



WALGA

WORKING FOR LOCAL GOVERNMENT

MINUTES

Annual General Meeting

Perth Convention Exhibition Centre
Perth

6 AUGUST 2014



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Annual General Meeting

Western Australian Local Government Association Annual General Meeting held at the Perth Convention and Exhibition Centre, Business Session commencing at 3.45pm.

1.1 Record of Attendance and Apologies

Apologies

- Cr Geoff Amphlett
- Cr David Michael
- Mayor Ron Yuryevich

1.2 Announcements

- 2 Matters of Special Urgent Business have been received and will be considered separately following the listed Executive and Member Motions.

2.0 Confirmation of Minutes

Minutes of the 2013 WALGA Annual General Meeting are contained within this AGM Agenda.

Moved: Cr G Pule (Bassendean)
Seconded: President Cr W Barrett (Murray)

That the Minutes of the 2013 Annual General Meeting be confirmed as a true and correct record of proceedings.

CARRIED

3.0 Adoption of President's Annual Report

The President's Annual Report for 2013/2014 is contained within this AGM Agenda.

Moved: President Cr E O'Connell (Nungarin)
Seconded: Mayor H Zelones (Armadale)

That the President's Annual Report for 2013/2014 be received.

CARRIED

4.0 WALGA 2013/2014 Financial Statements

The audited 2013/2014 WALGA Financial Statements will be distributed to all members prior to the meeting.

Moved: President Cr W Barrett (Murray)
Seconded: President Cr K Chappel (Morawa)

That the WALGA Financial Statements for 2013/2014 be received.

CARRIED

5.0 Consideration of Executive and Member Motions

As per motions listed.

6.0 Closure

There being no further business, the President declared the meeting closed at 5.11pm.

4. Consideration of Executive and Member Motions

4.1 ESL Administration Fees Paid to Local Governments (05-024-02-0059 AH)

Shire of Dardanup:

Moved: Cr P Robinson (Dardanup)
Seconded: President Cr M Bennett (Dardanup)

That WALGA negotiate with the Department of Fire & Emergency Services to;

- 1. Annually increase the ESL Administration Fee paid to Local Governments by price and property growth indexation.**
- 2. Make a once off increase to the total funds allocated for the ESL Administration Fee funds paid to Local Governments in 2015/16. This increase is recommended to be compounded on annual property growth and price (CPI) since the introduction of the ESL.**

IN BRIEF

- The Emergency Services Levy (ESL) in 2003 to fund career and volunteer fire brigades, volunteer State Emergency Service (SES) units and volunteer emergency service units.
- The ESL has not been reviewed since introduced.
- State Council policy position supports the need for a full review of the ESL to ensure funds are allocated for mitigation and response activities and to allow Local Government to have more control over the allocation and distribution of funds. RESOLUTION 219.3/2013.

AMENDMENT

Moved: Cr P Robinson (Dardanup)
Seconded: President Cr M Bennett (Dardanup)

That WALGA

- 1. Prepare a business case to DFES to demonstrate that the fee payments to Local Governments no longer cover all of the ESL related costs incurred by local government in collecting the ESL.**
- 2. Negotiate an annual increase to the ESL Administration Fee paid to local governments by price and property growth indexation.**
- 3. Negotiate with DFES to make a once off increase to the total funds allocated for the ESL Administration Fee funds paid to local governments in 2015/16. This increase is recommended to be compounded on annual property growth and price (CPI) since the introduction of the ESL.**

The Amendment was put and CARRIED

The Amendment became the Motion and was put and CARRIED

MEMBER COMMENT

The Emergency Services Levy (ESL) was introduced by the WA State Government in 2003 to fund career and volunteer fire brigades, volunteer State Emergency Service (SES) units and volunteer emergency service units throughout the State.

The ESL also funds Department of Fire & Emergency Services' (DFES) corporate support costs.

The ESL is a State Government charge which is levied on rates notices issued by Local Governments. All ESL money collected by each Local Government is paid directly to DFES.

Local Governments are paid an annual administration fee to cover the cost of managing the billing and collection of the levy.

DFES allocates a fixed amount per year towards the ESL administration fee paid to Local Government. This total pool of funds has remained unchanged at \$2,250,000 since 2004/05 (Appendix 1).

Over the same 10 year time period, the total amount of ESL levied state wide has increased approximately 115% from \$116.16m \$249.70m (Appendix 2).

Budget Implications -

The Shire of Dardanup has experienced an ongoing decline in the actual ESL administration fee it receives.

Cost increases in terms of price and wage indexation together with the cost of administering greater numbers of properties has left the Shire with an increased burden of the cost of administering the ESL.

Officer Comment

Table A details the ESL administration fee paid to the Shire of Dardanup since 2004/05.

The annual administration fee paid to Council has seen an actual decline.

In 2004/05 Shire of Dardanup was receiving approximately \$1.99 per rateable assessment for the ESL administration fee.

This has seen an ongoing decline each year and as at 2013/14 the ESL administration fee paid to the Shire of Dardanup equated to approximately \$1.22 per rateable assessment.

Since 2004/05 the number of properties has increased in the Shire by 42.51% with a corresponding 138.64% increase in the amount of ESL levied on Shire of Dardanup properties and paid to the State.

Table A

	ESL Admin Fee	% <i>Inc / Dec</i>	ESL Levied	% <i>Inc / Dec</i>	Rateable Assessments	\$ / rateable Assessment	% <i>Inc / Dec</i>
2004/05	\$7,710		\$153,757		3,872	1.99	
2005/06	\$8,030	4.15%	\$173,817	13.05%	4,145	1.94	-2.71%
2006/07	\$8,160	1.62%	\$185,834	6.91%	4,483	1.82	-6.04%
2007/08	\$8,450	3.55%	\$264,971	42.58%	4,773	1.77	-2.74%
2008/09	\$8,310	-1.66%	\$238,804	-9.88%	4,968	1.67	-5.52%
2009/10	\$8,110	-2.41%	\$256,257	7.31%	5,098	1.59	-4.90%
2010/11	\$7,460	-8.01%	\$300,620	17.31%	5,130	1.45	-8.59%
2011/12	\$7,310	-2.01%	\$325,184	8.17%	5,292	1.38	-5.01%
2012/13	\$7,060	-3.42%	\$343,660	5.68%	5,395	1.31	-5.26%
2013/14	\$6,730	-4.67%	\$366,921	6.77%	5,518	1.22	-6.80%
10 Yr average	-12.71%		138.64%		42.51%	-38.75%	

It is evident that the ESL administration fee paid to Local Government has no population growth and price indexation mechanism.

Costs for administering the ESL on behalf of the State include:

- Staff costs for managing the rating system.
- Stationery (envelopes, rate notice printing).
- Postage.
- Software support costs.
- Associated support overheads.
- Debt recovery action.
- Ratepayers may elect to pay their rates in 4 instalments. For many ratepayers Council is therefore required to send 4 rate notices per financial year with associated incurred costs.

The declining amounts paid to the Shire for administering the ESL on behalf of DFES are grossly inadequate.

SECRETARIAT COMMENT

The aggregate annual ESL Administration Fee amount that DFES pays to Local Governments is approved by the Minister for Emergency Services (in accordance with the State Budget) and published annually in the *Government Gazette*.

It is correct that the fee has remained constant at \$2.25 million since the introduction of the ESL in 2003/04. A “once off” additional “Commencement Fee” of \$0.25 million was also paid in 2003/04 to assist Councils during the ESL implementation period.

The annual fee is distributed to Local Governments in accordance with a formula (originally approved by the ESL Executive Steering Committee) which is outlined in section 6 of the ‘ESL Manual of Operating Procedures’. The distribution formula takes into account the amount of ESL funds each Local Government raises and the number of ESL assessments each issue’s. The fee distribution formula has been the subject of two reviews to-date. Review participants (including WALGA and Local Government representatives) supported the retention of the original formulae.

Importantly however, the \$2.25m pool that is allocated to Local Governments under the formula was not reviewed.

The established State Government policy reflects the view of the then Minister and FESA that the \$2.25 million fee amount was reasonable and more than adequate to cover all of Local Government's 'out of pocket' ESL related expenses.

The \$2.25m pool was determined on the basis of an investigation, on FESA's behalf, by Ron Back in August 1998 into the additional cost/workload that a sample group of Local Governments would incur as administrators of the originally proposed property-based Fire Services Levy. Mr Back concluded that: *"On the basis of the evidence obtained from this review, and having regard to my own understanding of operating practices at other Councils, I was unable to identify any significant additional recurrent costs of the proposed new levy system arrangements to the participating Councils."* Mr Back presented his findings to a meeting of Local Government finance managers (principally metropolitan) held during that period.

WALGA has been advised by DFES that any request to increase the ESL Administration Fee pool would need to be justified by the sector and would require a business case that demonstrates that fee payments no longer cover all of the ESL related costs incurred by Local Governments.

Item 4.1 – Attachment 1
ADMIN FEES PAID TO LOCAL GOVERNMENTS FOR PERIOD 2003-04 TO 2013-14

(Includes 'Start Up' Fee)

ESL ADMINISTRATION FEE PAID TO LOCAL GOVERNMENTS												
(* 2003/04 ESL Commencement Fee and 2003/04 ESL Administration Fee included in 2003/04 Figures)												
LG	2003-04 *	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	Total
ALBANY	38,600	33,220	31,920	31,440	32,760	31,250	30,850	29,820	28,640	27,700	26,620	342,820
ARMADALE	51,850	46,390	45,530	45,260	45,190	47,170	47,550	48,440	49,520	49,930	50,980	527,810
ASHBURTON	7,500	5,690	5,460	5,330	5,090	5,050	4,500	4,410	4,100	4,580	4,420	56,130
AUGUSTA-MARGARET RIVER	18,200	13,540	13,150	13,630	13,830	13,860	13,670	12,780	12,250	11,770	11,090	145,680
BASSEDEAN	16,210	14,530	14,100	13,770	13,500	13,360	13,460	13,290	13,890	13,820	13,790	153,720
BAYSWATER	67,090	63,250	62,040	60,860	58,980	59,190	58,550	57,930	58,280	58,280	57,860	662,270
BELMONT	40,860	38,490	38,150	38,600	38,650	38,750	38,810	39,490	41,450	41,370	42,170	436,590
BEVERLEY	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
BODDINGTON	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
BOYUP BROOK	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
BRIDGETOWN-GREENBUSHES	6,500	4,990	4,840	4,810	5,230	5,150	5,030	4,560	4,400	4,170	4,000	53,680
BROOKTON	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
BROOME	11,940	10,300	10,090	10,210	10,280	10,050	10,440	10,310	9,670	9,640	9,400	112,330
BROOMEHILL-TAMBELLUP	9,150	5,840	6,850	6,850	7,630	4,000	4,000	4,000	4,000	4,000	4,000	60,320
BRUCE ROCK	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
BUNBURY	36,330	32,530	31,830	31,220	30,800	32,300	31,810	31,140	29,740	29,040	28,230	345,070
BUSSELTON	36,500	31,250	32,240	31,970	32,280	30,510	32,470	30,370	28,840	27,950	26,420	340,800
CAMBRIDGE	29,330	26,640	26,510	25,850	25,390	23,820	25,090	25,090	24,540	24,390	24,290	280,940
CANNING	85,430	84,660	85,850	85,360	84,720	84,470	83,910	85,290	84,450	84,090	85,320	933,450
CAPEL	10,340	8,770	8,920	9,500	9,710	10,050	9,880	9,300	9,060	8,750	8,230	102,510
CARNAMAH	5,500	3,930	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,430
CARNARVON	5,930	4,500	4,290	4,140	4,060	4,000	4,000	4,000	4,000	4,000	4,000	46,920
CHAPMAN VALLEY	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
CHITTERING	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
CLAREMONT	12,490	11,630	11,770	11,560	11,820	11,470	11,180	11,630	12,050	11,910	12,490	130,000
COCKBURN	71,210	70,400	72,470	74,090	75,480	77,490	79,240	80,910	81,350	82,310	84,430	849,380
COLLIE	10,290	8,240	7,910	7,600	7,350	7,270	6,950	6,480	6,170	5,870	5,600	79,730
COOLGARDIE	6,700	5,250	4,950	4,760	4,660	4,910	4,120	4,000	4,000	4,000	4,000	51,350
COOROW	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
CORRIGIN	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
COTTESLOE	10,510	9,390	9,280	9,030	8,880	8,970	8,820	8,810	8,650	8,530	8,480	99,350
CRANBROOK	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
CUBALLING	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
CUE	4,990	3,410	3,810	3,910	3,760	3,700	3,640	4,000	4,000	4,000	4,000	43,220
CUNDERDIN	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
DALWALLINU	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
DANDARAGAN	6,630	4,880	5,120	5,260	5,600	5,900	5,630	5,190	4,950	4,700	4,410	58,280
DARDANUP	9,590	7,710	8,030	8,160	8,450	8,310	8,110	7,460	7,310	7,080	6,730	86,920
DENMARK	8,310	6,620	6,490	6,300	5,960	6,080	5,800	5,440	5,280	5,010	4,710	66,000
DERBY-WEST KIMBERLEY	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
DONNYBROOK-BALINGUP	6,240	5,170	5,110	5,050	4,870	4,870	4,730	4,500	4,300	4,130	4,000	52,970
DOWERIN	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
DUMBLEYUNG	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
DUNDAS	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
EAST FREMANTLE	8,600	7,760	7,560	7,410	7,260	7,160	7,040	6,960	7,000	6,890	6,820	80,460
EAST PILBARA	6,700	5,210	4,820	4,920	4,460	5,000	4,580	4,450	4,040	4,730	4,700	53,610
ESPERANCE	16,640	13,470	12,970	12,520	12,420	12,070	11,980	11,050	10,410	9,880	9,280	132,690

* Includes total of 2003/04 fee plus 2003/04 Start Up fee

ESL ADMINISTRATION FEE PAID TO LOCAL GOVERNMENTS													
(* 2003/04 ESL Commencement Fee and 2003/04 ESL Administration Fee included in 2003/04 Figures)													
LG	2003-04 *	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	Total	
EXMOUTH	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
FREMANTLE	37,730	36,040	36,220	36,340	35,800	35,500	35,650	36,620	36,760	37,100	37,540	401,300	
GINGIN	11,550	8,160	8,930	8,580	8,270	8,460	8,040	7,430	30,620	6,750	6,300	114,090	
GNOWANGERUP	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	7,100	4,000	4,000	46,600	
GOOMALLING	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500	
GOSNELLS	84,280	82,050	82,230	81,440	82,070	81,640	81,310	81,800	4,000	82,540	80,850	824,210	
GREATER GERALDTON	43,860	37,240	35,820	35,930	36,510	38,080	37,350	35,320	82,690	31,550	30,130	445,480	
HALLS CREEK	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500	
HARVEY	21,460	17,270	17,340	17,670	18,180	17,800	17,370	16,050	15,870	15,150	14,310	188,670	
IRWIN	5,500	4,000	4,000	4,000	4,050	4,110	4,080	4,000	4,000	4,000	4,000	45,740	
JERRAMUNGUP	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500	
JOONDALUP	143,230	140,820	137,310	134,430	132,140	132,600	129,940	128,640	125,400	123,830	123,150	1,451,490	
KALAMUNDA	47,890	43,460	42,710	42,020	41,430	40,850	40,160	39,590	41,160	40,800	40,630	460,800	
KALGOORLIE-BOULDER	34,070	29,830	29,490	28,850	28,670	26,310	28,340	27,950	25,150	25,000	24,690	308,330	
KATANNING	5,500	4,050	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,550	
KELLERBERRIN	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500	
KENT	5,500	3,850	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,380	
KOONJUP	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500	
KONDININ	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500	
KORDA	4,900	3,010	3,500	3,500	3,700	3,820	4,000	4,000	4,000	4,000	4,000	42,430	
KULIN	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500	
KWINANA	23,720	19,930	20,350	23,040	23,130	23,470	23,440	23,510	25,030	25,360	26,160	257,140	
LAKE GRACE	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500	
LAVERTON	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500	
LEONORA	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500	
MANDURAH	71,100	66,710	67,310	71,270	71,280	68,420	69,330	72,260	65,230	64,650	65,020	752,590	
MANJUP	13,730	10,890	10,190	9,970	9,420	9,110	8,670	8,000	7,840	7,270	6,800	101,890	
MEEKATHARRA	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500	
MELVILLE	102,330	99,600	97,260	95,770	94,470	91,670	90,560	89,780	87,730	86,500	85,540	1,021,210	
MENZIES	5,500	4,000	3,790	3,540	3,910	4,000	4,000	4,000	4,000	4,000	4,000	44,740	
MERRIDIN	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500	
MINGENEW	4,330	2,900	3,310	3,250	3,620	3,760	4,000	4,000	4,000	4,000	4,000	41,170	
MOORA	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500	
MORAWA	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500	
MOSMAN PARK	10,210	9,210	9,070	8,810	8,630	8,320	8,350	8,250	8,250	8,070	8,000	95,170	
MOUNT MAGNET	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500	
MOUNT MARSHALL	5,500	3,920	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,420	
MUKINBIDIN	4,870	3,270	3,870	3,820	4,000	4,000	4,000	4,000	4,000	4,000	4,000	43,630	
MUNDARING	35,720	30,300	29,750	28,850	28,040	27,540	26,850	25,670	25,120	24,430	23,700	305,980	
MURCHISON	1,260	190	320	340	320	340	390	450	510	570	500	5,190	
MURRAY	15,450	12,310	12,220	11,760	12,010	12,660	12,570	11,780	10,970	10,880	10,210	132,850	
NANNUP	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500	
NAREMBEEN	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500	
NARROGIN (SHIRE)	5,280	3,590	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	44,870	
NARROGIN (TOWN)	5,500	4,110	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,610	

* Includes total of 2003/04 fee plus 2003/04 Start Up fee

ESL ADMINISTRATION FEE PAID TO LOCAL GOVERNMENTS												
(* 2003/04 ESL Commencement Fee ¹ and 2003/04 ESL Administration Fee ² included in 2003/04 Figures)												
LG	2003-04 *	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	Total
NEDLANDS	23,910	21,230	21,630	20,200	20,880	19,950	19,550	19,950	20,300	20,890	20,100	227,790
NGAANYATJARRAKU	1,050	30	40	70	80	40	40	50	60	60	60	1,580
NORTHAM	13,680	10,640	10,140	9,880	9,390	9,360	9,260	8,520	8,240	7,750	7,270	104,110
NORTHAMPTON	6,260	4,830	4,680	4,460	4,750	4,640	4,810	4,400	4,240	4,040	4,000	51,110
NUNGARIN	2,820	1,500	1,720	1,780	1,850	2,030	2,150	2,460	2,700	2,980	3,140	25,130
PEPPERMINT GROVE	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
PERENJORI	5,300	3,370	3,990	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	44,660
PERTH	46,610	57,300	60,380	61,690	63,200	63,760	66,920	77,790	92,920	97,410	102,850	790,630
PINGELLY	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
PLANTAGENET	8,140	6,020	5,720	5,660	5,430	5,310	5,150	4,740	4,550	4,350	4,080	59,160
PORT HEDLAND	12,620	10,560	10,090	9,810	9,490	9,170	10,250	10,030	9,830	10,450	10,600	112,900
QUAIRADING	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
RAVENSTHORPE	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
ROCKINGHAM	82,140	81,030	81,480	82,880	82,370	82,600	81,750	80,170	78,090	78,480	77,790	689,620
ROEBOURNE	15,640	13,090	13,310	13,080	13,180	12,610	13,950	13,720	13,330	15,190	15,760	152,860
SANDSTONE	2,660	1,320	1,620	1,390	1,470	1,660	1,780	2,050	2,280	2,320	2,460	21,010
SERPENTINE-JARRAHDALE	12,000	9,980	9,900	10,390	11,000	11,230	11,140	10,770	10,890	11,030	11,020	119,350
SHARK BAY	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
SOUTH PERTH	50,910	46,880	48,300	45,450	44,550	43,830	43,050	42,510	41,360	40,500	40,810	486,160
STIRLING	200,640	202,260	199,210	196,400	193,100	192,970	190,920	190,520	192,780	192,980	193,710	2,145,490
SUBIACO	25,010	24,100	24,390	24,380	24,230	24,300	24,480	25,190	25,540	25,570	25,810	273,000
SWAN	89,290	86,350	85,670	88,720	86,480	89,560	90,340	88,830	95,180	97,930	99,220	998,620
TAMMIN	3,850	2,280	2,580	2,540	2,840	3,320	3,570	4,000	4,000	4,000	4,000	36,980
THREE SPRINGS	5,100	3,230	3,750	3,690	4,000	4,000	4,000	4,000	4,000	4,000	4,000	43,970
TOODYAY	6,880	5,420	5,240	5,100	4,920	4,750	4,570	4,180	4,040	4,000	4,000	53,100
TRAYNING	4,300	3,020	2,490	3,020	3,320	3,430	3,760	4,000	4,000	4,000	4,000	39,340
UPPER GASCOYNE	1,500	510	590	500	510	580	510	730	880	910	1,070	8,300
VICTORIA PARK	39,080	36,280	36,520	36,440	36,070	36,470	36,260	35,200	34,860	34,910	34,940	397,030
VICTORIA PLAINS	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
VINCENT	38,470	35,740	35,350	35,260	36,260	36,510	36,010	35,370	34,790	34,560	34,410	393,670
WAGIN	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
WANDERING	3,610	2,100	2,440	2,540	3,270	3,840	4,000	4,000	4,000	4,000	4,000	37,900
WANNEROO	93,440	94,940	101,180	106,530	111,100	117,260	118,800	120,650	122,840	124,350	126,110	1,237,220
WAROONA	5,810	4,440	4,260	4,090	4,000	4,000	4,140	4,000	4,000	4,000	4,000	46,740
WEST ARTHUR	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
WESTONIA	3,300	1,810	2,120	2,140	2,430	2,550	2,900	3,350	3,640	3,890	3,800	31,690
WICKEPIN	5,280	3,580	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	44,680
WILLIAMS	5,500	4,000	4,000	2,830	4,000	4,000	4,000	4,000	4,000	4,000	4,000	44,330
WILUNA	4,200	2,720	3,180	3,080	3,280	3,730	4,000	4,000	4,000	4,000	4,000	40,170
WONGAN-BALLIDU	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
WOODANILLING	3,780	2,300	2,640	2,650	3,330	3,560	3,860	4,000	4,000	4,000	4,000	36,130
WYALKATCHEM	5,400	3,650	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,050
WYNDHAM-EAST KIMBERLEY	5,500	4,000	4,000	4,150	4,060	4,000	4,000	4,000	4,000	4,000	4,000	45,770
YALGOO	3,280	1,690	2,200	2,090	2,350	2,180	2,090	2,610	2,870	2,960	3,180	27,730
YILGARN	5,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	45,500
YORK	5,830	4,350	4,230	4,050	4,130	4,010	4,000	4,000	4,000	4,000	4,000	46,610
TOTAL	2,500,000	2,250,000	2,250,000	2,250,000	2,250,000	2,250,000	2,250,000	2,250,000	2,250,000	2,250,000	2,250,000	25,000,000

* Includes total of 2003/04 fee plus 2003/04 Start Up fee

LOCAL GOVERNMENT	ESL BILLING BY LOCAL GOVERNMENTS (Final Declared Adjusted Amounts Include ESL Interest and ESL Deferment Interest Reported to DFES)											
	2003/04	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	ESL Billing Initial Declaration (# Yr to be finalised)	ESL Billing Final Declaration (# Yr to be finalised)
Denotes local governments that Administer ESL under the Option B - 1 arrangement, requiring that they pay DFES the full amount of ESL invoiced in 4 quarterly instalments - [30% by 21 September, 30% by 21 December, 30% by 21 March and 10% by 21 June]												
Denotes local governments that Administer ESL under the Option B - 2 arrangement, requiring that they pay DFES the full amount of ESL invoiced in one single instalment - [100% by 21 September]												
Denotes local governments that Administer ESL under the Option B - 2 arrangement, requiring that they pay DFES the full amount of ESL invoiced in one single instalment - [100% by 21 September]												
LOCAL GOVERNMENT												
EXMOUTH	48,340	56,291	57,461	71,151	87,238	73,632	83,248	157,247	137,048	2013/14	2013/14	145,227
FREMANTLE	1,066,371	3,018,481	3,172,846	3,479,498	3,694,719	3,749,340	4,021,536	4,788,033	5,042,210	5,339,912	5,797,371	5,797,371
GINN	150,368	159,386	178,512	187,078	202,569	235,071	242,497	288,154	300,566	315,190	329,221	329,221
GNOWANGERUP	25,024	26,766	31,903	30,940	34,935	33,600	38,227	44,459	49,335	51,015	53,340	53,340
GODMALLING	21,164	21,154	25,740	25,495	29,082	28,758	29,936	35,250	39,105	42,351	45,120	45,120
GOSNELLS	2,519,288	4,389,150	4,947,000	5,308,676	5,742,252	5,655,415	6,450,215	7,782,696	8,659,589	9,267,940	9,990,300	9,990,300
GREATER Geraldton	883,519	1,391,327	1,369,534	1,468,032	1,550,949	1,931,265	2,084,748	2,492,323	2,067,546	2,610,860	2,774,818	2,774,818
HALLS CREEK	20,753	23,763	24,790	27,318	27,688	24,878	27,100	31,764	43,883	47,937	60,438	60,438
HARVEY	293,604	325,661	366,872	396,639	532,623	499,812	532,743	629,592	689,199	721,011	768,816	768,816
IRVIN	68,413	75,818	83,100	89,317	124,624	116,932	124,121	146,526	158,549	163,623	170,867	170,867
JERRAMUNGUP	28,569	31,209	36,400	37,665	41,860	43,760	47,477	57,641	63,176	65,796	72,060	72,060
JOONDUP	5,526,752	8,824,503	9,388,898	9,697,014	10,267,713	11,165,481	11,640,781	13,848,602	14,215,277	14,831,277	16,145,766	16,145,766
KALAMUNDRA	1,240,115	1,932,414	2,201,337	2,347,118	2,534,039	2,610,712	2,881,070	3,428,927	4,217,987	4,774,168	4,956,413	4,956,413
KALGOORNE/ILDERR	1,059,501	1,630,955	1,788,310	1,809,876	2,009,424	1,596,120	2,316,743	2,803,134	2,337,556	2,699,978	2,762,145	2,762,145
KATANNING	79,666	79,666	86,289	87,185	93,100	93,131	111,590	129,563	139,482	151,154	142,719	142,719
KELLERBERRN	23,953	23,919	24,936	28,218	31,812	31,920	34,859	40,600	45,850	48,051	51,501	51,501
KENT	16,148	14,840	17,167	17,090	18,782	19,170	20,843	24,250	27,226	26,774	28,440	28,440
KOONJUP	37,044	37,468	44,656	43,881	47,295	48,547	51,710	61,677	66,295	64,583	72,556	72,556
KONDINN	21,690	21,720	25,895	26,216	29,211	28,560	30,788	35,659	39,885	40,470	42,600	42,600
KOORDA	14,038	12,062	14,038	14,727	14,727	15,152	16,690	16,247	21,333	22,277	23,400	23,400
KULIN	18,059	18,119	18,092	19,453	21,209	22,414	26,888	32,402	32,781	33,161	35,161	35,161
KYRIANA	569,070	671,345	747,717	1,492,116	1,617,224	1,690,682	1,906,828	2,378,911	2,727,739	2,981,298	3,293,166	3,293,166
LAKE GRACE	33,460	34,460	39,458	39,659	44,841	44,952	49,165	60,676	63,996	63,996	67,093	67,093
LAVERTON	17,436	18,467	20,617	20,508	21,827	23,512	27,707	36,376	37,420	39,105	39,500	39,500
LECONORA	56,880	62,922	58,825	58,833	62,624	64,825	72,817	81,609	86,544	97,937	108,107	108,107
MANDURAH	1,677,490	2,567,132	2,647,195	3,600,964	3,920,871	3,267,860	3,487,151	5,079,438	4,880,569	5,083,900	6,097,496	6,097,496
MANJUP	188,934	190,481	220,171	231,873	248,123	245,465	261,171	315,444	315,182	348,728	367,533	367,533
MERKATHARRA	26,168	27,154	30,346	29,812	32,604	33,371	36,156	37,838	40,716	43,051	47,562	47,562
MELVILLE	4,280,500	6,814,762	7,197,793	7,512,984	7,833,602	7,917,111	8,410,318	9,943,501	10,273,266	10,817,412	11,258,722	11,258,722
MENZIES	13,623	20,832	23,320	14,668	16,159	28,667	30,088	34,300	37,125	38,076	40,200	40,200
MERRIBIN	93,978	86,607	77,595	77,594	93,402	89,532	95,824	115,003	119,328	123,624	132,338	132,338
MINGENEY	11,400	11,400	13,166	12,740	14,660	15,120	15,832	18,700	19,752	21,546	22,380	22,380
MOORA	45,363	48,662	54,355	55,903	59,110	64,832	68,587	80,429	84,069	86,772	95,604	95,604
MORAWA	16,635	18,203	20,758	20,976	22,805	23,335	25,506	30,475	32,732	35,497	37,413	37,413
MOSSMAN PARK	425,584	611,222	651,177	659,673	683,116	726,635	765,978	904,267	970,327	1,009,958	1,083,154	1,083,154
MOUNT MAGNET	18,014	20,653	21,424	21,677	19,233	19,849	21,518	26,699	29,730	30,624	33,088	33,088
MOUNT MARSHALL	12,956	15,390	17,815	18,620	18,620	19,200	20,807	24,200	28,840	28,044	29,570	29,570
MUKURUDIN	12,956	13,989	15,470	16,795	18,259	17,695	18,518	22,259	24,145	25,308	26,460	26,460
MULLERVA (Closed after 2010/11)	21,187	24,418	24,988	24,431	26,861	27,697	29,990	31,237				
MUNDARRING	1,155,915	1,352,646	1,352,646	1,392,224	1,474,273	1,549,184	1,654,707	1,956,954	2,068,357	2,174,015	2,336,094	2,336,094
MURCHISON	750	994	1,295	1,365	1,292	1,440	1,548	1,693	1,925	1,938	1,938	1,938
MURRAY	187,108	204,908	239,647	260,975	286,176	318,270	350,356	455,952	466,483	509,995	539,107	539,107
NANNUP	30,109	30,109	35,713	37,603	37,603	47,728	46,756	56,482	61,134	63,727	67,728	67,728
NARABEEN	18,321	19,145	19,145	22,565	22,892	26,240	26,360	32,600	34,509	34,509	39,660	39,660
NARROGIN (SHRE)	14,594	16,569	18,857	18,857	18,857	20,427	22,341	26,530	29,173	30,947	32,866	32,866
NARROGIN (TOWN)	77,674	77,674	88,113	92,225	98,811	98,856	101,918	142,043	139,509	143,644	148,254	148,254

4.2 Implications of Structural Reform (05-034-01-0103 TB)

Shire of Dardanup:

Moved: Cr P Robinson (Dardanup)
Seconded: President Cr M Bennett (Dardanup)

That WALGA facilitate a meeting between country Local Government Elected Members with Professor Brian Dollery making a presentation on the implications of structural reform, by December 2014.

AMENDMENT

Moved: Cr P Robinson (Dardanup)
Seconded: President Cr M Bennett (Dardanup)

That WALGA;

- 1. Facilitate a meeting between country Local Government Elected Members with Professor Brian Dollery making a presentation on the implications of structural reform, by December 2014.**
- 2. Supports the position that, if WALGA is to facilitate further presentations on Local Government Reform, then more than 1 presenter should be invited to ensure that a range of views and opinions are given, and that balanced and objective deliberation and debate can be undertaken.**

The Amendment was put and CARRIED

The Amendment became the Motion and was put and CARRIED

MEMBER COMMENT

The current Minister for Local Government the Hon Tony Simpson embarked upon the reform of Local Government boundaries in the Perth metropolitan area in 2013 by submitting proposals to the Local Government Advisory Board. Local Government also submitted their proposals, each have been assessed by the LGAB.

It is expected that once the process has been completed in the metropolitan area the Minister will turn his attention to regional Western Australia, starting with regional centres and moving outward to all rural Local Governments.

During the metropolitan reform there has been a lot of debate about the benefits of reform and the implications to Local Governments and their communities in terms of the cost associated with the reform, the delivery of services and impacts on rates.

IN BRIEF

- Reform of Country Local Governments may follow the current metropolitan reform review.
- Shire of Dardanup recommends that WALGA facilitate a meeting between country Local Government Elected Members with Professor Brian Dollery making a presentation on the implications of structural reform, by December 2014.

For over twenty years there have been boundary changes across Local Government in all states of Australia with the exception of WA. Even with the widespread reform experience there appears to be little evidence of reduced cost to the ratepayer, only increase costs, and in some cases in Queensland, the push to reverse amalgamations.

Since reform in Western Australia was officially announced in February 2009 there has been little or no effort by government to present a case for convincing the community that less Local Governments equates to better and more cost effective Local Government.

Research shows that there is a lot of literature on the negatives relating to amalgamating Local Governments, but very little highlighting the benefits.

It is acknowledged by WA Local Government Association that reform is likely to be pushed out to the rural Local Governments, this is evidenced in that has initiated the Country Reform Policy Forum, set up to allow Local Governments in the country areas to discuss and develop an understanding of the impacts of reform on Local Government and to explore options and opportunities that may influence government on what reform might look like.

The Shire of Dardanup and many Local Governments are aware of the work done by Professor Brian Dollery, Graduate School of Business, University of New England.

Professor Dollery has many research papers and published on Local Government and seems to be the obvious person to invite to the west to do a presentation and participate in a debate about Local Government reform and the options that may be alternatives to boundary changes.

The Shire of Dardanup recommends that WALGA facilitate a meeting between country Local Government councillors with Professor Dollery making a presentation on the implications of structural reform, by December 2014.

Some of Professor Dollery's work include:-

To date, Brian has published 357 refereed journal articles, 35 book chapters and 15 books. Recent books include Councils in Cooperation: Shares Services and Australian Local Government (2012), Local Government Reform: A Comparative Analysis of Advanced Anglo-American Countries (2008), The Theory and Practice of Local Government Reform (2008), Reform and Leadership in the Public Sector (2007) and Australian Local Government Economics (2006). Over the past two decades, Brian has worked with Local Government across all Australian states, largely in the area of structural change, financial sustainability and urban water problems. Brian is presently working on a book on Local Government finance and he is involved in the debate on structural reform in Tasmanian Local Government.

SECRETARIAT COMMENT

The Association is preparing for the possibility of Non Metropolitan structural reform through the formation of the Country Reform Policy Forum. The Policy Forum has been established to undertake research into appropriate governance models for country Local Governments. There is no pre-determined outcome and all models are being reviewed.

Since the formation of the Systemic Sustainability Study (SSS) process, the Association has convened a number of forums and meetings where eminent structural reform experts have been showcased including Professor Dollery.

4.3 Bushfire Management – Support Vehicles (05-024-03-0010 AH)

Shire of Bridgetown-Greenbushes:

RESOLUTION

Moved: President Cr A Pratico (Bridgetown-Greenbushes)

Seconded: Cr J Boyle (Bridgetown-Greenbushes)

That WALGA lobby the Minister for Emergency Services seeking the inclusion of fire support vehicles as eligible items for capital and operational funding under the Emergency Services Levy.

CARRIED

MEMBER COMMENT

A number of Local Governments (including the Shire of Bridgetown-Greenbushes) provide "Fire Support" vehicles for use by their Bush Fire Brigades. Such vehicles are very versatile, and perform a range of functions from incident control, sector and divisional command, to logistics and crew support at incidents. The benefit of having support vehicles is that it frees up dedicated fire appliances to carry out the task they are designed for - which is fire suppression. Current practice for Local Governments that do not provide Fire Support Vehicles is that either a Fire Fighting Appliance or a private vehicle is used for these roles.

The current position of the Department of Fire and Emergency Services (DFES) is that both capital and operational funding of these vehicles is ineligible under the Emergency Services Levy (ESL) Local Government Grants Scheme. As the Minister for Emergency Services is responsible for approving the LGGs manual and criterion, it is recommended that WALGA lobby the Minister for inclusion in the ESL grants system.

There are numerous fire support vehicles in the Western Australian Local Government brigade structures, either via a dedicated support brigade or as a component of a combatant brigade.

Fire support vehicles are used to assist combatant brigades involved in fire suppression activities with incident management, logistical and welfare support. This is in line with the expectations of DFES that Local Governments improve their local Incident Management capacity.

The rise of dedicated support brigades or provision of support services in a combatant brigade has a twofold effect within volunteer ranks. Firstly, it allows fire fighters to remain at the end of the hose and fighting the fire, rather than being taken off the fire ground to undertake non-combatant roles. Secondly it allows for people who want to assist during an emergency, but can't be a front line fire fighter, to utilise skills that they have, such as communications operators, scribes, plotters and aircraft controllers, to assist in the Incident Management Team.

IN BRIEF

- The activities of a fire support brigade or fire support personnel within a combatant brigade are "normal brigade activities" as prescribed under the Bush Fires Act.
- Despite fire support activities being in compliance with the Bush Fires Act, DFES has made a determination (interpretation) that capital and operational funding of fire support vehicles is not eligible under the ESL.
- The Minister for Emergency Services has legislative responsibility for issuing of guidelines for the collection and distribution of ESL funds.

The activities of a support brigade or support services within a combatant brigade are “normal brigade activities” as prescribed under section 35A of that Act:

41. Bush fire brigades

- (1) *For the purpose of carrying out normal brigade activities a Local Government may, in accordance with its local laws made for the purpose, establish and maintain one or more bush fire brigades and may, in accordance with those local laws, equip each bush fire brigade so established with appliances, equipment and apparatus.*

35A. Terms used

Normal brigade activities means the following activities when carried out by a volunteer fire fighter —

- (a) *the prevention, control or extinguishment of bush fires;*
(b) *any act or operation at or about the scene of a bush fire, or in connection with a bush fire, which is necessary for, directed towards, or incidental to, the control or suppression of the fire or the prevention of spread of the fire, or in any other way necessarily associated with the fire including travelling and support services such as meals and communication systems;*

Whilst personnel in fire support vehicles don't carry out a combatant role during incidents, the operation of these vehicles is in compliance with the *Bush Fires Act 1954* and should therefore their capital and operating costs should be covered under ESL funding.

DFES should properly recognise and appropriately resource and fund support services where they have been established under a needs analysis to ensure support to front line firefighting crews is given and ultimately the protection of the community is increased through a more organised fire fighting response.

The purpose of the ESL is to fund the State's fire and emergency capability. Support services are an integral component of emergency capability.

Under Section 36Y of the *Fire and Emergency Services Act* the Minister for Emergency Services can issue guidelines for the collection and distribution of ESL funds, hence the essence of the Motion is to lobby the Minister to seek a change to the current interpretation by DFES that funding of fire support vehicle capital and operational costs is not eligible expenditure under the ESL.

SECRETARIAT COMMENT

The Department of Fire and Emergency Services (DFES) is intending to repeal the Fire Brigades Act 1942, the Bush Fires Act 1954, and the Fire and Emergency Services Act 1998 and develop a single Emergency Services Act to better deliver emergency services to Western Australians. The new legislation proposes to introduce a focus on shared responsibility for risk prevention, while also coordinating emergency preparedness and response delivery across government agencies, Local Government, volunteers and private landowners. The new legislation will include increased local government responsibility for risk management on its own land, as well as a stronger compliance role for risk mitigation on private land.

Consideration of funding support for such vehicles and equipment is likely to become more pressing in the next couple of years as the need for additional support vehicles will be increased when the State introduces the Emergency Services Act and policy requiring Local Governments to prepare tenure blind bushfire risk management plans (BRMP) for all lands within their district.

The Office of Bushfire Risk Management is currently piloting BRMP's with four Shires (Augusta Margaret River, Collie, Nannup and Boyup Brook) The project is expected to be completed by the end of 2014. The intention is for Local Government's with identified bushfire prone areas to have a BRMP in place. It is reasonable to expect Local Governments identified within bushfire prone areas will need the equipment and resources to undertake additional risk assessments, compliance inspections and mitigation works

The Association is currently advocating for a broad scale review and expansion of the Emergency Services Levy to provide the additional funding needed for the additional planning and mitigation works.

In the short term however, as the Minister can currently issue guidelines for the collection and distribution of ESL funds, it would be prudent to pursue appropriate changes to ensure that support vehicles, particularly in high risk areas, are eligible under the Emergency Services Levy (ESL) Local Government Grants Scheme.

4.4 Contaminated Sites – Auditing Requirements (05-020-01-0001 MB)

City of Bunbury:

Moved: Cr B Kelly (Bunbury)
Seconded: Cr N McNeill (Bunbury)

That WALGA:

- a) **Requests the State Government to transfer the responsibility for auditing of contaminated sites reports to the Department of Environment Regulation as either a statutory requirement or on a fee for service basis; and**
- b) **Investigates and implements measures to reduce the cost of resolving contaminated site issues on Local Government (e.g. discounted consultant fees under WALGA preferred supplier panel contracts)."**

IN BRIEF

- The WA Contaminated Sites Act 2003 (the Act), was introduced by the State Government in 2007, in order to minimise the risk posed by contaminated sites to public and environmental health

AMENDMENT

Moved: Cr D Lee (Mandurah)
Seconded: Mayor M Vergone (Mandurah)

- c) **Calls on State Government to contribute funding for management and remediation of contaminated sites where appropriate.**

The Amendment was put and **LOST**

The original Motion was put and **CARRIED**

MEMBER COMMENT

The WA *Contaminated Sites Act 2003* (the Act), was introduced by the State Government in 2007, in order to minimise the risk posed by contaminated sites to public and environmental health.

The Act requires responsible parties to report known and suspected contaminated sites to the Department of Environment Regulation, which in turn assigns each site a particular classification depending upon the risks involved and level of investigation and management required.

Both the investigation and management works are typically highly technical in nature, expensive and time consuming, and require the engagement of consultants. For example, the investigations associated with a moderately complex contaminated site may cost in excess of \$100,000, and require between six (6) and twelve months to complete. Management works, where required, can be considerably more expensive and time consuming.

In certain circumstances, particularly where contamination issues are complex, proponents may be required to appoint a private consultant contaminated sites auditor to review investigations and management works, prior to the information being supplied to the Department of Environment Regulation. Contaminated sites auditors are not employees of the department, but rather external consultants. In this manner, proponents at times need to appoint one consultant to undertake the investigations and management works, and a second consultant to review the work of the first consultant.

The appointment of contaminated sites auditors can be expensive with auditors, as private consultants, having an hourly rate in the order of \$300 per hour. It is understood that the resolution of a simple land fill site may attract an auditor fee in excess of \$50,000.

The current approach involving the use of contaminated sites auditors may also introduce inefficiencies to the State Government process as the work of an auditor, being the review of the first consultants work, must in turn be reviewed by the Department of Environment Regulation in determining whether the relevant contamination issue has been sufficiently resolved.

Arguably, it would be less financially burdensome on proponents and more efficient, if the auditing review of contaminated site investigations and management works were to be completed by the Department of Environment Regulation, rather than consultants.

The contaminated sites auditor fees associated with the resolution of the contamination issues may result in a combined cost to Council in the order of hundreds of thousands of dollars.

If endorsed, the recommendation may achieve a change in the State Government's contaminated site process and cost savings for Council.

It is anticipated that various stakeholders may have concerns with the proposal as it represents a fundamental shift in the State Governments approach.

SECRETARIAT COMMENT

The State Government commenced a review of the Contaminated Sites Act in October 2012. The review has been through two rounds of public comment, and the Association developed submissions for each round. Table 1 outlines the policy review process to date.

Table 1: Review schedule of Contaminated Sites Act 2007

Stage 1	Stage 2	Stage 3	Stage 4	Stage 5	Stage 6	Stage 7
Release 1 st consultation document	1 st round of public consultation (12 weeks)	Review, analyse public comments	Release 2 nd discussion document	Further public consultation (12 weeks)	Review, analyse public comments	Forward review report (recommending changes) to Minister
Jun 12	Jun - Sep 12	Oct 12 - Oct13	Nov 2013	Nov - Feb 14	Mar - Jun 14	July 14
Complete	Complete	Complete	Complete	Complete	Current	

The Association's advocacy messages delivered through the review process have been:

- All contaminated sites data should be publically available, free of charge;
- The State Government should recognise the legacy issues of many Local Government contaminated sites, and provide financial assistance for the investigation and remediation of these;
- Local Government officers should not be required to report suspected or known contamination;
- An additional site classification, "contaminated – investigation required" should be added;
- A three month time frame for information provision to the Contaminated Sites Committee should be imposed, but extensions made possible;
- The State Administrative Tribunal (SAT) should be responsible for reviewing both DER and Contaminated Sites Committee decisions, to increase administrative transparency.

Local Government were invited to provide input into both of the Association's submissions. During the first consultation round, seven Local Governments provided comment. During the second consultation round no comments were received from the sector. Legislation review is the most effective time to influence changes to government policy and legislation. The Association will consider all resolutions passed at the AGM, but notes that the State Government may be unwilling to consider the members' proposed amendments. This is due to the current stage of State Government's review, and the current financial constraints on the State Government budget.

The Association therefore proposes to advocate to the Office of the Auditor General to undertake an economic analysis of the core theme of the motion, to examine the effectiveness and efficiencies that could be achieved through the Department of Environment Regulation undertaking the contaminated site audit requirements, as defined in the Act.

4.5 Review of Section 6.28 of the Local Government Act 1995 - Valuation of Land (05-034-01-0007 JMc)

City of Bunbury:

RESOLUTION

Moved: Cr B Kelly (Bunbury)
Seconded: Cr N McNeill (Bunbury)

That WALGA requests the Minister for Local Government to review Section 6.28 of the Local Government Act that limits the methods of valuation of land to Gross Rental Value or Unimproved Value, and explores other alternatives.

IN BRIEF

- Section 6.28 of the Local Government Act 1995 limits the basis of rating to Gross Rental Valuation and Unimproved Value.
- This motion proposes an expansion of land valuation options for the basis of rating.

CARRIED

MEMBER COMMENT

The method of valuation of land to be used as the basis of rating in Western Australia is either: Gross Rental Value for predominantly non-rural purpose; or unimproved value of land for rural purposes. These are the only two methods available under the Section 6.28 of the Local Government Act in Western Australia.

Eastern State Local Governments can elect to rate on one of the following options:

- Site Value - levy on the unimproved value of land only and disregards the value of buildings, personal property and other improvements.
- Capital Value - value of the land including improvements
- Annual Value - rental value of a property (same as GRV).

It is suggested that a review of the options for the valuation of land for the basis of rating be conducted.

SECRETARIAT COMMENT

Alternative land valuation methods came under the scope of the WALGA Systemic Sustainability Study, particularly Capital Improved Valuations which is in operation in Victoria and South Australia.

Whilst the SSS did not land on a particular recommendation for action, it may be opportune to commence a discussion on the inherent advantages and disadvantages of the present and alternative land valuation methods, given the nexus to the Valuation of Land Act 1978 and its review anticipated in 2015/2016.

4.6A MATTER OF SPECIAL URGENT BUSINESS: Opposition to Commission of Audit Recommendations

Shire of Morawa:

Absolute Majority required

RESOLUTION

Moved: President Cr K Chappel (Morawa)

Seconded: President Cr J Collingwood (Chapman Valley)

That the Members agree that the following item of Special Urgent Business, relating to *Opposition to Commission of Audit Recommendations* be considered.

CARRIED BY ABSOLUTE MAJORITY

4.6B MATTER OF SPECIAL URGENT BUSINESS: Opposition to Commission of Audit Recommendations

Shire of Morawa:

RESOLUTION

Moved: President Cr K Chappel (Morawa)
Seconded: President Cr J Collingwood (Chapman Valley)

That the WA Local Government Association engage with the Federal Minister for Infrastructure and Regional Development; all Federal Members of Parliament from Western Australia; and the Australian Local Government Association to lobby against any proposed removal or amendment of Commonwealth funding to Local Government by way of Financial Assistance Grants (FAG's) and the Roads to Recovery Program (R2R).

IN BRIEF

- Opposition to Federal Government Commission of Audit Recommendations relating to any proposed removal or amendment of Assistance Grants and the Roads to Recovery Program.

CARRIED

BACKGROUND

It is with great concern that the member Councils of the Northern Country Zone of WALGA have noted that The Report of the National Commission of Audit has recommended the removal of Commonwealth funding to Local Government by withdrawing Financial Assistance Grants (FAG's) and the Roads to Recovery Program (R2R).

A pre Federal Government Budget report prepared by the Australian Local Government Association (ALGA) stated:

“Commonwealth funding for local councils would end under the recommendations of the Commission of Audit Report released on Thursday 1 May.

The Federal Budget, to be handed down in 12 days' time is expected to pick up some of the 86 recommendations, with others to be adopted in coming months.

The recommendations seek to return the Budget to surplus through substantial savings and would also see the Commonwealth Government give up \$25 billion of income tax revenue and end its involvement in an enormous range of areas and pass responsibility to the states.

Of major concern to ALGA are the recommendations in Volume 2 (recommendations 5 and 22) that the Commonwealth end its funding for local government including the Financial Assistance Grants (FAGs) program and the Roads to Recovery (R2R) program.

The Report also recommends an end to Regional Development Australia Committees and that the Commonwealth leaves regional development issues to the state and local government.

The Federal Government provides a total of \$2.2 billion per annum to councils across the country through the FAGs program. It is the Government's cornerstone program for local communities. The end of the program, which was put in place almost 40 years ago, would have a catastrophic impact on the level of local infrastructure and services in every local community.

The Audit Commission has proposed that the FAGs would no longer be necessary as sufficient revenue would be available to state governments which could then determine whether any funds are passed on to councils. Given the priorities which state governments face in areas such as health, education and public transport, individual councils may well find it challenging in securing sufficient funds to meet local infrastructure and service needs.

The end of the R2R program, which both major parties had promised to extend to 30 June 2019, would strip \$350 million a year in road funding from local communities with potentially devastating consequences for productivity, road safety and general access, particularly in regional communities. The promised Bridges Renewal Program is also at risk under the Report's recommendations."

MEMBER COMMENT:

Financial Assistance Grants remain the funding lifeblood for rural and remote Australia and are applied towards the provision of a wide range of essential services. This funding is significant in assisting Councils to provide an appropriate level of services and in alleviating the disadvantages experienced by communities located a long way away from major cities and regional centres. Many Councils do not have a sufficient rating base to fund these services. The methodology of distributing FAG's has always been transparent and removed from any kind of political bias or manipulation. *It is essential that FAG's continue to be directly allocated through the Commonwealth Government into the future.*

R2R funding is a stringently managed program that ensures Australia's local government road network is upgraded to standards able to cope with the nation's road transport requirements. This was a major initiative of the Howard Government and has been structured to ensure that a high level of accountability and value for money in the application of funds prevails. Given the increasing demand for an improved road network, particularly in the vast agricultural and mining regions of Australia, it is vital that this source of funding continues to be delivered directly to local governments by the Commonwealth Government.

If FAG's and R2R funding are replaced with compensatory funding provided to the State Government for discretionary distribution to local governments, the financial independence and autonomy of local government would be severely threatened. It is almost certain that States would significantly redirect and/or or severely diminish the amount of funding previously provided directly to local government by the Commonwealth. This would result in massive cost shifting to ratepayers to support the current level of services provided by their respective Councils and the almost certain demise of many local governments in the rural and remote areas throughout Australia.

SECRETARIAT COMMENT

The motion is consistent with the Association's strategic objectives

4.7A MATTER OF SPECIAL URGENT BUSINESS: Local Government Reform - Dadour Poll Provisions

City of Canning:

Absolute Majority required

RESOLUTION

Moved: Mayor R Norris (Mosman Park)

Seconded: Cr F Reid (Stirling)

That the Members agree that the following item of Special Urgent Business, relating to *Local Government Reform - Dadour Poll Provisions* be considered.

CARRIED BY ABSOLUTE MAJORITY

4.7B MATTER OF SPECIAL URGENT BUSINESS: Local Government Reform - Dadour Poll Provisions

City of Canning:

MOTION

**Moved: Commissioner L Reynolds (Canning)
Seconded: President Cr S Bilich (Kalamunda)**

That this Annual General Meeting, recognising the current approach by the State Government to the manipulation of the principles of the 'Dadour' poll provisions;

(a) endorse WALGA's position of providing community access to the poll provisions where 1 or more districts are to be abolished rather than the 2 or more districts as currently provided for in the *Local Government Act 1995*;

(b) endorse WALGA's proposed extension of the poll provisions to significant boundary adjustments subject to any associated criteria and any percentages being agreed to by a majority of all local governments in Western Australia, and

(c) reaffirm as policy, that WALGA is opposed to the removal or dilution of the 'Dadour' poll provisions including the temporary dilution or removal of those provisions.

IN BRIEF

- WALGA's policy position to strengthen the poll provisions is supported.
- If the poll provisions are to be triggered for significant boundary adjustments, then the criteria and associated percentages need more discussion.
- WALGA to adopt a policy position opposing the temporary suspension or dilution of the poll provisions.

PROCEDURAL MOTION

Moved: Cr B Kelly (Bunbury)
Seconded: Cr E Re (Stirling)

That the meeting suspend Standing Order 13.2 to allow delegates to speak for more than 3 minutes.

CARRIED

M: Cr B Kelly (Bunbury)
S: Cr E Re (Stirling)

That the meeting resume Standing Order 13.2

CARRIED

The Motion was put and CARRIED

MEMBER COMMENT

At the meeting of State Council held on 2 July 2014 it was resolved that WALGA;

1. *Reaffirm its policy position opposing forced amalgamations and supporting voluntary reform; and*
2. *Adopt, and advocate for, a policy position that the poll provisions contained in the Local Government Act 1995 should be amended so that electors of a Local Government where 1 or more Local Governments will be abolished or significantly affected by a boundary change proposal are able to demand a poll on the proposal, with 'significantly affected' being specifically defined as causing a fifty percent variation in:*
 - i. Population; or,*
 - ii. Rateable properties; or,*
 - iii. Revenue.*

The general thrust of WALGA's adopted policy positions is supported by the motion currently before the AGM.

Artificial Boundary Adjustments

Schedule 2.1 of the *Local Government Act 1995* currently reads as follows:-

8. Electors may demand poll on a recommended amalgamation

- (1) Where the Advisory Board recommends to the Minister the making of an order to abolish 2 or more districts (the *districts*) and amalgamate them into one or more districts, the Board is to give notice to affected local governments, affected electors and the other electors of districts directly affected by the recommendation about the recommendation.

As we all know, the Minister is avoiding any potential triggering of the poll provisions by proposing 'boundary adjustments' for paired local governments that have the effect of abolishing only 1 district, rather than the 2 districts (or more) that the Act currently provides for.

In defence of this back-door course of action, the Minister has argued that it would keep elected members in place during the transition period and allow for a smoother transition. "At least one of the councils would continue and there would be no need for new bank accounts, ABN numbers or GST registration".

Apparently the principles of community democracy can be traded off against the principles of administrative efficiency.

WALGA's resolution contemplates the removal the numeral 2 and its replacement with the numeral 1 in clause 8 of Schedule 2.1 of the *Local Government Act 1995*. That is a good thing because it would open up the poll provisions for proposals that would abolish only 1 local government rather than confine it to 2 or more.

Genuine Boundary Adjustments

More importantly, State Council's resolution goes a step further and says that if significant boundary adjustments are to occur that don't involve the abolition of local governments, then there should be some criteria attached to these as well so that the poll provisions can also be accessed by the community where significant change is involved.

State Council's proposed access to the poll provisions for genuine boundary adjustments therefore represents a strengthening of the poll provisions. That also is a good thing.

However the criteria that has been set for what constitutes a significant boundary adjustment (i.e. population, or rateable properties, or revenue) and the 50% figure attached to them has raised some concerns in terms of the ongoing sustainability of surviving local governments.

No explanation has been provided to the local government sector on how the criteria were selected and how the 50% figure was arrived at. Part b) of the motion before the AGM is intended to get the discussion going and provide a way forward.

Suspension of the Poll Provisions

At the meeting of State Council held on 4 September 2013 it was resolved that WALGA adopt a policy position to;

Oppose the State Government's proposal to remove in perpetuity the poll provisions for the metropolitan area contained in Schedule 2.1 of the Local Government Act 1995.

The use of the words "in perpetuity" suggests that WALGA may be amenable to the temporary suspension or dilution of the poll provisions. The policy position of WALGA as it is currently expressed, could therefore be used as leverage by the State Government to change the poll provisions for the worse.

Part c) of the motion is intended to make WALGA's policy position on the matter very clear.

SECRETARIAT COMMENT

The motion is generally consistent with the Association's policy positions