people from the Kalgoorlie-Boulder area. Furthermore, the mining industry stimulates other local industries by creating jobs in retail, service and hospitality.

Kalgoorlie-Boulder is a vibrant and diverse community, where historic buildings from the gold rush era sit alongside modern developments. A range of schooling options are available, along with TAFE and university campus with the added draw card of the Western Australian School of Mines. The city offers a good range of services and public amenities and has regular air services.

The city is focused on maintaining its status as a dynamic and sophisticated regional centre as it looks to diversify its economic base into new industries and building the appeal of the city for residents and visitors.

SHIRE OF ESPERANCE

With a population of less than 15,000, the Shire of Esperance has a low population density and over 400 kilometres of beautiful, pristine coastline. The main industries in Esperance are agriculture, manufacturing, fishing and tourism.

Many of the Shire's tourist attractions are related to the spectacular natural surrounds, including the five National Parks in the area, which collectively comprise one-fifth of the total Shire area.

Esperance Port is the only port in the south-east of Western Australia and is a fundamental part of the town's economy. The Port handles over 200 ships per year, exporting nickel, iron ore and grain and importing fuel and fertilisers. The presence of the Port means that mining is also an important industry in Esperance, despite there being no mine in the Shire. In 2016 the Port exported a total of 14.465m tonnes, including minerals (12.02m tonne), grain (2.424m tonne) and woodchips (15,000 tonne)

As a relatively small capital, Esperance is working to improve the liveability of the town to both attract and retain people to live, work and play in Esperance, and strengthen the local economy to direct more investment into the town and encourage more visitors.

STRATEGY OVERVIEW

ADVOCACY & POLICY INFLUENCE

STRATEGIC OBJECTIVES	KEY INITIATIVES	PROGRESS INDICATORS
DECENTRALISATION OF GOVERNMENT		
<ul style="list-style-type: none"> Increased number of locally based government departments/agencies and senior bureaucrats in regional capitals Greater coordination between government departments/agencies in regional capitals 	<ul style="list-style-type: none"> Engagement with Service Priority Review to advocate for consideration of regional capital needs and opportunities Map service gaps across regional capitals 	<ul style="list-style-type: none"> Maintenance or increase in FTE of government department/agencies already present in the regions Maintenance or increase in senior management level of staff of government department/agencies already present in the regions Relocation of government departments/agencies to regional locations Relocations of government department/agency divisions to regional locations
INVESTMENT IN WARCA COMMUNITIES		
<ul style="list-style-type: none"> State and federal government understands the economic value of investment in regional WA, particularly in WARCA communities State and federal government investment initiatives fairly recognise the needs and capabilities of regional communities Private sector understands the economic value of private investment in regional WA, particularly 	<ul style="list-style-type: none"> Engage with government to influence the development of regional cities policy. Engage with State and Federal government on budget considerations, including Regional Centre Development Plan roll out of Stage 1, 2 and future stages. Engage with State government to demonstrate the value of Royalties for Regions and advocate for prospectivity/capability model of funding allocation Identify best practice within 	<ul style="list-style-type: none"> Policy development that reflects valuing of regional capitals' impact on the economy Increased government funding invested in member capitals Increased private sector investment in member capitals

Comment [AD9]: Advocate to include new member capitals in Stage 2?

STRATEGIC OBJECTIVES	KEY INITIATIVES	PROGRESS INDICATORS
<ul style="list-style-type: none"> in WARCA communities Private sector makes investment decisions in regional WA that strengthen the economies of WARCA communities Regional communities offer a range of affordable and desirable housing options for residents 	<ul style="list-style-type: none"> WARCA members for adopting an enabling approach to private sector investment and collaborate to improve practices across member LGAs 	
LEGISLATIVE REFORM		
<ul style="list-style-type: none"> Review and reform of legislation which negatively impacts on regional communities, or where there are opportunities to otherwise improve outcomes. 	<ul style="list-style-type: none"> Advocate for a review Local Government Act 1995 and influence the shaping of any legislative amendments 	<ul style="list-style-type: none"> Minister indicates a willingness to consider a review of LGA Review instituted LGA updated to better reflect needs/issues of regional local governments
EQUITABLE ACCESS TO SERVICES		
<ul style="list-style-type: none"> Regional communities have access to quality health and aged care services Regional communities are considered safe by residents Appropriate policing strategies and resourcing that responds to regional needs Telecommunications services in regional communities are equitable to metropolitan standards and pricing Transportation, 	<ul style="list-style-type: none"> Advocate for involvement of WARCA in government review processes (i.e. Service Priority Review and similar future processes) Development of policy position papers on key issues and advocacy for proposed changes Case studies of best practice in other regional capitals across Australia 	<ul style="list-style-type: none"> Increase in range of health services available in regional capitals Decrease in wait times for regional patients to access health services Improved public health indicators Increased community satisfaction with health services Increased policing services Decreased crime rates Improved transportation services (standard and pricing)

Comment [AD10]: Is there other legislation they consider needs reviewing? LAA perhaps?

STRATEGIC OBJECTIVES	KEY INITIATIVES	PROGRESS INDICATORS
particularly related to road and air, is improved to be equitable with quality and pricing of other regional capitals in Australia		

PARTNERSHIP & COLLABORATION

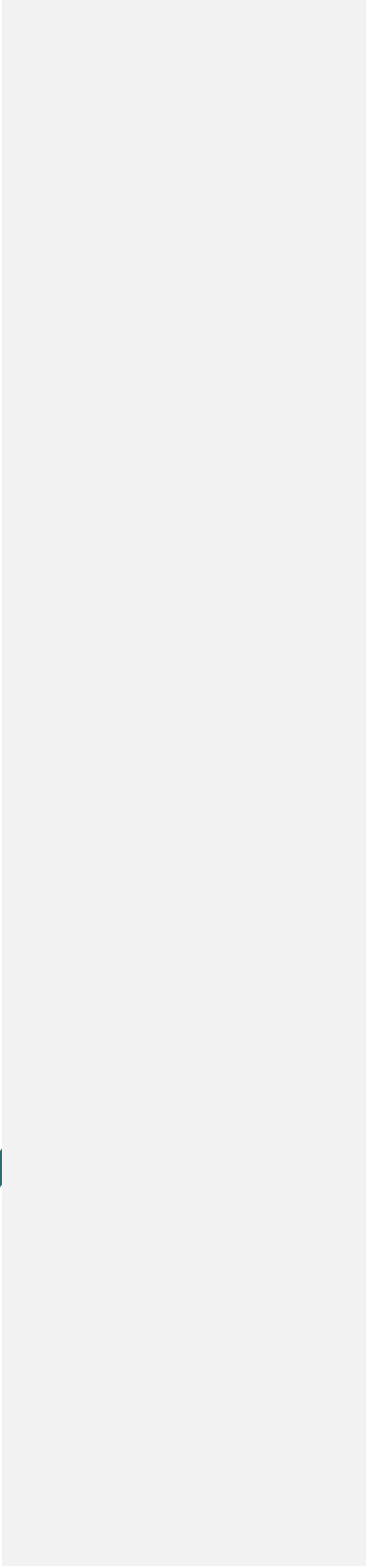
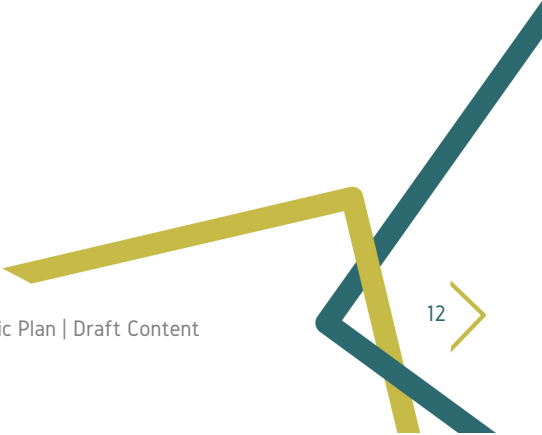
STRATEGIC OBJECTIVES	KEY INITIATIVES	PROGRESS INDICATORS
DEVELOPMENT & GROWTH		
<ul style="list-style-type: none"> Pursue projects with commonalities between capitals to leverage better value from resources and strengthen funding bids 	<ul style="list-style-type: none"> Regional Growth Centre Plans or Strategic Community Plan analysis to identify commonalities Development of partnership bids for funding for projects with strong synergies across multiple capitals Best practice sharing between capitals 	<ul style="list-style-type: none"> Clarity about commonalities between capitals, working partnerships established across and within sub-sets of the alliance Successful bids for collaborative projects Improved capital capability and capacity
PROCUREMENT		
<ul style="list-style-type: none"> Identification of opportunities to use collective buying power of capitals to leverage better value 	<ul style="list-style-type: none"> Investigation of insurance services for capitals 	<ul style="list-style-type: none"> Best value approach to insurance purchase is implemented

Comment [AD11]: Are there other areas where this approach could be used or does WALGA currently meet their needs?

REPRESENTATION

STRATEGIC OBJECTIVES	KEY INITIATIVES	PROGRESS INDICATORS
COMMUNICATION		
<ul style="list-style-type: none"> WARCA communicates its vision, mission, actions and 	<ul style="list-style-type: none"> Website revision Production of annual report Communication strategy guiding corporate 	<ul style="list-style-type: none"> Website re-launched Annual report prepared each year and shared with stakeholders

STRATEGIC OBJECTIVES	KEY INITIATIVES	PROGRESS INDICATORS
achievements with stakeholders	communications	<ul style="list-style-type: none"> Increased engagement with key stakeholders (with stakeholder initiated engagement increasing)
GOVERNANCE		
<ul style="list-style-type: none"> WARCA established as peak body for regional capitals in Western Australia Strong organisational governance framework and practices 	<ul style="list-style-type: none"> Adopt most suitable entity type to achieve organisational purpose Governance framework and practices documented, with regular compliance confirmation 	<ul style="list-style-type: none"> Incorporation (or otherwise) of WARCA Consistent high level of compliance with governance framework



8 WARCA WEBSITE

Date of Report:	24 July 2017
Report Author:	Executive Officer
Disclosure of Interest:	Nil
Attachment(s):	WARCA Style Guide

Purpose

To provide WACRA with an update on website development which EO is currently overseeing.

Background

CreativeIQ has been commissioned to re-develop the WARCA website to provide a better user experience and improve the technical performance of the website, specifically undertaking the following:

- Admin updates
 - set up back up plugin (including run schedule and link to DropBox);
 - carry out updates;
 - install security plugin and run scan;
 - install SSL certificate; and
 - contact information update.
- Cosmetic Update
 - provide draft layout for approval prior to making changes;
 - provide draft of copy prior to making changes;
 - update fonts/colours/header to match Style Guide,
 - add new content; and
 - develop mobile friendly formatting.

To date, the following items have been completed:

- Installed Updraft Plus (backup plugin), created a Dropbox account and set up scheduled weekly back-ups and have run a test backup
- Activated Akismet (spam filter) to deal with spam comments on blog section of website and deleted spam comments on blog
- Deleted a number of inactive plugins
- Updated all active plugins and Wordpress
- Installed WP Smush (photo resizer) and optimised images for web viewing (this is a temporary measure until we re-vamp the website but will improving loading times in the interim)
- Installed Wordfence (security plugin) and ran a scan - several malicious files on the site which have now been deleted - poor security on username and password strength likely lead to the unauthorised entry
- Deleted additional logins for other users and created an admin log on with stronger username and password
- Installed SSL certificate

Note, CreativeIQ has also organized for the establishment of the email address admin@waregionalcapitals.com.au which is redirected to the EA to the CEO of City of Karratha – this can be redirected if there is a change to the secretariat in the future. Note that your domain host has a small administration charge for completing this.

As part of the Strategic Plan project, a Style Guide has been developed, refer to Strategic Plan agenda item for information regarding this. The Style Guide will be used to inform the design choices for the website.

Following feedback from WARCA members regarding the content of the strategic plan, content for the website will be developed and a draft layout and draft copy will be provided for approval, once approved, website structure and content will be updated.

At this stage, most WARCA members have provided a selection of images to use on the website, images are still required from Bunbury, Kalgoorlie, Broome and Geraldton.

WARCA only had a limited amount of information regarding the website hosting details and did not have strong control over the website. As part of the handover of the final website, CreativeIQ has indicated they will provide a summary of passwords and key contact information for service providers (such as webhost, Dropbox details etc), along with some suggestions on website maintenance to allow for WARCA to have more control of the website in the future.

Discussion

Nil - update only

Link to Strategic Directions

Governance – Communications Support

Budget Implications

Nil at this stage

Options

Nil

Conclusion

CreativeIQ advises that the draft layout and content will be ready for comment/approval shortly after feedback is received from WARCA members regarding the strategic plan and images have been received by all members. WARCA should make a decision regarding who should approve the layout and content - whether all members approve the draft material or whether it is delegated to the Chairperson and/or EO.

WARCA Resolution

NOTED

01. TYPOGRAPHY

HEADING 1

Abcdefgh

Source Sans Pro Semibold

FONT SIZE 32PX
LINE HEIGHT 44PX

● 393C3E

PARAGRAPH STYLE

Abcdefgh

Source Sans Pro Regular

FONT SIZE 16PX
LINE HEIGHT 24PX

● 71787E

HEADING 2

Abcdefgh

Source Sans Pro Regular

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● 393C3E ● 009AD4

HEADING 3

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● 71787E

HEADING 4

Abcdefgh

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LINE HEIGHT 28PX

● 393C3E

HEADING 5

Abcdefgh

Source Sans Pro Semibold

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LINE HEIGHT 24PX

● 00AEFF ● 009AD4

02. EXAMPLES

HEADING 1 - EXAMPLE (300 - 400)

WA Regional Capital Alliance Objectives

The Alliance cities will work to develop a collaborative framework to engage with and partner with both the Western Australian and Australian Governments.

HEADING 2 - EXAMPLE (200 - 300)

Latest Media Release

The next wave of the region's brightest entrepreneurs.

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03. COLOUR PALETTE



HEX 00AEFF
RGB 0, 174, 239
CMYK 69%, 14%, 0%, 0%



HEX FECF39
RGB 254, 207, 57
CMYK 1%, 17%, 87%, 0%



HEX 68768C
RGB 104, 118, 140
CMYK 64%, 49%, 32%, 6%



HEX DBDBDB
RGB 219, 219, 219
CMYK 13%, 10%, 10%, 0%



HEX 009AD4
RGB 0, 154, 212
CMYK 77%, 24%, 1%, 0%

04. LOGO



9 LOCAL GOVERNMENT ACT REVIEW

Date of Report:	28 July 2017
Report Author:	CEO - Shire of Esperance
Disclosure of Interest:	Nil
Attachment(s)	Draft WALGA Discussion Paper

Purpose

To consider developing a strategy and position regarding the proposed *Local Government Act 1995* Review process.

Background

On the 20 June 2017, the Minister for Local Government announced a review of the Local Government Act and Regulations. The process will occur in two stages:

- 1) Phase 1 – Modernising Local Government – Consultation 2017 & Amendment Bill 2018
- 2) Phase 2 – Services and the Community – Consultation 2018 & Amendment Bill 2018

The Minister has previously advised WARCA that he does not intend to create a new Act, however prefers to amend the 1995 Act. The review of the Act will be supported by a reference group with representation from:

- WALGA
- Local Government Professionals Australia (WA)
- WAEC
- WA Council of Social Services
- Regional Chamber of Commerce and Industry
- WA Rangers Association

Though all individual local governments will be engaged throughout the review process (2+ years), it is also important for WARCA to be involved and develop its own submission for the review. Regional Centre's have unique requirements, which need to be incorporated in any Act review, to ensure there are no restrictions to capitalising on future development and growth opportunities.

WARCA has previously lobbied for a complete review of the Act and this remains a priority project for the Alliance.

Link to Strategic Directions

Complete Review of *Local Government Act 1995*

Budget Implications

Nil

Options

Given the current composition of the reference group, WARCA should continue to lobby for a position on the reference group. Some of the organisations currently named in the reference group have tentative relationships with not only WARCA Member Councils, but Local Government in general. WARCA representation on the Reference Group would enhance the skills, experience and knowledge from a Local Government Industry perspective, but also ensure the unique needs of regional Local Governments, and especially Regional Centre's, are catered for in the review and future amendments to the Act.

With regards to the review process, there are potentially two options available, being:

- 1) Review each section individually – proposed WALGA process (refer discussion paper); or
- 2) Develop some broad agreed principles, which are then applied consistently to whole Act (and current regulations).

Though the actual review process has yet to be documented, it is believed developing broad principles first, will speed up the review process once this becomes available. Ideally, applying broad principles will also show consistent and strong advocacy throughout the entire process, which may not be possible via a piece meal approach.

Possible broad principle's regarding the Act review could be as simple as:

- 1) IPR forms the framework
- 2) Consistent and Easy to Read
- 3) "General Competence" Principle based – Detail in subsidiary legalisation
- 4) Comparable to State Government requirements

The above possible principles have been developed with reference to the 2013 NSW Act review.

Conclusion

Without reiterating previous discussion points, taking a major role in the review process of the *Local Government Act 1995* should be considered a priority for WARCA. The below recommendation is designed to meet Member Council needs and ensure WARCA maintains a strong position throughout the review process.

WARCA Resolution

That WARCA:

- 1) **Continue to advocate for a position on any Local Government Act Review Reference Panel;**
- 2) **Accept the following broad principles to apply in developing comments or submission's during the Local Government review process:**
 - a. **IPR forms the framework**
 - b. **Consistent and Easy to Read**
 - c. **"General Competence" Principle based – Detail in subsidiary legalisation**
 - d. **Local Government requirements are comparable to State Government requirements**
- 3) **Maintain a watching brief on the Review of the *Local Government Act 1995*.**

MOVED:	Matthew Scott	CEO Shire of Esperance
SECONDED:	John Bowler	Mayor City of Kalgoorlie-Boulder

CARRIED



REVIEW OF LOCAL GOVERNMENT ACT 1995

DISCUSSION PAPER

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Background

The Minister for Local Government, Hon David Templeman wrote to the Association on 14 June 2017 to announce the commencement of the review of the *Local Government Act 1995*. The correspondence is outlined below:

Due to the scope of the likely amendments and my desire to see early progress, I have decided that the work will be undertaken in two phases:

The first will focus on modernising Local Government, with the policy work and consultation to be completed in 2017 with a Bill in 2018. Key topics in this phase will be increasing elector participation, electronic disclosure (making information more readily available), simplifying the disclosure of gifts and some reducing red tape provisions.

The theme for the second phase is delivering for the community, with the policy work and consultation to be completed in 2018 with a Bill in 2019. Key themes for this phase will be improving behaviour and relationships, increasing community participation, enabling local government enterprises, improving financial management and reducing red tape.

The Minister has expressed the Review Principles and Vision thus:

Vision

The vision for local government in Western Australia is: Agile, Smart, Inclusive.

Principles

The review will deliver on this through application of the following principles:

- *Transparent – providing easy access to meaningful, timely and accurate information about local governments (S, I);*
- *Participatory – strengthening local democracy through increased community engagement (I);*
- *Accountable – holding local governments accountable by strengthening integrity and good governance (S, I);*
- *Efficient – providing a framework for local governments to be more efficient by removing impediments to good practice (A, S); and*
- *Modern – embracing contemporary models for governance and public sector management (A, S, I).*

The Minister has invited WALGA and Local Government Professionals WA to participate in a reference group on the review.

In July 2017, State Council considered and adopted the following Consultation Process:

- An Infopage will be distributed to Local Governments including a Discussion Paper on issues that have been identified over the last 8 years including advocacy positions resolved by the sector. This will include a request for Local Governments to submit additional items for consideration in the Act review process. Councils can submit individually or collectively through their Zone.
- WALGA to hold Zone/regional group forums on the Act/Regulatory amendment suggestions. Can be held in-conjunction with a Zone meeting or separately.
- Finalise feedback and provide recommendations on legislative and regulatory change through a State Council agenda item that would go through the Zones.

It is expected that this process will be carried out between July and November 2017 with the State Council item being considered at the 6 December meeting.

Past Amendments to the Local Government Act

The current *Local Government Act 1995* commenced on 1 July 1996, and has effectively provided communities with a system of Local Government where locally governing Councils have general competence powers to determine the general functions and scope of functions provided for the good government of persons in their districts. Since 1996, the following major amendments have been promulgated:

- Local Government Amendment Act 1998	Assented to 26 March 1998
- Local Government Amendment Act (No 2) 1998	Assented to 12 January 1999
- Local Government Amendment Act 2004	Assented to 12 November 2004
- Local Government Amendment Act 2006	Assented to 8 December 2006
- Local Government Amendment Act 2007	Assented to 25 June 2007
- Local Government (Official Conduct) Amendment Act 2007	Assented to 28 March 2008
- Local Government Amendment (Elections) Act 2009	Assented to 17 August 2009
- Local Government Amendment Act 2009	Assented to 16 September 2009
- Local Government Amendment Act 2012	Assented to 4 April 2012
- City of Perth Act 2016	Assented to 3 March 2016
- Local Government Legislation Amendment Act 2016	Assented to 21 September 2016

About this Discussion Paper

This Discussion Paper draws on a number of resources upon which WALGA's proposals for Act amendment are based. These resources represent long-standing positions on Act amendments that were developed by the Sector and Sector representatives.

It is acknowledged that only formally adopted State Council advocacy positions can be truly regarded, for the purpose of this Discussion Paper, as representing the collective views of Local Government. Ultimately, this Discussion Paper aspires to honour all views on Local Government Act reform identified through research of the following resources:

- **WALGA Advocacy Positions:** A document representing a collation of WALGA's advocacy positions determined by formal State Council resolutions, inclusive of motions passed at the Association's Annual General Meeting.
- **WALGA Zone Proposals:** This Discussion Paper attempts to capture WALGA Zone resolutions requesting WALGA seek amendment to the Local Government Act.
- **Local Government Reform Steering Committee Report May 2010:** Proposals developed by the Legislative Reform Working Group. Some proposals have already been implemented through Local Government Act amendments since 2010, with the remaining recommendations presented in this Paper for consideration.

This Paper gathers the information from these sources and presents in order of the relevant Part of the Act and associated Regulation. The relationship between Parts of the Act and Regulations is shown in this Table:

LG Act	Regulation
Part 2	Constitution Regulations 1998
Part 3	Functions and General Regulations 1996 / Regional Subsidiaries Regulations 2017
Part 4	Elections Regulations 1996
Part 5	Administration Regulations 1996 / Rules of Conduct Regulations 2007
Part 6	Financial Management Regulations 1996
Part 7	Audit Regulations 1996
Part 8	No Regulations
Part 9	Uniform Local Provisions Regulations 1996
Schedules	

Part 1 – Introductory Matters

Local and Statewide Public Notice: Sections 1.7 and 1.8

The Association welcomes the opportunity to modernise the requirements of giving public notice of particular matters, as prescribed in the Local Government Act. The Minister for Local Government has indicated an intention to deal with this in Phase 1 of the Review process, by making information available online. It is already common practice within the Local Government sector to place statutory public notices on official websites, despite there being no legislated requirement to do so.

Part 2 – Constitution of Local Government

Method of Election of Mayor/President: Section 2.11

Position Statement Local Governments should determine whether their Mayor or President will be elected by the Council or elected by the community.

State Council Resolution March 2012 – 24.2/2012

Elected Member Training: New Proposal

Position Statement WALGA opposes legislative change that would:

1. Require candidates to undertake training prior to nominating for election;
2. Incentivise Elected Member training through the fees and allowances framework; or
3. Mandate Elected Member training.

Further, if mandatory training becomes inevitable, WALGA will seek to ensure that it:

- a) Only applies to first time Elected Members;
- b) Utilises the Elected Member Skill Set as the appropriate content for mandatory training;
- c) Applies appropriate Recognition of Prior Learning (RPL);
- d) Requires training to be completed within the first 12 months of office; and
- e) Applies a penalty for non-completion of a reduction in fees and allowances payable.

State Council Resolution December 2015 – 119.7/2015
October 2008 – 399.4/2008

Stand Down when Contesting State or Federal Election: New Proposal

Amend the Act to require an Elected Member to stand down when contesting a State or Federal election, applying from the issue of Writs. The options to consider include:

- (a) that an Elected Member stand down from any decision making role and not attend Council and Committee meetings; or
- (b) that an Elected Member stand down from all aspects of their role as a Councillor and not be able to perform the role as specified in Section 2.10 of the Local Government Act.

Background

The East Metropolitan Zone has identified that, under the *Local Government Act 1995*, there is no requirement for an Elected Member to either stand down or take leave of absence if they are a candidate for a State or Federal election. If elected to Parliament the Elected Member is immediately ineligible to continue as an Elected Member. Currently it is up to an individual Elected Member to determine if they wish to take a leave of absence. In some cases Elected Members have voluntarily resigned.

Part 3 – Functions of Local Government

Notification of Affected Owners: Section 3.51

Position Statement

Section 3.51 of the *Local Government Act 1995* concerning “Affected owners to be notified of certain proposals” should be amended to achieve the following effects:

1. to limit definition of “person having an interest” to those persons immediately adjoining the proposed road works (i.e. similar principle to town planning consultation); and
2. to specify that only significant, defined categories of proposed road works require local public notice under Section 3.51 (3) (a).

State Council Resolution February 2009 – 480.1/2009

Control of Certain Unvested Facilities: Section 3.53

The Local Government Act 1995 includes a provisions, under Section 3.53, that is carried forward from Section 300 of the former Local Government Act 1960. Section 300 stated:

300. A council has the care, control, and management of public places, streets, ways, bridges, culverts, fords, ferries, jetties, and drains, which are within the district, or, which although not within the district, are by this Act placed under the care, control, and management, of the council, or are to be regarded as being within the district, except where and to the extent that under an Act, another authority has that care, control, and management.

Section 3.53 refers to infrastructure as an ‘otherwise unvested facility’, and is defined to mean: “a thoroughfare, bridge, jetty, drain, or watercourse belonging to the Crown, the responsibility for controlling or managing which is not vested in any person other than under this section.”

Section 3.53 places responsibility for an otherwise unvested facility on the Local Government in whose district the facility is located. Lack of ongoing maintenance and accreting age has resulted in much infrastructure falling into a dilapidated state. This, together with the uncertain provenance of many of these facilities, particularly bridges, is reported as placing an unwarranted and unfunded burden on a number of Local Governments.

It is recommended Section 3.53 of the Act be deleted and that responsibility for facilities located on Crown Land return to the State as the appropriate land manager.

Regional Local Governments: Part 3, Division 4

Position Statement The compliance obligations of Regional Local Governments should be reviewed.

Background Currently, Regional Local Governments are treated by the *Local Government Act 1995* for the purposes of compliance, as if they were a Local Government.

The Association believes that this places an overly large compliance burden on Regional Local Governments. The large compliance burden reduces potential cost savings that aggregated service delivery may achieve through increased efficiency and acts as a disincentive for Local Governments to establish Regional Local Governments.

State Council Resolution January 2012 – 9.1/2012

Council Controlled Organisations: Part 3, Division 4

Position Statement The *Local Government Act 1995* should be amended to enable Local Governments to establish Council Controlled Organisations (CCO).

Background The CCO model is available to Local Governments in New Zealand where they are used for a variety of purposes. The model allows one or more Local Governments to establish a wholly Local Government owned commercial organisation. The Association has developed the amendments required for the CCO model to be implemented in Western Australia.

State Council Resolution October 2010 – 107.5/2010
October 2010 – 114.5/2010

NOTE: Council Controlled Organisations has also been referred to as 'Local Government Enterprises' in the past i.e WALGA's Systemic Sustainability Study 2008.

Local Government (Functions and General) Regulations 1996

Tender Threshold: Regulation 11(1)

Position Statement	WALGA supports an increase in the tender threshold to align with the State Government tender threshold (\$250 000).
Background	The tender threshold should be increased to allow Local Governments responsiveness when procuring relatively low value good and services.
State Council Resolution	July 2015 – 74.4/2015 September 2014 – 88.4/2014

Dispositions of Property: Regulation 30(3)

That Regulation 30(3) be amended to delete the financial limitation (\$75,000) on a disposition used to purchase other property in the course of acquiring goods and services.

Local Government (Regional Subsidiaries) Regulations 2017

Regional Subsidiaries

Position Statement	That WALGA advocate for legislative and regulatory amendments to enable Regional Subsidiaries to: <ol style="list-style-type: none"> 1. Borrow in their own right; 2. Enter into land transactions; and, 3. Undertake commercial activities.
Background	<p>The <i>Local Government Act 1995</i> was amended in late 2016 to enable Local Governments to establish regional subsidiaries, and this represents a significant advocacy achievement for the Local Government sector;</p> <p>The <i>Local Government (Regional Subsidiaries) Regulations 2017</i>, which were enacted in early 2017, contain significant restrictions that limit the flexibility and will reduce the benefits of the regional subsidiary model;</p> <p>In particular, the regulations prevent regional subsidiaries from borrowing from any organisation other than a constituent Local Government, entering into a land transaction, and commencing a trading undertaking; and,</p> <p>This item recommends legislative and/or regulatory</p>

amendments to remove these restrictions that unnecessarily prevent regional subsidiaries from becoming an effective and efficient collaborative service delivery mechanism.

State Council Resolution March 2017 – 5.1/2017

Part 4 – Elections and Other Polls

Conduct of Postal Elections: Sections 4.20 and 4.61

Position Statement	The <i>Local Government Act 1995</i> should be amended to allow the Australian Electoral Commission (AEC) and Local Governments to conduct postal elections.
Background	Currently, the WAEC has a legislatively enshrined monopoly on the conduct of postal elections that has not been tested by the market.
State Council Resolution	March 2012 – 24.2/2012

Voluntary Voting: Section 4.65

Position Statement	Voting in Local Government elections should remain voluntary.
State Council Resolution	427.5/2008 – October 2008

On-Line Voting

WALGA has received requests from three (3) Zones to explore the possibility of introducing on-line voting in Local Government elections.

A State Council Item for Noting was prepared in May 2017 advising that WALGA staff will liaise with the WAEC regarding the use of the iVote system and also seek feedback from the Local Government sector on online voting and other opportunities to increase voter turnout. The Minister for Local Government has indicated that online voting is likely to be considered in the context of increasing elector participation.

Part 5 - Administration

Electors' General Meeting: Section 5.27

Position Statement	Section 5.27 of the <i>Local Government Act 1995</i> should be amended so that Electors' General Meetings are not
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compulsory.

Background

There is adequate provision in the Local Government Act for the public to participate in Local Government matters and access information by attending meetings, participating in public question time, lodging petitions, and requesting special electors' meetings.

NOTE: The current Local Government Amendment (Auditing) Bill 2017 proposes that a Local Government's Annual Report is to be placed on its official website within 10 days of being received.

State Council Resolution February 2011 – 09.1/2011

Special Electors' Meeting: Section 5.28

That Section 5.28(1)(a) be amended:

- (a) so that the prescribed number of electors required to request a meeting increase from 100 (or 5% of electors) to 500 (or 5% of electors), whichever is fewer; and
- (b) to preclude the calling of Electors' Special Meeting on the same issue within a 12 month period, unless Council determines otherwise.

Senior Employees: Section 5.37(2)

That Section 5.37(2) be deleted to remove any inference or ambiguity as to the role of Council in the performance of the Chief Executive Officer's function under Section 5.41(g) regarding the appointment of other employees (with consequential amendment to Section 5.41(g) accordingly).

Annual Review of Certain Employees Performance: Section 5.38

Section 5.41(g) of the Act allocates the function of responsibility for all employees, including management supervision, to the Chief Executive Officer. Section 5.38 therefore creates unnecessary ambiguity; unnecessary in terms of the certainty that Section 5.41(g) already provides. It is recommended that Section 5.38 either be deleted, or amended so that there is only a specific statutory requirement for Council to conduct an annual Chief Executive Officer performance review.

Gifts and Contributions to Travel: Sections 5.82 and 5.83

The current Gift Provisions in the Local Government Act are very confusing and overly prescriptive. The Department of Local Government and Communities have established a Gift Working Group to look at completely reviewing the gift provisions for changes following the March 2017 State Election. WALGA is a participant in this working group. WALGA representatives have been advocating for the following:

- There be one section for declaring gifts. Delete declarations for Travel.
- Gift provisions only for Elected Members and CEO's. Other staff fall under Codes of Conduct from the CEO to the staff.
- Gifts only to be declared if above \$500.00.
- There will not be any category of notifiable gifts or prohibited gifts.
- Gifts only to be declared in respect to an Elected Member or CEO carrying out their role.
- No need to declare gifts received in a genuine personal capacity.
- Exemptions for ALGA, WALGA and LG Professionals (already achieved).
- Exemption for electoral gifts received that relate to the State and Commonwealth Electoral Acts. So Elected Members who are standing for State or Federal Parliament will only need to comply with the State or Federal electoral act and not declare it as a Local Government gift.

Vexatious and Frivolous Complainants: New Provision

It is recommended that a statutory provision be considered, permitting a Local Government to declare a person a vexatious or frivolous complainant. Section 5.110(3a) of the Act was recently introduced in relation to the Local Government Standards Panel ruling on vexatious and frivolous Rules of Conduct Regulations breach allegations:

“...a standards panel can at any stage of its proceedings refuse to deal with a complaint if the standards panel is satisfied that the complaint is frivolous, trivial, vexatious, misconceived or without substance.”

Given the extensive cost and diversion of administrative resources currently associated with vexatious and frivolous complainants across the Local Government sector, it is recommended that a more general mechanism, based on the principles associated with the introduction of Section 5.110(3A), be investigated.

Local Government (Administration) Regulations 1996

Revoking or Changing Decisions: Regulation 10

Regulation 10 provides a mechanism for the revocation or change to a previous decision of Council. It does not however, contain any provision clarifying that the provisions do not apply to Council decisions that have already been implemented. This regulatory deficiency is currently managed administratively, but warrants an appropriate amendment to assist clarify the rights of a Councillor to seek a revocation or change.

Minutes, contents of: Regulation 11

Regulation 11 contains a potential anomaly in that the content requirements relating to Minutes of a Council or Committee meeting do not make reference to the reports and information that formed the basis of the Agenda to that meeting. Despite it being a common practice that Agenda reports and information are included in most Minutes, this is not universally the case, and it is recommended that an amendment be considered as an aid to community understanding of the decision-making process of the Council.

Repayment of Advance Annual Payments: New Regulation

The Local Government Legislation Amendment Act 2016 introduced Section 5.102AB, which provides that Regulations may be made relating to the recovery of advance payments of annual allowances or annual fees made to a person who subsequently ceases to hold office during the period to which the payment relates:

5.102AB. Repayment of advance annual payments if recipient ceases to hold office

(2) *Regulations may be made —*

(a) requiring the repayment to a local government, to the extent determined in accordance with the regulations, of an advance payment of an annual allowance or annual fee in the circumstances to which this section applies; and

(b) providing for a local government to recover any amount repayable if it is not repaid.

Regulations enabling the recovery of advance annual payments have yet to be made and it is recommended this matter be prioritised.

Local Government (Rules of Conduct) Regulations 2007

Position Statement

WALGA supports:

1. Official Conduct legislation to govern the behaviour of Elected Members;
2. An efficient and effective independent Standards Panel process;
3. An ability for the Standards Panel to dismiss vexatious and frivolous complaints; and,
4. Confidentiality for all parties being a key component of the entire process.

NOTE: Point 3 achieved under the Local Government Legislation Amendment Act 2016

State Council Resolution

March 2016 – 10.1/2016
July 2012 – 55.3/2012
December 2008 – 454.6/2008

Part 6 – Financial Management

Imposition of Fees and Charges: Section 6.16

Position Statement That a review be undertaken to remove fees and charges from legislation and Councils be empowered to set fees and charges for Local Government services

Background Local Governments are able to impose fees and charges on users of specific, often incidental, services. Examples include dog registration fees, fees for building approvals and swimming pool entrance fees.

In some cases, Local Governments will recoup the entire cost of providing a service. In other cases, user charges may be set below cost recovery to encourage a particular activity with identified community benefit, such as sporting ground user fees or swimming pool entry fees.

Currently, fees and charges are determined according to three methods:

- By legislation
- With an upper limit set by legislation
- By the Local Government.

Fees determined by State Government legislation are of particular concern to Local Governments and represent significant revenue leakage because of:

- Lack of indexation
- Lack of regular review (fees may remain at the same nominal levels for decades)
- Lack of transparent methodology in setting the fees (fees do not appear to be set with regard to appropriate costs recovery levels).

Examples of fees and charges of this nature include dog registrations fees, town planning fees and building permits. Since Local Governments do not have direct control over the determination of fees set by legislation, this revenue leakage is recovered from rate revenue. This means all ratepayers end up subsidising the activities of some ratepayers.

When fees and charges are restricted by legislation, rather than being set at cost recovery levels, this sends inappropriate signals to users of Local Government services, particularly when the consumption of those services is discretionary. When legislative limits allow consumers to pay below 'true cost' levels for a discretionary service, this will lead to overprovision and a misallocation of resources.

Under the principle of 'general competence' there is no

reason why Local Governments should not be empowered to make decisions regarding the setting of fees and charges for specific services.

Additionally, it is recommended that Section 6.16 be amended so that it only relates to statutory application fees and charges and not consumer items, facility entrance fees, ad hoc minor fees and charges etc. The exhaustive listing of relatively minor fee and charge items, together with technical requirement to give public notice of any change after the adoption of the annual budget, is both inefficient and costly.

Power to Borrow: Section 6.20

Section 6.20(2) requires, where a power to borrow is proposed to be exercised and details of the proposal are not included in the annual budget, that the Local Government must give one month's public notice of the proposal (unless an exemption applies). There is no associated requirement to request or consider written submission prior to exercising the power to borrow, as is usually associated with giving public notice. Section 6.20(2) simply stops the exercise of power to borrow for one month, and it is recommended it be deleted.

Restrictions on Borrowings: Section 6.21

Position Statement

Section 6.21 of the *Local Government Act 1995* should be amended to allow Local Governments to use freehold land, in addition to its general fund, as security when borrowing.

Background

Borrowing restrictions in the *Local Government Act 1995* act as a disincentive for investment in community infrastructure. Section 6.21(2) states that a Local Government can only use its 'general funds' as security for borrowings to upgrade community infrastructure, and is restricted from using its assets to secure its borrowings. This provision severely restricts the borrowing capacity of Local Governments and reduces the scale of borrowing that can be undertaken to the detriment of the community.

This is particularly relevant since the Global Financial Crisis. Treasury now requires member Local Governments to show as contingent liabilities in their balance sheet their proportion of contingent liabilities of the Regional Local Government of which they are a member. Given that the cost of provision of an Alternative Waste Disposal System is anything up to \$100 million, the share of contingent liabilities for any Local Government is significant. Even under a 'Build-Own-Operate' financing method, the unpaid (future) payments to a contractor must be recognised in the balance sheet of the Regional Local Government as a contingent liability.

This alone is likely to prevent some Local Governments from borrowing funds to finance its own work as the value of contingent liabilities are taken into account by Treasury for borrowing purposes.

State Council Resolution January 2012 – 8.1/2012

Rating Exemptions – Charitable Purposes: Section 6.26(2)(g)

Position Statement WALGA’s policy position regarding charitable purposes is as follows:

1. Amend the Local Government Act to clarify that Independent Living Units should only be exempt from rates where they qualify under the Commonwealth Aged Care Act 1997;
2. Either
 - a) amend the charitable organisations section of the Local Government Act 1995 to eliminate exemptions for commercial (non-charitable) business activities of charitable organisations;or
 - b) establish a compensatory fund for Local Governments, similar to the pensioner discount provisions, if the State Government believes charitable organisations remain exempt from payment of Local Government rates.

Background Exemptions under this section of the Act have extended beyond the original intention and now provide rating exemptions for non-charitable purposes, which increase the rate burden to other ratepayers. There may be an argument for exemptions to be granted by State or Federal legislation. Examples include exemptions granted by the Commonwealth *Aged Care Act 1997* and group housing for the physically and intellectually disabled which is supported under a government scheme such as a Commonwealth-State Housing Agreement or Commonwealth-State Disability Agreement.

State Council Resolution December 2015 – 118.7/2015
January 2012 – 5.1/2012

Differential General Rates: Section 6.33

This section outlines the characteristics that Local Governments may take into account when imposing differential general rates. It is recommended the issue of time-based differential rating should be examined, to address some Local Governments view that vacant land should be developed in a timely manner.

Service of Rates Notice: Section 6.41

That Section 6.41 be amended to:

- (a) permit the rates notice to be issued to electronically; and
- (b) introduce flexibility to offer regular rate payments (i.e. fortnightly, monthly etc) without requirement to issue individual instalment notice.

Rates or Service Charges Recoverable in Court: Section 6.56

That Section 6.56 be amended to clarify that all debt recovery action costs incurred by a Local Government in pursuing recovery of unpaid rates and services charges be recoverable and not be limited by reference to the 'cost of proceedings'.

Local Government (Financial Management) Regulations 1996

Exemption from AASB 124: Regulation 4

Regulation 4 of the Financial Management Regulations provides a mechanism for an exemption from the Australian Accounting Standards (AAS). Regulation 16 is an example of the use of this mechanism, relieving Local Governments from the requirement to value land under roads.

A Zone has requested that an exemption be allowed from the implementation of AASB 124 'Related Party Transactions' due to the current provisions in the Act on declarations of interest at meetings and in Primary and Annual returns. This is regarded as providing appropriate material declaration and disclosure of interests associated with function of Local Government.

Part 7 – Audit

The Local Government Amendment (Auditing) Bill 2017, before Parliament at the time of writing, will substantially replace much of Part 7 to provide for the auditing of Local Governments by the Auditor General.

New legislation will allow the Auditor General to contract out some or all of the financial audits but all audits will be done under the supervision of the Auditor General and Office of the Auditor General.

Part 8 – Scrutiny of the Affairs of Local Government

Stand Down Provision: New Proposal

Position Statement

WALGA supports, in principle, a proposal for an individual elected member to be 'stood down' from their role when they are under investigation; have been charged; or when their continued presence prevents Council from properly discharging its functions or affects the Council's reputation, subject to further policy development work being undertaken.

Further policy development of the Stand Down Provisions must involve specific consideration of the following issues of concern to the Sector:

1. That ... the established principles of natural justice and procedural fairness are embodied in all aspects of the proposed Stand Down Provisions; and
2. That activities associated with the term 'disruptive behaviour', presented as reason to stand down a defined Elected Member on the basis their continued presence may make a Council unworkable, are thoroughly examined and clearly identified to ensure there is awareness, consistency and opportunity for avoidance.

Background

In 2008 a discussion paper was circulated seeking feedback regarding legislative amendments to suspend an individual Elected Member, as follows:

- An elected member to have the ability to stand down where they are being investigated or have been charged;
- An elected member to be forcibly stood down where they are being investigated or have been charged and whose continued presence prevents Council from properly discharging its functions and affects its reputation and integrity or where it is in the public interest;
- The Standards Panel to make the stand down decision;
- Such matters to be referred to the Standards Panel only by a Council (absolute majority), a statutory agency or the Department;
- Three to six months stand down periods with six month extensions;
- The elected member to remain entitled to meeting fees and allowances; and
- Inclusion of an offence for providing false information leading to a stand down.

State Council Resolution August 2008 – 400.4/2008

Part 9 – Miscellaneous Provisions

Onus of Proof in Vehicle Offences may be Shifted: Section 9.13(6)

Amend Section 9.13 by introducing the definition of ‘responsible person’ and enable Local Governments to administer and apply effective provisions associated with vehicle related offences

Background:

This proposal from the North Metropolitan Zone emerged due to an increase in cases when progressing the prosecution of vehicle related offences in court (at the request of the vehicle owner) only to have the charges dismissed by the Magistrate when the owner of the vehicle states that he does not recall who was driving his vehicle at the time of the offence. Magistrates have then ruled that this was sufficient to establish ‘proof to the contrary’, as currently identified in the Section 9.13(6) of the Local Government Act 1995, and as a result dismiss the charges.

The *Litter Act 1979* was amended in 2012 to introduce the definition of ‘responsible person’ (as in the *Road Traffic Act 1974*) so that a ‘responsible person’ is taken to have committed an offence where it cannot be established who the driver of the vehicle was at the time of the alleged offence. This also removes the ability for the responsible person to be absolved of any responsibility for the offence if they fail to identify the driver.

It is suggested that a similar amendment be made to Section 9.13 of the Act in order to ensure that there is consistent enforcement in regards to vehicle related offences.

Schedule 2.1 – Creating, Changing Boundaries and Abolishing Districts

Poll Provisions: New Proposal

Position Statement Schedule 2.1 of the *Local Government Act 1995* should be amended so that the electors of a Local Government affected by any boundary change or amalgamation proposal are entitled to petition the Minister for a binding poll.

State Council Resolution December 2014 – 108.5/2014

Number of Electors: Clause 2.1(1)(d)

That Schedule 2.1 Clause 2(1)(d) be amended so that the prescribed number of electors required to put forward a proposal for change increase from 250 (or 5% of electors) to 500 (or 5% of electors) whichever is fewer.

Schedule 2.2 – Provisions about Names, Wards and Representation

Who may make Submission: Clause 3(1)

That Schedule 2.2 Clause 3(1) be amended so that the prescribed number of electors required to put forward a submission increase from 250 (or 5% of electors) to 500 (or 5% of electors) whichever is fewer.

Schedule 4.1 – How to Count Votes and Ascertain Result of Election

Method of Voting

Position Statement	Elections should be conducted utilising the first-past-the-post (FPTP) method of voting.
Background	The FPTP method is simple, allows an expression of the electorate's wishes and does not encourage tickets and alliances to be formed to allocate preferences.
State Council Resolution	427.5/2008 – October 2008

This State Council resolution influenced amendment to Schedule 4.1 in 2009 that returned Local Government elections to a first past the post system from the preferential proportional Representation. The resolution is reiterated here as an indication of the sector's ongoing preference for this vote counting system.

Submission of Feedback

Please submit feedback on the issues raised in this discussion paper, as well as any other relevant matters by << >> to:

James McGovern
Manager Governance
jmcgovern@walga.asn.au
(08) 9213 2093

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10 OTHER BUSINESS

Nil

11 CLOSURE & DATE OF NEXT MEETING

The meeting closed at 1.10pm

The next meeting date will be on 15 September 2017, in Northam.