



**WESTERN AUSTRALIAN
LOCAL GOVERNMENT ASSOCIATION
North Metropolitan Zone**

MINUTES

Meeting Date: 26 March 2009

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MINUTES OF MEETING OF THE NORTH METROPOLITAN ZONE OF THE WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION HELD AT THE HELD IN CONFERENCE ROOM 1, JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP ON THURSDAY 26 MARCH 2009

1. ATTENDANCE

City of Wanneroo

Committee Members: Cr Frank Cvitan (Deputy Chairperson)
Cr Tracey Roberts
Cr Rudi Steffens
Cr Bob Smithson – *Deputising for Cr Maureen Grierson*
Officers: Ms Karen Caple, Director Governance & Strategy

City of Joondalup

Committee Members: Cr Russ Fishwick
Cr Mike Norman – *Deputising for Cr Tom McLean*
Officers: Mr Garry Hunt, Chief Executive Officer
Mr Mike Smith, Manager Governance and Marketing

City of Stirling

Committee Members: Cr David Boothman
Cr Bill Stewart
Cr Terry Tyzack *from 1803 hrs*
Cr Elizabeth Re
Officers: Mr Stuart Jardine, Chief Executive Officer
Mr Aaron Bowman, Manager of Governance and Council Support

WALGA Cr Bill Mitchell, President
Mr Zac Donovan, Executive Manager Marketing & Communications

Secretariat Mrs Janet Foster, Administrative Services Coordinator (City of Joondalup)

DECLARATION OF OPENING

The Chairperson declared the meeting open at 1800 hrs.

APOLOGIES:

City of Joondalup Mayor Troy Pickard
Cr Tom McLean
Cr Trona Young

City of Wanneroo Cr Maureen Grierson
Mr Daniel Simms, Chief Executive Officer
Cr Alan Blencowe

2. ANNOUNCEMENTS

Chief Executive Officer, Mr Garry Hunt, advised that should the meeting extend beyond 1900 hrs he would be required to leave in order to greet a visiting delegation from Jinan, China.

3. CONFIRMATION OF MINUTES

MOVED Cr Fishwick SECONDED Cr Re that the Minutes of the Ordinary meeting of the North Metropolitan Zone held on Thursday 20 November 2008 be confirmed as a true and accurate record of the proceedings.

The Motion was Put and

CARRIED

Cr Tyzack entered the Room at 1803 hrs.

MOVED Cr Fishwick SECONDED Cr Re that the Minutes of the Special Meeting of the North Metropolitan Zone held on Wednesday 25 February 2009 be confirmed as a true and accurate record of the proceedings.

The Motion was Put and

CARRIED

4. BUSINESS ARISING FROM MINUTES

Nil.

5. DEPUTATIONS/PRESENTATIONS

Nil.

6. MATTERS REFERRED TO WALGA

6.1 Status Report on Matters referred to WALGA State Council for Action.

As a means of increasing communication and providing feedback to the North Metropolitan Zone, a schedule has been prepared on matters referred to WALGA State Council for action.

A query was raised as to whether names of voters should be recorded in the minutes. Members were advised that Clause 24 of the North Metropolitan Zone Standing Orders provides that "...a delegate may call for a division".

MOVED Mayor Boothman SECONDED Cr Fishwick that the Status Report be RECEIVED.

The Motion was Put and

CARRIED

7. REPORTS FROM MEMBER COUNCILS

7.1 SHOPPING TROLLEYS

Report submitted by City of Joondalup

<p style="text-align: center;">IN BRIEF</p> <p>To brief the North Metropolitan Zone on the Local Law amendment at the City of Joondalup which increases the penalty associated with abandoned shopping trolleys.</p>
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BACKGROUND

For some time, the City of Joondalup has been concerned about abandoned shopping trolleys. The City has endeavoured to address this issue in a variety of ways. Most recently, it resolved to support a Local Law which increases the penalty for an abandoned shopping trolley to \$5,000 and establishes an infringement penalty of \$500 for the offence.

The City considered requiring retailers to put contact phone numbers on shopping trolleys. However, this matter was not progressed because of arguments presented by retailers about difficulties with its implementation.

The City also considered eliminating the requirement to give retailers notice before impounding trolleys. Again, this matter was not progressed as it was considered likely to attract the attention of the Joint Standing Committee on Delegated Legislation.

COMMENT

The Retail Traders Association argued strongly against the new Local Law. However, the City of Joondalup believes it will assist in reducing the incidences of abandoned trolleys.

MOVED Cr Fishwick SECONDED Cr Norman that the North Metropolitan Zone NOTES the increase in the penalty and infringement penalty associated with abandoned shopping trolleys being implemented in the City of Joondalup.

Discussion ensued.

The Motion was Put and

CARRIED

The Deputy Presiding Person advised that Items 7.2 and 7.3, and Late Item 7.6 would be dealt with together as each relates to State Administrative Tribunal outcomes.

7.2 STATE ADMINISTRATIVE TRIBUNAL OUTCOMES

Report submitted by City of Joondalup

IN BRIEF

For the North Metropolitan Zone to note the analysis of the City of Joondalup’s matters before the State Administrative Tribunal.

BACKGROUND

At the November meeting of the North Metropolitan Zone, it was resolved that:

“comments be sought from Member Councils on the State Administrative Tribunal Process for discussion at the meeting of the North Metropolitan Zone to be held on 26 March 2009.”

This report presents the situation for the City of Joondalup.

COMMENT

Listed below are the number of hearings heard by the SAT to which the City of Joondalup has been a party since 2005.

Total hearings since 2005

Year	Total	Total minus withdrawals
2005	8 (1 withdrawn)	7
2006	19 (8 withdrawn)	11
2007	9 (1 withdrawn)	8
2008	8 (5 withdrawn)	3

% of hearings - planning issues = 83%	% of hearings - commercial/civil = 17%
For COJ – 36%	For COJ – 25%
Against COJ – 31%	Against COJ – 50%
Withdrawn – 33%	Withdrawn – 33%

MOVED Cr Roberts SECONDED Mayor Boothman that the North Metropolitan Zone NOTES:

- 1 the analysis of the City of Joondalup’s matters before the State Administrative Tribunal provided in Item 7.2;**
- 2 the report of the City of Wanneroo in relation to State Administrative Tribunal Process provided in Item 7.3;**

3 the report of the City of Stirling in relation to the State Administrative Tribunal Process provided in Item 7.6.

Discussion ensued.

The Motion was Put and

CARRIED

7.3 CITY OF WANNEROO - REPORT ON STATE ADMINISTRATIVE TRIBUNAL PROCESS

Report submitted by City of Wanneroo

IN BRIEF

At the WALGA North Metropolitan Zone meeting in late November 2008 it was resolved that comments be sought from Member Councils on the State Administrative Tribunal (SAT) process. This report provides the City of Wanneroo's comments on the matter.

BACKGROUND

The majority of the City's dealings with the SAT originate from applications for review against discretionary planning decisions where the City is the decision-maker, and occasionally involving the City where the decision-maker is the Western Australian Planning Commission (WAPC).

The comments contained in this report are based on the City's experiences with SAT on planning and development issues alone.

COMMENT

The City of Wanneroo provides the following comments on the SAT process:

- 1 The process followed by the SAT in scheduling, mediating and hearing applications for review is generally considered to be reasonable and transparent. The SAT usually makes every effort to deal with matters promptly and efficiently, and wherever possible attempts to arbitrate an outcome acceptable to all parties, to avoid the need for applications to proceed to full hearing. One frustration of this approach however is the need for local government to reconsider (sometimes more than once) its decision at the request of SAT.
- 2 The general objective and philosophy of the SAT when it first replaced the former Town Planning Appeals Tribunal, was to deal with applications for review with as much informality as possible. Since that time however, the roles and responsibilities of the SAT have expanded greatly; giving rise to a higher degree of formality and protocol in SAT proceedings than previously existed. This in turn has tended to increase the reliance of local government and applicants alike on legal representation in SAT proceedings; often creating an adversarial and litigious environment between the parties.

- 3 One common complaint about SAT proceedings is that the majority burden of responsibility is now placed on the decision-maker to defend its decision, rather than equally on the decision-maker and applicant to justify their respective positions. The main problems with this approach are twofold. Firstly, it creates an environment that tolerates and supports spurious, incomplete or unacceptable applications being lodged with the local government purely to generate a right of review through the SAT. Secondly, it imposes a significant workload burden on the local government to provide the facts and background to the application and to justify why the decision was taken.
- 4 Applications for review through the SAT are sometimes lodged mischievously in an attempt to circumvent the orderly and proper planning process. An example of this might be an application for review of a local government or WAPC decision to refuse urban development or subdivision of land in a rural zone, ahead of the required structure planning or appropriate zoning being in place.
- 5 Given the increasing reliance on legal representation in SAT proceedings, it is inevitable that local government will need to carefully consider its position during mediation, having regard to the cost and consequence of defending the original position in a full hearing. While there is inherently nothing wrong with this careful consideration, some applicants may attempt to exploit this situation to intimidate the local government into making a particular decision that it would not otherwise make.
- 6 Arguably, some of the above-mentioned circumstances may have evolved from the SAT's frustration with some decision-makers to rely on the SAT to make decisions on difficult planning and development matters, in an attempt to distance themselves from an unpopular, but perhaps appropriate decision.

RECOMMENDATION

That the North Metropolitan Zone NOTES the report of the City of Wanneroo in relation to State Administrative Tribunal Process.

This item was considered earlier in the meeting, in conjunction with Item 7.2

7.4 LOCAL GOVERNMENT REFORM STRATEGIES

Report submitted by City of Joondalup

IN BRIEF

To request North Metropolitan Zone members to present a status report in relation to Local Government reform strategies.

BACKGROUND

In February 2009, the Minister for Local Government; Heritage; Citizenship and Multicultural Interests, Hon John Castrilli, announced the State Government's package of Local Government reform strategies. These strategies were aimed at achieving greater capacity for Local Governments to better plan, manage and deliver services to their communities with a focus on social, environmental and economic sustainability.

The principal strategies are voluntary structural reform, with the main objective to reduce the number of local governments across the State, and reduce the total number of elected members to between six and nine.

The Minister established a Steering Committee to coordinate the review. Since the assessment, the WA Local Government Authority (WALGA) has carried a resolution in response and is intending to take a lead in responding to the Minister.

The Steering Committee has issued a set of guidelines to assist local governments through the reform process. These guidelines set out a timetable for local governments to follow in order to meet the Minister's deadline of August 2009.

COMMENT

Each local government is examining their individual situation in response to the Minister's request. It is suggested that each member of the North Metropolitan Zone prepare a status report for presentation to the 28 May 2009 meeting.

MOVED Cr Fishwick SECONDED Cr Norman that the Cities of Joondalup, Stirling and Wanneroo be REQUESTED to prepare a status report relating to the Minister's Local Government Structural Reform Strategy for presentation to the 28 May 2009 meeting of the WALGA North Metropolitan Zone.

Discussion ensued.

The Motion was Put and

CARRIED

LATE REPORTS

7.5 LATE REPORT - LOCAL GOVERNMENT ACT RATING EXEMPTIONS FOR CHARITABLE PURPOSES – SECTION 6.26(2)(G) OF THE LOCAL GOVERNMENT ACT 1995

Report submitted by the City of Stirling

IN BRIEF

The City of Stirling would like to again raise its concern over the Charitable Rating Exemption provisions of the Local Government Act (1995). The City believes that these provisions are now applying in situations they were never intended to and are responsible for a significant loss of funding from Local Governments prime revenue source.

BACKGROUND

The City of Stirling would like to raise its concern over the Charitable Rating Exemption provisions of the Local Government Act (1995). The City believes that these provisions are now applying in situations they were never intended to and are responsible for a significant loss of funding from Local Governments prime revenue source.

The charitable exemption provision of the old Local Government Act was not changed when the new Act was drafted in 1995. This provision was previously used to provide rating exemptions to properties that were used to provide crisis accommodation to individuals and families. These properties were typically very old, with basic facilities, owned by charities or religious organisations and provided at a very low, even uneconomic rent. Over time, these properties were used less and less as other welfare arrangements provided a better standard of accommodation for those in need.

Over time and with less use these old properties were redeveloped into accommodation for pensioners and the long standing exemptions continued without review. The owners of these properties (registered charities and religious organisations) soon realised that there was a developing market for retirement properties, particularly those providing community facilities in a “village” atmosphere.

New properties were purchased and the rate of construction of these developments increased tremendously. The City of Stirling and many other local governments recognised the changes and reassessed the rating exemptions previously awarded.

These new developments no longer provide just “a roof over their heads” of the disadvantaged but rather provide quality housing for a range of people including those still working and those who are independent in retirement.

COMMENT

In 2005 the City of Stirling lost an appeal to the state Administrative Tribunal relating to rating exemptions for independent living units in retirement villages owned by charitable organisations. Since that time, pressure has been mounting to allow charitable exemptions in other situations.

The circumstances of the latest situation involve a large number of Homeswest properties which have been leased to charitable organisations at a peppercorn rent. These properties are then leased to individuals or families where one or more of the occupants has a disability. Legal advice has indicated to the City that given the rulings in the retirement village case these community housing properties are also exempt from rates under the current legislation.

The City has now lost revenue of \$1.090M per annum relating to independent living units in retirement villages and \$0.171M per annum in relation to “community housing” properties predominately leased from Homeswest.

The fact is the City is still required to provide facilities and services to the residents of these properties and no longer receive any contribution from them. This burden now falls on the remainder of the community resulting in a pseudo welfare system.

Unfortunately, the current situation involves the incremental cost shifting of welfare to local governments. Pensioners and persons with disabilities are able to access state funded rating concessions through the Pensioners Rates Rebates and Deferment Act 1992. This is considered to be an appropriate means tested, welfare arrangement where the benefit goes directly to the targeted recipient. It should be noted that the benefit from any rates exemption goes to the owner, in these cases this is the charitable organisation, which may or may not pass on the benefit to their tenants.

The charitable exemption provisions of the Act have been in place for over half a century. During this time, the world has taken on a much more business focussed approach. It is Local Governments belief that the previous exemption provisions which gave rate relief to crisis care accommodation is now being exploited for business purposes. The State Administrative Tribunal concluded that the exemption provisions would need amendment if the independent living units in retirement villages were to become rateable.

Since the State Administrative Tribunal ruling in 2005 the Local Government Advisory Board has held an “Inquiry into the Operation of Section 6.26(2)(G) of the Local Government Act 1995 - rating of land used for charitable purposes”. The previous government, after much political lobbying and media attention generated by the charitable sector, decided not to change the Act. This was extremely disappointing and the City of Stirling requests that this matter be revised and some fairer outcome result.

The attachment (Attachment 2) is an advertisement announcing the latest stage to the Freemasons retirement village in Alexander Drive, Menora. In their own words “First Class Retirement Village Lifestyle” offering “stunning new luxury 3 bedroom, 2 bathroom retirement villas” – are “priced for today’s market at \$750,000”. These are not freehold sales but “lease for life” arrangements where the owner, Freemasons WA, is able to obtain a charitable exemption from Council Rates.

MOVED Mayor Boothman SECONDED Cr Stewart that the North Metropolitan Zone Committee SEEKS the support of the West Australian Local Government Association (WALGA) to lobby the State Government for a change to the Charitable Rating Exemption provisions within the Local Government Act (1995).

Discussion ensued.

MOVED Cr Fishwick SECONDED Cr Re that consideration of this matter be DEFERRED to enable views to be provided by Member Councils.

The Motion was Put and

CARRIED

7.6 LATE REPORT - CITY OF STIRLING - REPORT ON STATE ADMINISTRATIVE TRIBUNAL PROCESS

Report submitted by City of Stirling

IN BRIEF

At the WALGA North Metropolitan Zone Meeting in late November 2008 it was resolved that comments be sought from Member Councils on the State Administrative Tribunal (SAT) process. This report provides the City of Stirling's comments on the matter.

BACKGROUND

The majority of the City's interaction with the SAT relate to development related matters in either planning, building or environmental health/compliance where the City has been a decision maker or issued a notice under relevant legislation.

The City is therefore the respondent to these matters and is required to allocate resources in supporting its response to an application for review lodged with the SAT by an applicant.

COMMENT

The City of Stirling has experienced significant levels of development activity during the past 3 years and at any one time may be dealing with up to 17 individual SAT matters, which are resolved either via mediation or through a decision of the Tribunal or by the applicant withdrawing their application for review.

Apart from the ability for an applicant to seek review of a discretionary decision of the City, the SAT process has proved useful in a number of respects in relation to a range of City of Stirling matters:

1. Supporting the Council's policy position in respect to refusal of specific demolition applications in Heritage Protection Areas of the Mt Lawley, Menora and Inglewood following the adoption in mid-2006 of new Character Retention Guidelines. The SAT's decisions have added credibility to the Council's Guidelines and have been used when considering similar applications.
2. Mediating matters of significant concern which impacted beyond a City Planning decision, as in the case of the Moss Glades Retirement Village which was also the subject of a separate action brought against the village developers by the residents of the village and the Department of Employment and Consumer Protection. This enabled the SAT to conduct joint mediations in attempt to resolve the range of matters with the developer of the village.
3. Dealing with protracted matters such as that of a residence that was unfit for habitation involving two elderly residents. The outcome was the SAT upholding the order to demolish the house. The SAT process provided an impartial vehicle to determine the validity of the City's notice and proved to be the best approach in dealing with this matter and enabled other government agencies to become involved.
4. The opportunity to review the original decision (when instructed by the SAT) in respect to matters where new information is provided by an applicant, thus potentially avoiding the costs of a full hearing.

The processes used by SAT are generally seen by the City to be reasonable. The SAT does make every effort to deal with matters efficiently and promptly, however the delivery of decisions in some cases can take a number of months. At Stirling, the Council is provided with a monthly update of the status of SAT matters to enable Councillors to see all matters currently before the Tribunal.

The introduction of the SAT has placed additional resource demands on local government, both in terms of human and financial resource requirements. The City has an adopted procedure for dealing with SAT matters which aims to mitigate these costs by ensuring that legal representation is only used when necessary. Overall however, the SAT process is seen by the City to be fair and transparent. The City recognises that in dealing with quasi-judicial matters such as planning decisions, where discretion is being exercised, that the Council (and also officers acting under delegated authority) need to be diligent in its decision making processes and provide reasoning based on sound planning grounds.

Where applicants submit an application for review to the SAT that may be without apparent substance, the City's experience is that these are normally dealt with quickly and efficiently by the SAT member. One potential improvement however, would be to have a clearer process to enable costs orders to be more easily granted to respondents (in this case the Local Government) where an application for review is made and where there is no real substance supporting the application. This would provide some compensation for the considerable work undertaken by the Local Government in providing a response and would assist in discouraging frivolous applications for review.

RECOMMENDATION

That the North Metropolitan Zone NOTES the report of the City of Stirling in relation to the State Administrative Tribunal Process.

This item was considered earlier in the meeting, in conjunction with Item 7.2

8. WALGA STATE COUNCIL AGENDA – MATTERS FOR DISCUSSION

(Zone delegates to consider the Matters for Decision contained in the WALGA State Council Agenda and put forward resolutions to Zone Representatives on State Council)

Matters of Particular Interest on State Council Agenda

No comment was raised.

MOVED Cr Fishwick SECONDED Cr Steward that the WALGA State Council agenda be RECEIVED.

The Motion was Put and

CARRIED

9. WALGA STATE COUNCIL MEMBERS' REPORTS

The Chairperson provided an overview of the WALGA President's Report for March/April 2009 – Attachment 1 refers.

MOVED Cr Roberts SECONDED Cr Tyzack that the WALGA President's Report be RECEIVED.

The Motion was Put and

CARRIED

10. GENERAL BUSINESS

Cr Mitchell advised that a WALGA/LGMA forum will be held on Monday 4 May 2009 at the Hyatt.

11. DATE, TIME & PLACE OF NEXT MEETING

The next meeting will be held on Thursday 28 May 2009, at 6.00 pm at the City of Wanneroo.

12. CLOSURE

The meeting closed at 1900 hrs.



WALGA PRESIDENT'S REPORT March/April 2009

MINISTER FOR LOCAL GOVERNMENT'S REFORM PROPOSALS - LOCAL GOVERNMENT RESPONSE

As you are aware the WALGA State Council held a special meeting on 4 March to discuss the sector's response to the Local Government Minister's call for voluntary amalgamations. State Council unanimously resolved to support voluntary structural reform of the sector, with WALGA directed to support Councils throughout the process and assist Local Governments in preparing responses to the Minister.

Lobbying activity to be carried out over the next few months will focus upon:

- seeking commitment to Principles and Actions of the SSS Report,
- support for a collaborative approach to reform,
- request to extend the timeframe for Council responses,
- appropriate financial resources to be made available to assist with the cost to Local Government in preparing submissions to the Minister, and
- seeking commitment that any changes to Local Government boundaries be based upon an appropriate business case that is demonstrated and proven to develop sustainable Local Governments.

The Association has been directed to seek to partner with the State Government, the Department, and the sector to achieve the best possible outcomes from a voluntary reform process. To this end, WALGA will be requesting that together with the State Government we develop more quantitative guidelines for Local Governments to use when preparing responses to the Minister.

The proposed framework would outline preferred reform models and benchmarks, identify specific elected member to resident ratios and area and/or population figures for consideration, dependent upon specific geographical locations of Local Authorities.

We are seeking to meet with the Minister as soon as possible to discuss these issues.

On an Operational front, WALGA's SSS Taskforce has endorsed an operational plan to guide WALGA staff on the Associations support for Local Governments.

There are two distinct phases to the reform proposals:

- Phase One – Next six months – Concentrate on the Sector
- Phase Two– Six to eighteen months – Concentrate on the Community (As well as continuing communication with the sector)

The plan in Phase One will be aimed at the following:

- Assisting Local Governments in whatever capacity it can. This may be through attending meetings of ROCs, VROCs and Zone meetings.
- Identify and assist some individual Councils that may need specific help.
- Facilitating Community Meetings on the request of Local Governments.
- Provide a schedule of Consultants.
- Develop and provide resources such as a Template for submission responses and other resources as determined.
- Hold a State-wide Forum during the process.

In Phase Two we can inform the Community on the ability to demand a poll and the poll provisions and any information that can assist in advice to the community.

The Association has already sent a WALGA Officer to Queensland to obtain information on the Queensland amalgamation process and this information is invaluable and will be used to assist the Association and Local Governments.

We also held a forum for members of the Minister's Steering Group, Local Government Advisory Board members, LGMA Board members and State Councillors which heard from people involved in the South Australian and Queensland processes to gain knowledge on their reform activity.

It is hoped that the State-wide forum will be run in conjunction with the LGMA.

The Association is also represented on the four working groups the Minister has established.

- Corporate and Strategic Planning
- Commercial Enterprises and Urban Development
- Training and Capacity Building
- Legislative Reform

These working groups are actually using the research from the SSS report as a starting point; so this is very positive aspect to the reform announcements.

MEETING WITH THE DEPUTY PREMIER; MINISTER FOR HEALTH AND INDIGENOUS REFORM

WALGA Deputy President, Mayor Troy Pickard, senior staff and I met with the Deputy Premier, Minister for Health and Indigenous Affairs the Hon Dr Kim Hames MLA on 20 January 2009.

The discussion focused on:

- the role of Local Government in service provision to Indigenous Communities,
- the Council of Australian Government's "Closing the Gap" on Indigenous Disadvantage agenda, and
- the development of the new Bilateral Agreement on Indigenous Affairs between the Commonwealth and State Government.

The Minister agreed that Local Government needs to be included in the discussions, and advised he would insist that Local Government be a signatory to those components of the revised Bilateral Agreement for Indigenous Affairs for which they would have responsibility.

I outlined the current infrastructure issues facing the Local Government sector, advising that in order for Local Government to address the "Closing the Gap" agenda and deliver services to Indigenous Communities, infrastructure deficits need to be addressed.

The Minister acknowledged that this would need to be undertaken in order to move forward and was surprised that it had not already occurred. The Minister requested WALGA consider what support Local Government could provide to undertake such an audit.

INDIGENOUS IMPLEMENTATION BOARD

The inaugural meeting of the Board was held in February 2009, with WALGA CEO Ricky Burges attending as a Board Member.

The purpose of this Board is to:

- build stakeholder involvement,
- ensure that recommendations from earlier reports have been implemented where appropriate,
- consider the structural underpinnings of indigenous disadvantage and
- recommend ways in which service delivery can be enhanced.

One key focus of the Board will be the development of a proposal for a regionally based reform agenda that can be progressed through COAG and modelled federally.

This will include recommending ways to improve Indigenous engagement in local decision-making and action, as well as enhancing the corporate and non-government sectors' involvement and contribution to positive outcomes related to the serious issues involved.

MEETING WITH MINISTER FOR ENERGY: TRAINING, HON PETER COLLIER

Deputy President, Mayor Troy Pickard, senior staff and I met with the Hon Peter Collier MLA to discuss areas of interest within his portfolio. The impact of the street lighting tariff increase on Local Government was brought to the Minister's attention and the appropriateness of the increase in light of poor performance standards by Western Power and the lack of contestability in hardware, service, ownership and energy supply.

Street lighting issues discussed included energy efficiency and renewable energy, the time taken to repair faulty streetlights, lack of auditing, the time frame to undertake works, the lack of transparency with costs and the impact of Western Power policies on the Blackspot programme. The Minister requested additional information and WALGA will work with the Institute of Public Works Engineers (IPWEA) to put forward solutions for discussion.

The Underground Power Project was discussed in particular the impact of the local community funding contribution on projects being undertaken. The Minister advised that whilst there is no formal review of the project that this may be considered and WALGA would be a closely involved in any review.

In relation to TAFE, the Minister advised of his intention to instigate a review of the TAFEWA system. CEO Ricky Burges sought and received an indication that WALGA would be invited to contribute feedback on the effectiveness of the system, with a particular emphasis faced by rural, regional and remote Councils, and in the difficulty faced by most Local Governments in receiving a consistent range of training service support.

I also discussed the Government's Local Government reform agenda and raised concern that the public threat of forced mergers does not demonstrate a commitment to partnership. WALGA sought the Minister's support to ensure that there is collaboration and cooperation between State and Local Government and WALGA so that an effective and sustainable outcome is achieved.

MEETING WITH MINISTER FOR ENVIRONMENT; YOUTH, HON DONNA FARAGHER

On 24 February, I met with the Minister for Environment; Youth, Hon Donna Faragher MLC to discuss key issues of concern for Local Government.

The Minister expressed ongoing commitment to the *Towards Zero Waste* vision for Western Australia, and indicated she was awaiting the outcome of the national Container Deposit Systems report and listening to local stakeholders with regard to this issue.

I reinforced the importance of partnerships on agreed areas of mutual endeavour, and the Minister committed to a partnership approach and ongoing dialogue with the sector. I also conveyed the high levels of commitment and investment by the sector in the areas of environmental protection and natural resource management, and the importance of having both Local Government and the Department of Treasury and Finance involved in the governance arrangements for natural resource management in Western Australia.

In relation to climate change, we enquired as to the level of work currently being undertaken by the State Government, given Local Government abatement measures to date and the strong requirement for adaptation investment, particularly in relation to land use planning and infrastructure provision. The Minister reinforced the Government commitment to an adaptation strategy, which is currently a work in progress.

In relation to coastal and marine issues, the Minister agreed that a contingency funding model is worthy of consideration on the issue of the management of deceased or dying marine mammals in coastal environs, and that she would refer it to the Department of Environment and Conservation for consideration.

The Minister indicated she would like to meet quarterly and also committed to her availability on an ad hoc basis where the need arises.

MEETING WITH THE POLICE COMMISSIONER, KARL O'CALLAGHAN

On 25 February 2009, the Deputy President Troy Pickard and Mayors, Presidents and Chief Executive Officers from the Central, Great Eastern, Murchison and Peel Zone joined me in meeting with Police Commissioner Karl O'Callaghan. The focus of the meeting was to discuss police resourcing concerns and the closure of the Menzies, Trayning and Upper Gascoyne police stations.

The meeting was very productive, with the Commissioner expressing genuine willingness to work in partnership with Local Government. He acknowledged the tensions that are faced in sustaining regional communities, and understood the necessity of police presence to attract investment and essential government services. The Commissioner advised that the Menzies, Upper Gascoyne and Trayning police stations would remain closed at this time; however conceded that the better service promised may not have been completely honoured and would work with the affected communities to address their concerns.

The Commissioner extended an invitation to Deputy Mayor Troy Pickard and I to meet on a quarterly basis to discuss issues impacting on Local Government and their communities. I accepted the invitation and I will arrange for an agenda template to be distributed to Member Councils to ensure your issues are addressed. The Commissioner also advised that he would

welcome invitations to meet with individual Local Governments to discuss their policing issues. I encourage you to invite him to your Council or Zone meetings.

PREFERRED SUPPLY – ASSET MANAGEMENT CONSULTANCY SERVICES

In response to Member requests, WALGA has put together a Panel of providers for professional services in the area of asset management.

It is expected that Local Governments will draw off the Panel to source external services of both an advisory and technical nature to support its Asset Management activity. The Panel is also intended to deliver the expertise into the sector that allows Local Governments to become self-sufficient with respect to future asset management activities. In addition to meeting the strategic and educative needs associated with the development of Asset Management Plans (and/or implementation of WAAMI outcomes), the panel will provide access to technical services such as condition testing, measurement and predictive modelling, and data mapping. The contract provides specialist services for all asset classes.

Access to suppliers on the Panel is through the means of direct quotation on an assignment or project basis. WALGA has also developed a Consultancy Contract Template that is recommended for adaptation and use for engaging the Preferred Supplier consultancy. WALGA is currently engaged in a contracting process and anticipates the appointment of a broad panel of 15 providers of generalist and specialist services. The new Contract will be accessible from 8 May 2009.

PREFERRED SUPPLY - TRUCKS AND ASSOCIATED EQUIPMENT

WALGA is pleased to confirm the establishment of a new Preferred Supplier Panel for the Provision of Trucks and Associated Equipment.

A total of eight (8) suppliers have been appointed to this panel, including three (3) located in regional Western Australia. Suppliers include:

- **Kenworth Daf WA** – suppliers of Kenworth and Daf
- **Scania Australia** – suppliers of Scania
- **Albany City Motors** – suppliers of Isuzu
- **Paveline International** – road maintenance specialists
- **Waltons** – suppliers of Isuzu, Mercedes, Freightliner, Sterling
- **Diesel Motors Trucks** – suppliers of Mercedes, Freightliner, Sterling
- **Purcher International** – suppliers of Mitsubishi Fuso, Iveco, International
- **AV Truck Services** – suppliers of UD Nissan, Man, Western Star

The new Preferred Supplier Panel will offer a broad range of benefits to WALGA Members on Trucks and Associated Equipment, including discounts on market rates and increased flexibility for Members by offering an extensive equipment range, brand representation, pricing alternatives and facilitates direct access to suppliers.

The unique pricing structures of and the numerous options and specifications associated with Trucks and Associated Equipment dictated that this Preferred Supplier Panel operate via a multiple quotation system, the competitiveness of which will deliver pricing advantages and savings to Members.

Members will be able to access the Panel directly or by using a form of quotation outlining the purchase requirement along with specification details and then forwarding this documentation to some or all of the endorsed Panel members.

For Members seeking to dispose of used Trucks and Equipment, WALGA has established a convenient disposal facility that can be accessed through the WALGA Tender Bureau Service.

For further information, please contact Business Development Project Manager, Dale Chapman on 08 9213 2095 or email dchapman@walga.asn.au

NATURAL RESOURCE MANAGEMENT (NRM)

WALGA, in collaboration with LGANT and the LGAQ and the Northern Alliance of NRM Regions (including the Rangelands NRM region) are developing a multi million dollar proposal to the Australian Government Caring for our Country program.

The proposal seeks to support local governments in the assessment and integration of ecological assets into their strategic planning and land use planning frameworks.

Based on the successful Perth Biodiversity Project, the proposal seeks the resources to work with individual and regional local governments to achieve the following outputs over a five year period:

- an audit of biodiversity assets in the region (focusing on the area managed by the eight Local Governments situated in WA)
- development of biodiversity and NRM planning guidelines
- development of Local Biodiversity or NRM Protection strategies developed by Local Governments in the region
- preparation of management plans for natural areas
- development and delivery of training and awareness workshops for Elected Members, CEOs and Staff
- development and delivery of an Environmental Youth Engagement Model to increase and enhances the knowledge, skills and experiences of young people in relation to Local Government and local community NRM
- the development of a template for Council-based community volunteer programs designed to attract regional visitors to volunteer in council NRM programs (based on a Queensland Remote Regional Council Grey Nomad pilot program).

INTRODUCTION OF ROMAN II

The ROMAN replacement project is an important and essential undertaking of Local Government being considered at this State Council meeting. In parallel with the State Council agenda process WALGA has been briefing CEOs, Asset Managers, Engineers and Works Managers on the replacement project and the proposed replacement product. Feedback so far has been positive.

2009 ASSET MANAGEMENT FORUM 8 MAY 2009

The program for the inaugural WA Local Government Asset Management Forum is in the final stages of completion. This one day event will focus on the key issues facing Local Governments in the management of Local Government assets.

The Forum will cover: Asset Management, National and State perspectives; WA Local Government Asset Management perspectives; and how to address the challenges and opportunities for WA.

RECYCLED PRODUCTS IN LOCAL GOVERNMENT CONSTRUCTION AND MAINTENANCE ACTIVITIES

WALGA was awarded a grant from the Strategic Waste Initiatives Scheme to develop a policy position and framework to facilitate the use of recycled content by Local Government in construction and maintenance activities.

A draft report, looking into the drivers and inhibitors for Local Government to use recycled materials in roads, paths and other appropriate infrastructure, has been drafted by the consultants for the working group overseeing this project. The draft report will be available for comment by the end of the March. We are interested to hear comments from the Pilbara and Kimberly on the report and how it addresses specific needs of these regions.

PRESIDENT'S CONTACTS

During the February – March period, contacts that have occurred or are scheduled to take place prior to the April State Council meeting are as follows:

State Government Relations

Meetings with:

- NRM Ministerial Review Meeting
- Inquiry into the Tobacco Products Control Amendment
- Water Forever, Mr Jim Gill, CEO, Water Corporation, Ms Meredith Blais, Manager, Water Industry Policy
- Mr Paul Papalia MLA, Shadow Minister for Local Government
- Hon Eric Ripper MLA, Leader of the Opposition
- Swan River Trust Local Government Mayoral Forum
- Hon Donna Faragher MLC, Minister for Environment; Youth
- Commissioner Karl O'Callaghan, WA Police
- Hon Peter Collier MLC, Minister for Energy; Training
- Mr John Bowler MLA
- Hon Robyn McSweeney MLC, Minister for Child Protection; Community Services; Seniors & Volunteering
- Mr John Crosby and Mr Craig Mickle, Australian Government Western Australian Grain Freight Review

Local Government Relations

Meetings with:

- Mr Bradley Woods, CEO, Australian Hotels Association
- Regional Chairs of NRM Workshop
- Local Government Reform Steering Committee
- Conservation Commission
- ALGA Board Meeting
- Lord Mayor's Distress Relief Fund
- Dr Shayne Silcox, CEO, City of Melville
- LGIS Planning Day
- Mr Stuart Wearne, CEO, Town of East Fremantle
- Canning Bridge Steering Group
- Mr Greg Denton, Worley Parsons, Mr Michael Boros & Mr Vince Paparo, Freehills - Pilbara Integrated Power Project
- ALGA Board Strategic Planning Meetings

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- Senate Standing Committee on Rural and Regional Affairs & Transport - Inquiry into Public Transport
 - Grain Infrastructure Group
 - LGIS Board

Conferences / Workshops / Public Relations

- City of Joondalup 2009 Valentine's Day Concert
- Sponsor Dinner: Mr & Mrs Anthony Quahe, Civic Legal
- Launch: ROMAN Replacement Project
- Reception at Government House : Guest Her Excellency Ms Quentin Bryce AC, Governor General
- Kimberley: Pilbara Joint Forum Dinner
- City of Swan Mayoral Dinner
- Launch: Blessing of the Roads

Zone

- Avon-Midland Country Zone Conference