

7.1 Increasing South Australia's Influence at the National General Assembly (Wakefield)

Recommendation Reports from the SAROC Committee

Submitted by:	Wakefield Regional Council	
Approved by:	SAROC Committee	
Meeting	Annual General Meeting	29 October 2021
ECM:	767233	Attachment: 764410

Recommendation

That the Annual General Meeting:

1. recognises of the 139 motions considered at the 2021 National General Assembly, South Australia only had 5; and
2. calls on the Local Government Association to consider strategies that will assist in increasing South Australia's influence at the National General Assembly.

SAROC Committee's Comments

In recommending this item of business, the SAROC committee noted the importance of ensuring that motions submitted to the National General Assembly are of strategic importance to local government.

LGA Officer's Comments

(Officer: Lea Bacon, Acting Executive Director, Public Affairs)

In preparation for the 2022 National General Assembly, the LGASA will work closely with the Australian Local Government Association (ALGA) Secretariat to consider communication strategies to further promote and encourage South Australian councils to consider attendance at future NGAs and consider submitting motions that are of strategic importance to local government and align to the LGASA existing policy positions and priorities. These strategies will include using the association's LGA Latest News, President Updates and social media channels.

Background

ALGA is the national voice of local government, representing the 537 councils across the country on national issues. Councils are not direct members; rather ALGA is a federation of state and territory local government associations – all of which are members.

ALGA was founded in 1947 and, in 1976, established a secretariat in Canberra reflecting growing links with the Australian Government and an awareness of local government's emerging national role. ALGA's leadership team comprises the President and two Vice Presidents. The ALGA Board appoints a Chief Executive, currently Matt Pinnegar, to manage a small Secretariat.

ALGA is governed by a Board of Directors, with each member state and territory appointing a maximum of two members to the ALGA Board. In addition, the ALGA President is an independent Director. Current membership of the Board can be found here <https://alga.asn.au/alga-board-members/>

ALGA Four-year strategic plan

ALGA's core local government policy priority areas as agreed in the 2020-2023 Strategic Plan are: Financial Sustainability, Roads and Infrastructure Funding, Waste Reduction and Recycling, Stronger Community Resilience, and Addressing the Risks of Climate Change.

The Strategic Plan 2020-23¹ identifies strategies to achieve these key outcomes.

National General Assembly

Each year ALGA convenes the National General Assembly of Local Government (NGA). An NGA was not held in 2020 due to the ongoing border restrictions.

The **2021 NGA** was held in Canberra 20-23 June. It brought together several hundred delegates from councils across Australia to move and debate resolutions of concern to local government. Speakers included prominent local government leaders, national political leaders and leading Australian experts and academics from fields of interest and relevance to local government.

At the 2021 NGA, there were approximately 70 delegates registered from 32 South Australian councils, acknowledging that COVID-19 would have been a factor.

While South Australian attendance was down slightly from 90 SA delegates in 2019, South Australian attendance at the NGA is reasonably consistent. After South Australia (11%), only Victoria (23%) and New South Wales (35%) have more delegates at the NGA.

Motions submitted by South Australian councils

In 2019, South Australian councils submitted 11 of the 178 NGA motions (6%). In 2021, South Australian councils submitted 5 of the 139 NGA motions (4%).

The five motions considered at the 2021 National General Assembly that were submitted by South Australian councils are in **Attachment A**.

Motions that are carried at the National General Assembly become resolutions and are referred to the ALGA Board to inform future policy initiatives and for consideration in the development of future work programs.

Submitting a motion and attending a National General Meeting is a decision that each individual council makes based on a range of factors, including relevance of federal policies, capacity and resourcing. However, the LGASA as a member of ALGA does encourage and support its member councils in participating in the National General Assembly.

As in previous years the LGA Secretariat prepared a briefing note for South Australian members on the motions that would be considered by 2021 NGA delegates. Each motion was assessed against the LGA's endorsed policy positions and current advocacy activities.

ALGA started marketing the 2021 NGA well in advance, with an initial 'save the date' sent to all councils in early October 2020. The call for motions and discussion paper was subsequently distributed and a detailed registration brochure was disseminated in early 2021. In the lead up to the 2021 NGA, ALGA implemented a marketing strategy that included promotion of speakers, topics of interest and networking opportunities.

Financial and Resource Implications

This activity is not currently anticipated in the LGA's work program but can be delivered within existing LGA resources.

¹ <https://cdn.alga.asn.au/wp-content/uploads/ALGA-Strategic-Plan.pdf>

2021 National General Assembly – resolutions of motions submitted by South Australian councils.**Mitcham Council**

That the National General Assembly calls on the Federal Government to investigate the environmental impacts of artificial turf and more environmentally appropriate alternatives for sporting surfaces.

Carried

Town of Gawler Council

The National General Assembly calls on the Federal Government to amend the National Greenhouse and Energy Reporting (NGER) Framework to establish a legal definition of what is required to buy renewable electricity via the electricity grid and claim 100% renewable electricity use and zero emissions. This will establish marketbased accounting for renewable electricity, create a single nationally consistent method that applies to electricity and renewable electricity consumption and prevent double counting for all customers including for councils, seeking legally assured, clearly defined and fairly priced renewable electricity.

Carried

Wakefield Regional Council

This National General Assembly calls on the Australian Government to work with state/territory Local Government Grants Commissions across Australia, to ensure the allocation of federal road funding is distributed to local governments in accordance with the National Principles of horizontal equalisation as required by the Local Government (Financial Assistance) Act 1995.

Carried

Salisbury City Council

The National General Assembly calls on the Federal Government to provide funding support to Councils across Australia for conducting citizenship ceremonies that have become a significant cost burden to local communities for undertaking a role on behalf of the Commonwealth of Australia.

Carried

Wattle Range Council

The National General Assembly calls on the Australian Taxation Office to consider introducing a unique tax-free threshold for elected member allowances of \$50,000.

Lost

LGA General Meeting – Proposed Item of Business

The purpose of this form is to request consideration by SAROC, GAROC or the Board of Directors of an item of business to be included on the agenda of an LGA General Meeting - refer Clause 16.3.1 of the LGA Constitution. Prior to submitting a proposed Item of Business, please refer to the Considering Proposed Items of Business for LGA General Meetings Guidelines.

Council Name	Wakefield Regional Council
The body the item is being referred to <i>Proposals may only be submitted to the ROC of which council is a member, or to the LGA Board of Directors.</i>	SAROC
Subject of the proposed item of business	Increasing South Australia's influence at the National General Assembly
Proposed motion for the General Meeting	<ol style="list-style-type: none"> 1. That the Annual General Meeting recognises of the 139 motions considered at the 2021 National General Assembly, South Australia only had 5. 2. That the Annual General Meeting calls on the Local Government Association to consider strategies that will assist in increasing South Australia's influence at the National General Assembly.
Supporting information <i>Provide a summary of the issue(s), relevant background information, description of the impact on the sector and evidence that this is an item of strategic importance to local government.</i>	<p>The purpose of this motion is to help improve South Australian councils influence at the National General Assembly.</p> <p>It is evident from the number of motions considered at the June 2021 National General Assembly, that South Australia had minimal influence on matters considered by the National General Assembly, putting forward only 5 motions of the 139 motions considered.</p> <p>It would be reasonable to expect that state populations and the number of council within each state may be an influencing factor on motions considered however, there appears to be an opportunity for South Australia to strengthen its influence from a national perspective.</p> <p>South Australian councils must begin to advocate more strongly at a national level to ensure residents of South Australia are heard and opportunities for our communities realised.</p> <p>There may be value in the South Australian Local Government Association developing strategies that will assist in increasing South Australia's representation at national local government level.</p>
LGA Policy Manual <i>Does this item require a change to the LGA Policy</i>	No

<i>Manual (new policy or amendment to existing policy)?</i>	
LGA Strategic Plan reference	<p>Strategy 1: Advocate Achieve greater influence for local government</p> <p>Outcome 1.2: Governments rely on our proactive contribution to policy and legislation that impacts councils, leading to better outcomes for communities.</p>
Council Contact Officer submitting form	<p>Andrew MacDonald</p> <p>andrew@wrc.sa.gov.au</p> <p>0499 997 933</p>
Council Meeting minute reference and date of meeting	This motion was endorsed by Wakefield Regional Council at its ordinary meeting held on Wednesday 28 July 2021.
Date submitted to LGA	Friday 30 July 2021

Please return Word version of completed form to lgasa@lga.sa.gov.au.
Refer to [LGA Latest News](#) in respect to deadlines for upcoming General Meetings.

7.2 Regional Homelessness (and Housing Affordability) (Mount Gambier)

Recommendation Reports from the SAROC Committee

Submitted by:	City of Mount Gambier	
Approved by:	SAROC Committee	
Meeting	Annual General Meeting	29 October 2021
ECM:	767234	Attachment: 764657

Recommendation

That the Annual General Meeting requests the LGA to write to: the Prime Minister, The Hon Scott Morrison MP; The Hon Michael Sukkar MP, Minister for Homelessness, Social and Community Housing; the Premier of South Australia, The Hon Steven Marshall MP; and The Hon Michelle Lensink MLC, Minister for Human Services advocating for increased funding to expand the stock of social and community housing in regional South Australia, with copies sent to regional Federal and State Members of Parliament.

SAROC Committee's Comments

In recommending this item of business, SAROC recognised that the local government sector has a key advocacy role in alleviating homelessness and that the issue is of strategic importance to the local government sector.

SAROC considered that, despite the Australian Local Government Association (ALGA) engaging in advocacy action on this issue, the causes of housing affordability challenges and supply shortages are such that South Australian advocacy in this area is warranted.

LGA Officer's Comments

(Officer: Dr Thomas Counce, Acting Director Policy)

Background

ALGA advocacy on homelessness

In its 2019 Federal Election advocacy publication, 'All Politics is Local', ALGA noted that councils respond to the incidence of homelessness "where they can depending on their resources and priorities and using their local knowledge".¹ Examples provided of the types of actions councils take in this area included: facilitating accommodation (through social housing providers) for key workers, vulnerable people seeking refuge and low income earners; highlighting issues with overcrowded dwellings; undertaking housing surveys; and using excess council land or buildings for housing.

ALGA reinforced this approach in a June 2021 submission to the House of Representatives Standing Committee on Social Policy and Legal Affairs Inquiry into homelessness in Australia.²

¹ ALGA, 'All Politics is Local: 12 ways to deliver for Australian communities', ALGA Federal Election Initiatives, p. 28, https://cdn.alga.asn.au/wp-content/uploads/ALGA_Election_Document.pdf

² <https://cdn.alga.asn.au/wp-content/uploads/ALGA-Submission-House-of-Reps-Inq-Homelessness-12-June-2020.pdf>

In both documents, ALGA calls on the Commonwealth Government to adequately fund innovative housing partnership models (involving the local government sector) and coordinate a national dialogue between the three levels of government with the objective of establishing a National Housing and Homelessness Agreement. This agreement is envisaged to replace the direct negotiations which occur at present only between state/territory governments and the Commonwealth Government.

Inquiry into housing affordability and supply in Australia

The House of Representatives Standing Committee on Tax and Revenue is currently conducting an Inquiry into housing affordability and supply in Australia.³

The LGA has made a submission to the Inquiry⁴ which highlighted that the causes of housing affordability challenges and supply shortages are specific to the South Australian context. Therefore, by implication, South Australian advocacy on homelessness is warranted.

The following points of relevance to this item of business are emphasised in the LGA submission:

- Many metropolitan councils report that housing affordability remains a significant challenge for many of their residents.
- Councils receive few development applications featuring smaller, more affordable 1 and 2-bedroom dwellings and apartment buildings, or granny flat buildings on existing allotments, despite planning policies supporting this type of development.
- Solutions being explored or implemented by metropolitan councils include public-private partnerships with community housing providers and 15 per cent minimum affordable housing requirements for residential developments on surplus council-owned land.
- In recent years regional South Australia has experienced severe housing shortages caused by:
 - lack of investment in housing in regional areas over many decades;
 - lack of affordable housing for rent or purchase;
 - properties in tourism destinations converting to Airbnb;
 - investment in regional housing not supporting a commercial return for private developers;
 - bank Loan-to-Value Ratios considerably higher than those applied in metropolitan areas; and
 - a decline in the number of suitably skilled builders and tradespeople due to an ageing workforce.
- Intrastate migration to regional areas coinciding with the COVID-19 pandemic, in conjunction with the stimulatory infrastructure response to the COVID-19 recession (including the Commonwealth Government's HomeBuilder program) has placed further pressure on regional real estate markets and contributed to many trades and material shortages, adversely affecting the supply of resources available for regional residential construction.

³ https://www.aph.gov.au/Parliamentary_Business/Committees/House/Tax_and_Revenue/Housingaffordability

⁴ <https://www.aph.gov.au/DocumentStore.ashx?id=b00d9f0e-71c3-49bc-9d19-793674546ce4&subId=715072>

- In response, some councils have partnered with community housing providers, South Australian Government agencies and the National Housing Finance and Investment Corporation (NHFIC) to facilitate residential housing development directly.

SAROC development of Regional Housing Policy Toolkit

The LGA's submission to the Inquiry into housing affordability and supply in Australia also highlighted the SAROC Committee's commissioning of a Regional Housing Policy Toolkit – in accordance with the resolution made at the 29 July 2021 SAROC Committee meeting – which will be designed to consolidate advice on innovative policy options currently available to regional councils seeking to facilitate residential development, and provide an advocacy agenda for the SAROC Committee to take to other levels of government.

The Regional Housing Policy Toolkit Consultancy Brief refers to several potential solutions to alleviate the severe housing shortages experienced in regional South Australia, which need further investigation. These include:

- Devising the most effective model for the local government sector to access and make best use of Commonwealth Government (or State Government) funding for housing development initiatives, including through the NHFIC.
- Councils partnering with community housing providers – which benefit from access to large quantities of finance capital (due to their extensive asset bases), and their exemptions from GST and land tax.
- Local government provision of unused land for residential development, with a minimum requirement that 15 per cent of dwellings be quarantined for affordable housing.
- State Government funded housing supply and demand audits by local government area.
- State Government funded regional staff, tasked with identifying investment partners and delivery models for new residential development.
- State Government financed Regional Infrastructure Fund to administer infrastructure grants and bonds (used to spread the costs of providing essential services infrastructure over a longer period).
- Tax exemptions, rebates, and reductions for developers (including private sector employers) who invest in regional residential development projects (e.g., payroll tax exemptions, land tax exemptions).
- Accelerated tax deductible depreciation rates for rental investment properties, located a minimum distance from the Adelaide CBD.
- Zoning changes in the planning system, which allow for a mixture of allotment sizes to facilitate more diverse housing choices for workers and down-sizers looking for smaller (more affordable) accommodation options.
- State Government provision (through HomeStart Finance) of shared equity home loans for low-wage earners in more high risk regional real estate markets.

Financial and Resource Implications

This activity is not currently anticipated in the LGA's work program but can be delivered within existing LGA resources.

LGA General Meeting – Proposed Item of Business

Council Name	City of Mount Gambier
The body the item is being referred to	SAROC
Subject of the proposed item of business	Regional Homelessness (and Housing Affordability)
Proposed motion for the General Meeting	<p>That the Annual General Meeting requests the LGA to:</p> <p>Write to the Prime Minister The Hon Scott Morrison MP, The Hon Michael Sukkar MP, Minister for Homelessness, Social and Community Housing, the Premier of South Australia, The Hon Steven Marshall MP, the Hon Michelle Lensink MLC, Minister for Human Services advocating for increased funding to expand the stock of social and community housing in regional South Australia, with copies sent to regional Federal and State Members of Parliament.</p>
Supporting information <i>Provide a summary of the issue(s), relevant background information, description of the impact on the sector and evidence that this is an item of strategic importance to local government.</i>	<p>This matter is concerned with the social issue of homelessness as well as economic development issues as they relate to regional housing affordability/availability.</p> <p>These issues are not considered unique to Mount Gambier or the Limestone Coast region, but to other regional areas in South Australia and nationally, and impacting our most vulnerable community members.</p> <p>Limited regional data is available on homelessness and housing affordability issues, with South Australian data being primarily focused on the Adelaide/Metropolitan area with only passing reference to regional areas.</p> <p>This Motion seeks to increase awareness and action to address these issues.</p> <p>See attached/following pages for a broader summation of supporting information.</p>
LGA Policy Manual <i>Does this item require a change to the LGA Policy Manual (new policy or amendment to existing policy)?</i>	<p>May benefit from reflecting homelessness/affordable housing within the following:</p> <p>1.1 <u>Promoting the Interests of Local Government</u></p> <p><u>1.1.3 Federal/ State Government Funding</u></p> <p><u>1.1.7 State-Wide Strategies</u></p> <p>3.4 <u>Community Services</u></p>
LGA Strategic Plan reference	<p>Strategy 1: Advocate</p> <p>Outcome: 1.1 We are close to our members, seek their feedback and represent them with evidence based advocacy on issues that matter.</p>
Council Contact Officer submitting form	<p>Michael McCarthy mmccarthy@mountgambier.sa.gov.au (08) 8721 2576</p>
Council Meeting minute reference and meeting date	16 February 2021
Date submitted to LGA	6 August 2021

Please return Word version of completed form to lgasa@lga.sa.gov.au.
Refer to [LGA Latest News](#) in respect to deadlines for upcoming General Meetings.

At the City of Mount Gambier Council meeting held on 16 February 2021 it was resolved that:

RESOLUTION 2021/45

Moved: Cr Sonya Meziniec

Seconded: Cr Christian Greco

1. That Council Report No. AR21/8315 titled 'Notice of Motion - Homelessness in Mount Gambier and the Surrounding Region' as presented on 16 February 2021 be noted.
2. That Council writes to the Prime Minister The Hon Scott Morrison MP, The Hon Michael Sukkar MP, Minister for Homelessness, Social and Community Housing, the Premier of South Australia, The Hon Steven Marshall MP, the Hon Michelle Lensink MLC, Minister for Human Services advocating for increased in funding to expand the stock of social and community housing in Mount Gambier and the Limestone Coast Region with copies sent to our local Federal and State members of Parliament.
3. That Council liaise with local Homelessness sector services in advocating for increasing the stock of social and community housing.
4. That the above motion be provided to the LC LGA and member Councils for information and also be presented with a South Australian context to the LGA SA for their October General Meeting.

CARRIED

Whilst the City of Mount Gambier is concerned with the issues associated with homelessness in Mount Gambier and the immediately surrounding region, these issues are not unique to Mount Gambier or the Limestone Coast Region, but to our communities and society more broadly, with implications for social, community and emergency housing as well as economic development.

Accordingly, the City of Mount Gambier presents the following Motion for the LGA Ordinary General Meeting Agenda for it's meeting on 29 October 2021.

Write to the Prime Minister The Hon Scott Morrison MP, The Hon Michael Sukkar MP, Minister for Homelessness, Social and Community Housing, the Premier of South Australia, The Hon Steven Marshall MP, the Hon Michelle Lensink MLC, Minister for Human Services advocating for increased funding to expand the stock of social and community housing in regional South Australia, with copies sent to regional Federal and State Members of Parliament.

Supporting information for this motion has been sourced from anecdotal and observational evidence provided by community housing providers operating in Mount Gambier and the Limestone Coast, including ac.care, Unity Housing and Housing SA representatives on the Limestone Coast Community Services Roundtable.

The ac.care '*Rental Affordability Snapshot*' provides current information collected on the weekend of 26 March 2021, this snapshot is accessible at the following link:

<https://www.accare.org.au/wp-content/uploads/2021/06/SA-Regional-Rental-Affordability-Snapshot-2021.pdf>

This is also supported by the research work of Dr Jessica Porter RPIA. Dr Porter is Strategy, Development and Research Coordinator at the City of Mount Gambier and author of PHD Thesis '*Local government and affordable housing in non-metropolitan Australia: an analytics of government*'. (Porter J, 2020).

A three minute video summary of this work is provided by Dr Porter @19m:47s in the following video link: <https://www.facebook.com/UniSA/videos/unisa-three-minute-thesis-3mt-grand-final-2019/493291467908110/>

On the basis of this research and information from local providers The City of Mount Gambier reasonably considers that the issues facing social and community housing providers and clients in the Limestone Coast are shared across regional South Australia, and nationwide.

With relevant data for South Australia being Adelaide/Metro-centric, and with policy and funding targeted toward capital city solutions, Mount Gambier and the Limestone Coast and other regions are ill-equipped to address the resulting social and economic development (referenced further below) issues associated with homelessness and housing affordability/availability, from a resourcing perspective, but also from a lack of reliable and relevant data on which to lobby.

The issues of homelessness and housing affordability/availability in the social and community sectors are exacerbated by a general shortage of suitable and affordable housing for, and thus competition from, private renters and owner occupiers/investors. Demand is unable to be met from workers and students across a range of sectors including health, corrections, education, construction, seasonal, migrants. This is having a noticeable impact on housing and hotel/motel accommodation for even higher income workers.

The phenomena of Airbnb has seen potential short term accommodation become unavailable with its conversion to this alternate accommodation model, and in the past year the COVID19 health emergency has further increased competition and decreased affordability of regional housing as workers relocate from city/metropolitan areas to work from home at a lower cost.

This 'perfect storm' is proving to be a significant burden for both social/community housing providers and business, with economic development opportunities put at risk and with higher cost and time delays as workers across various sectors are unable to secure suitable accommodation.

The culmination of these issues becomes most apparent in the lack of suitable exit options to enable the transition of short-term social/community housing clients into the private rental market. Average social/community housing occupancy periods increasing to many months (up to 19 months in at least one case) and increased waiting lists and times for access to social/community housing.

Of note, in relation to Mount Gambier/Limestone Coast:

- Lack of youth and crisis housing available
- Lack of affordable housing for single persons
- Potential referral to Adelaide for housing/shelter (some 450kms from support networks)
- At February 2021, AC Care only had one 2 bedroom home available for crisis
- AC Care 484 clients for 2020/2021, exceeding 430 in 2019/2020. General stats:
 - 52 person on waiting list
 - 32% in Mount Gambier with mental health issues (40% in Murray Bridge)
 - 15% ATSI
 - 42% aged 18-34
 - In July lockdown, 11 rough sleepers in motels, 3 unable to be accommodated
- Housing stock predominantly aged, limestone construction, large yards - prohibitive heating and yard maintenance for clients.
- Location of housing stock / need – including properties transferred from Housing SA.
- Motels, caravans and tents utilised where availability and weather conditions permit

It is anticipated that further detailed investigation of these issues will uncover impacts in other sectors such as disability/mental health sectors, hospitality, retail, industrial, commercial and agribusiness, and other sectors.

On a positive note, the community services sector in Mount Gambier and Limestone Coast work well together, evidenced by the broad participation in the Limestone Coast Community Services Round Table.

With a support network readily engaged to progress opportunities to address homelessness and housing affordability issues, opportunities in the form of regional appropriate policy/governance arrangements, trial/model projects, and appropriate resourcing are sought to address .

Some opportunities that have already been identified:

- Further use of Motels
- Re-development/conversion of ageing housing stock or dis-used commercial properties
- Development of co-located share accommodation
- Development of affordable housing (including broader economic development solution to house workers/students to relieve competition against social/community housing sector)
- Support to enable delinquent tenants to remain in private rental market
- Policy change to support transition of social (public) housing tenants to affordable housing when circumstances improve.
- Corporate (i.e worker) housing for public service employees (e.g. corrections, health, police) and large corporate organisations

Accordingly, whilst this motion seeks that the LGA write to State and Federal politicians to raise awareness of these issues, further actions could be to incorporate these as strategic issues for the LGA to support in the form of research and further lobbying including for policy, resourcing and delivery with a regional focus to improve social/community and economic development outcomes in our regional communities.

Relevant connectivity with the LGA and SAROC Strategic and Policy documents are listed on the following pages

Reference:

Porter J, 2020, '*Local government and affordable housing in non-metropolitan Australia: an analytics of government*' UniSA Business – School of Commerce, University of South Australia, Adelaide

LGA Strategic References

LGA25 Strategic Plan 2021-2025

Vision: For South Australia councils to work together as willing and trusted partners in government, for the benefit of our communities.

Mission: To provide leadership, support, representation and advocacy on behalf of South Australian councils.

Strategy 1: Advocate

Outcomes:

- 1.1 We are close to our members, seek their feedback and represent them with evidence based advocacy on issues that matter.
- 1.2 Governments rely on our proactive contribution to policy and legislation that impacts councils, leading to better outcomes for communities

LGA Annual Business Plan 2020/21

Objective 1 - Advocate

Delivery of the LGA Advocacy Plan priorities and SAROC and GAROC Business Plans

LGA Advocacy Plan 2019-2023

The LGA Advocacy Plan 2019-2023 (Draft Revision July 2021) as contained in the agenda for the LGA Board meeting scheduled for Thursday 29 July 2021 provides:

“We seek to achieve influence for local government in matters affecting South Australian councils and their local communities. We do this by listening to and representing our 68 member councils and building positive relationships with people and organisations with an interest in or influence over matters of importance to local government.”

The issue of homelessness (and housing affordability) is central to every community and has the greatest impact on those in our community that are most vulnerable.

Whilst not specifically identified as a priority in the LGA Advocacy Plan 2019-2023 (as revised), this is an issue that would contribute to the priority of:

- design and implementation of comprehensive federal and state election strategies. The 2022 South Australian state election will be held in March 2022 and the next Australian federal election will occur in 2021-22.

SAROC Strategic Plan 2019-2023

Mission: to provide leadership support, representation and advocacy on behalf of regional South Australian Councils for the benefit of the Community.

Role 3: Advocating in respect of matters which affect the SAROC Regional Group

Guiding Principles:

1. A strong partner and voice representing the regions;
2. Working closely with key stakeholders on matters of joint interest;
3. To prioritize and address issues which are common to all regions;
4. To collaborate closely with the LGA and GAROC; and
5. To be nimble, agile and responsive to the needs of regional councils.

SAROC Strategic Plan 2019-2023 cont...

Theme 2: Community Development

SAROC acknowledges the significant contribution regional councils make to community development through public health and community wellbeing activities, and the need for adequate levels of State Government services and funding to support healthy and resilient communities.

Four Year Objectives:

Community Development – Support strong, vibrant and cohesive regional communities through advocacy and partnerships that unlock local government’s potential to deliver quality community services and meaningful outcomes in public health and wellbeing.

Role	SAROC will:
Regional Advocacy	Represent the regions on issues that matter to all regions to the LGA, State and Federal Government and with key stakeholders.
Policy Initiation and Review	Develop policy that is of strategic importance to all regions. Review and advise on policy matters as requested by the LGA.
Leadership	Initiate actions and lead activities that provide benefit to all regions. Develop and maintain relationships with the State and Federal governments.
Engagement and Capacity Building in the Regions	Engage with members within the SAROC Regional Group and keep them informed of the activities of SAROC Actively promote communication between members and between members and the LGA

Determining Actions and Priorities

To assist in identifying the actions and priorities that SAROC will undertake on an annual basis and included within the annual business plan of SAROC, under each of the themes and to support the Objective identified above, SAROC will focus its efforts by taking on the role as defined below:

Theme	SAROC Roles			
	Regional Advocacy	Policy Initiation and Review	Leadership	Engagement and Capacity Building in the regions
Economic Development				
Community Development				
Natural and Built Environment				
Financial Sustainability and Governance				

SAROC Annual Business Plan 2020-21

Theme 2: Community Development

Objective: Support strong, vibrant and cohesive regional communities through advocacy and partnerships that unlock local government's potential to deliver quality community services and meaningful outcomes in public health and wellbeing.

LGA Communications Strategy 2021-2024

3. Communication Goals

Effectively advocate – effectively advocate on behalf of members for policy and funding outcomes that support councils to do great things for their communities.

5. Key Messages

Effectively advocate - Councils:

- o are closest to communities
- o are a willing partner in government
- o are a part of the solution
- o are an efficient tier of government on a path of continuous improvement
- o are an important driver of economic development

6.2 Effectively advocate

A key function of the LGA is advocating on behalf of its membership for funding and policy outcomes that support councils to do great things for their communities.

The LGA's advocacy agenda is set by member councils through motions passed at General Meetings as well as the plans and policies adopted by the LGA Board, SAROC and GAROC. This agenda is set out in the LGA Advocacy Plan.

LGA Policy Manual

1.2 Promoting the Interests of Local Government

1.1.3 Federal/ State Government Funding

Local government collects only 4% of national taxation and is not in a fiscal position to tackle all of the issues affecting local communities alone. Local government will continue to lobby federal/ state governments to provide fair and equitable resources and funding to tackle issues affecting local communities.

1.1.7 State-Wide Strategies

Local government recognises its responsibilities to give due weight to the plans and strategies of other spheres of government, while continuing to be a key partner in their development. Local government shall continue to seek full and meaningful engagement with other spheres in the interests of consistency and alignment.

3.4 Community Services

- 3.4.1 Ageing
- 3.4.2 Migrants
- 3.4.3 Youth
- 3.4.4 National Disability Insurance Scheme
- 3.4.5 Disability Inclusion Action Planning
- 3.4.6 Access and Inclusion
- 3.4.7 Aboriginal & Torres Strait Islander People
- 3.4.8 Family and Domestic Violence

8.1 Boundary Reform Legislation Change (Adelaide Hills)

Recommendation Reports from the GAROC Committee

Submitted by:	Adelaide Hills Council	
Approved by:	GAROC Committee	
Meeting	Annual General Meeting	29 October 2021
ECM:	766462	Attachment: 762459

Recommendation

That the Annual General Meeting requests the LGA Secretariat:

- 1. to advocate for a review of boundary reform laws once a proposal for proposed reform has progressed through all stages of the statutory process (or within 5 years of the commencement of the legislation). This review should be undertaken in consultation with local government and consider, amongst other things:**
 - a. the legislation generally;**
 - b. the supporting guidelines;**
 - c. timelines; and**
 - d. cost issues.**
- 2. prior to the above review, to advocate to the Boundaries Commission for a review of Guideline No. 3: Submitting a General Proposal to the Commission, to require a timeframe from the acceptance of a Stage 1 proposal be considered for the preparation and lodgement of a Stage 2 submission.**

Existing LGA position

The LGA supported the establishment of the Local Government Boundaries Commission as a body to independently assess proposals for council boundary changes.

If there is strong community support for council boundaries to be reviewed, there are processes in place to support this. The position adopted by the LGA membership is that the sector:

- opposes forced amalgamations; and
- believes decisions need to be made based on evidence and in the best interests of communities.

The LGA position is broadly reflected in the current regulatory arrangements (i.e. in both the legislation and the supporting guidelines).

GAROC Committee's Comments

The Local Government Boundaries Commission accepted an invitation to present to the GAROC meeting on 6 September 2021. GAROC then deliberated on the issues and made the recommendation at the beginning of this paper.

GAROC:

- Supported a general review of the boundary reform process once a process has been completed. Once the current process has been tested, the review could consider (for example) the legislation, the supporting guidelines, timelines and cost issues.
- Recommended that a review of Guideline No. 3 (Submitting a General Proposal to the Commission) should commence earlier. Guideline 3 currently:
 - sets out steps and timeframes required for the Commission to accept a Stage 1 proposal
 - sets out the requirements for the subsequent preparation and lodgment of a Stage 2 submission.

In the presentation from the Local Government Boundaries Commission, Presiding Member Bruce Green expressed wariness about empowering the Commission to make decisions about timelines for boundary review processes.

By contrast, GAROC saw value in an examination of this issue. Mandatory timelines compel the proponent to advance a matter (e.g. from State 1 to Stage 2) within a defined timeline. It may be, for example, that the Commission could set a short time period for submission, where a proposal met most criteria and appeared to have community support. Alternatively, where the issues involved were complicated and controversial a longer timeframe might be appropriate.

A review of Guideline 3 would therefore enable consideration of whether it was appropriate to empower the Commission with a discretion to set flexible timeframes.

LGA Officer's Comments

(Officer: Andrew Lamb, Local Government Reform Partner)

Background

Significant reforms to the processes for boundary reform commenced operation on 1 January 2019. The LGA undertook extensive consultation with member councils during development of the legislation. The resulting legislation reflected sector advocacy in that:

- No council would be forced to amalgamate.
- The process would be managed by an independent body that would conduct an evidence-based assessment of the issues.
- The process could be initiated by a single council; without two councils needing to reach agreement before the process could commence.

On the basis of member council feedback, the LGA also had extensive input into the development of guidance material, templates and other resources to assist those councils wanting to effectively consider and manage boundary reform.

Since introduction of the scheme there has been a relatively low level of preliminary interest from councils in exploring boundary reform.

No councils have successfully completed the full process.

Is legislative change the optimal approach?

The *Local Government Act 1999* requires the SA Local Government Boundaries Commission (**Commission**) to prepare and publish guidelines that set out the procedures for boundary proposals, including requirements relating to consultation that must be undertaken by proponents (s.27(2) and (3)).¹ The Commission has published *Guideline No. 3: Submitting a General Proposal to the Commission*², which establishes those procedures and consultation requirements.

Any changes to consultation requirements could be addressed through Guideline No. 3, without requiring an amendment to the *Local Government Act 1999*. This is a matter that could be pursued directly with the Commission, rather than through the Minister for Local Government, as proposed in the motion.

Section 26 of the *Local Government Act 1999* requires the Commission to consider various principles and factors in assessing the possible costs and benefits of boundary reform which extend beyond the views of the affected community. For example, it must consider community views, economic impacts, service level impacts and impacts on community representation.

The proposed motion would prevent a proposal from reaching the stage of inquiry by the Commission (Stage 2 – referral of the proposal to the Commission) if “substantial opposition exists to the proposal from the affected community”. The Adelaide Hills Council motion would have the effect of elevating one consideration (community views) over the other current considerations.

Such a change might be supported by those in the community who support the status quo or do not support a particular boundary change. However, the proposal might also have the effect of preventing the Commission from considering other relevant considerations. This may not deliver optimal outcomes for the community.

Alternative approaches

The legislation was amended to facilitate careful consideration by an independent body of boundary change proposals. To date, no particular proposal has progressed to the Commission’s Inquiry stage, making it difficult to assess a process that has not been tested.

It is likely that significant external factors (i.e. engaging in the ‘Local Government Reform’ process and the COVID-19 pandemic) have decreased the capacity of councils to initiate a boundary review in the past two years.

Financial and Resource Implications

This activity is not currently anticipated in the LGA’s work program. A review of boundary reform generally will have considerable financial and resource implications for the LGA. A review of the Guidelines would have smaller but still significant financial and resource implications.

¹ Local Government Act 1999, s.27(2) and 27(3).

² Guideline 3 is available at https://www.dit.sa.gov.au/_data/assets/pdf_file/0004/463009/Boundaries_Commission_Guideline_3_-_General_Proposals_-_Submitting_a_Proposal_to_the_Commission.pdf.

LGA General Meeting – Proposed Item of Business

The purpose of this form is to request consideration by SAROC, GAROC or the Board of Directors of an item of business to be included on the agenda of an LGA General Meeting - refer Clause 16.3.1 of the LGA Constitution. Prior to submitting a proposed Item of Business, please refer to the Considering Proposed Items of Business for LGA General Meetings Guidelines.

Council Name	Adelaide Hills Council
The body the item is being referred to <i>Proposals may only be submitted to the ROC of which council is a member, or to the LGA Board of Directors.</i>	GAROC
Subject of the proposed item of business	Boundary Reform Legislation Change
Proposed motion for the General Meeting	That the Annual / Ordinary General Meeting requests the LGA to advocate to the Minister of Local Government for changes to the provisions of Chapter 3, Part 2, Division 4 of the <i>Local Government Act 1999</i> and/or the Boundary Commission's Guidelines to require the results of community consultation on a proposed boundary change proposal to form part of a Stage 1 – General proposal submission. Further, where substantial opposition exists to the proposal from the affected community, it should not be permitted to proceed to Stage 2.
Supporting information <i>Provide a summary of the issue(s), relevant background information, description of the impact on the sector and evidence that this is an item of strategic importance to local government.</i>	<p>In 2017, the Local Government (Boundary Adjustment) Bill 2017 (the Bill) was introduced to Parliament by the (then) Minister for Regional Development and Local Government, Hon Geoff Brock MP. The Bill came into effect on 1 January 2019 resulting in changes to Chapter 3 of the Act.</p> <p>These provisions were supported by a series of guidelines published on the Office of Local Government website dealing with the key elements of the new boundary change regime. The guideline of relevance to this report as a council-initiated proposal is Guideline No. 3 – Submitting a General Proposal to the Commission. The Guideline sets out a three stage process for General Proposals, as follows:</p> <ul style="list-style-type: none"> • Stage 1: Initial consideration of a potential proposal - Write to the Commission outlining the nature of the potential proposal and the reasons why the council(s) consider boundary change as the best option, including a brief outline of how the proposal addresses the section 26 principles, particularly in regard to the identified community of interest, social fabric and common interests of the area and how service provision would be improved as a result of the proposal.

- **Stage 2: Referral of a general proposal to the commission** - Prepare a submission to the Commission that sets out in detail the grounds on which the proposal is made and the issues that should be considered in an assessment of the change to boundaries. The Commission requires the matters listed below to be included in your proposal, noting that the Commission expects a proposal to cover these matters as far as the initiating council can be reasonably aware of them.
 - Description of the proposal
 - Section 26 principles
 - Community of interest
 - Consultation
 - Advantages and Disadvantages
 - Any other relevant information
 - Administrative matters
- **Stage 3: Inquiry by Commission** - The Commission will assess the proposal in accordance with the Act and the guidelines and determine whether to inquire into the proposal or refuse to inquire into the proposal. At the conclusion of the inquiry the Commission will make recommendations to the Minister.

As per the above process, the requirements for Stage 1 are relatively superficial and do not require any evidence regarding the perceptions of the affected community.

In at least one boundary change proposal lodged with the Boundaries Commission to date, the proposed change has been opposed by a significant proportion of the affected residents. This opposition became evident almost immediately after the Stage 1 proposal was resolved (the initiating council did not undertake any broad consultation with the affected community).

There have now been surveys commissioned by both the initiating council and the relinquishing council and both show that the majority of respondents are opposed to the proposal. Nevertheless the initiating council has resolved to continue with the process.

This (unsupported) proposal has resulted in considerable unnecessary angst and concern for those residents as the initiating council has been very slow in progressing the development of its Stage 2 submission (currently over 2 years since being given permission to lodge the submission).

The Adelaide Hills Council has raised concerns with the Minister for Local Government about the level of community angst arising from Stage 1 proposals that are not supported by the affected community. The Minister's position is that the merit of proposals is assessed by the Boundaries Commission upon the lodgement of the Stage 2 submission. Essentially, that the affected community just has to wait until then.

The Adelaide Hills Council, having witnessed the angst and uncertainty created by this situation, is seeking the LGA's support to advocate to the Minister for Local Government for legislative change to require

	community consultation to occur prior to the lodgement of a Stage 1 proposal.
LGA Policy Manual <i>Does this item require a change to the LGA Policy Manual (new policy or amendment to existing policy)?</i>	<p>The LGA Policy Manual does not directly contemplate boundary changes but on the allied matter of amalgamations clause 1.1.5 clearly articulates that amalgamations should only occur on a volunteer basis, where there is support of council and their communities and strong supportive evidence.</p> <p>The proposed motion clearly seeks to ensure that the affected community's voice is heard (and respected) prior to a Stage 1 proposal being lodged with the Boundaries Commission.</p>
LGA Strategic Plan reference	The proposed motion is linked to Strategy 1: Advocate; and Outcome 1.2 in that the proposed advocacy position will lead to legislative change and better outcomes for communities.
Council Contact Officer submitting form	<p>Lachlan Miller, Executive Manager Governance & Performance</p> <p>lmiller@ahc.sa.gov.au</p> <p>0417 852 868</p>
Council Meeting minute reference and date of meeting	Adelaide Hills Council - 27 April 2021. Minutes Ref: 68/21
Date submitted to LGA	8 June 2021

Please return Word version of completed form to lgasa@lga.sa.gov.au.
Refer to [LGA Latest News](#) in respect to deadlines for upcoming General Meetings.

8.2 Cost and Timeframes for Adjustment to Telecommunication Pits on Road Reserves (Gawler)

Recommendation Reports from the GAROC Committee

Submitted by:	Town of Gawler	
Approved by:	GAROC Committee	
Meeting	Annual General Meeting	29 October 2021
ECM:	766465	Attachment: 764408

Recommendation

That the Annual General Meeting requests the LGA to explore ways to reduce the cost and timeframes to councils associated with adjustment of telecommunication service pits in road reserves as part of their capital works programs.

GAROC Committee's Comments

In recommending this item of business, GAROC considered that the costs associated with council asset management and maintenance is of strategic importance to the local government sector.

LGA Officer's Comments

(Officer: Dr Thomas Caunce, Acting Director Policy)

The item of business raises several points of dissatisfaction related to the monopoly oversight of adjustments of telecommunications service pits in road reserves:

- The excessive cost of many adjustment works, including the wide variance in costs charged by different utility service providers.
- The length of time taken to address adjustments.
- The common need for remedial works following the adjustment works of contractors.
- The inability of councils to directly engage qualified contractors to perform the adjustment works.

While not reflected in the item of business, the supporting information provided by the Town of Gawler indicates that they are seeking the LGA to “advocate for improved commercial arrangements on behalf of councils on this significant expense in undertaking capital works on road reserves each year across the sector.”

In this context, the intention of the item of business is to seek further investigation of the issue, before forming a specific policy position or advocacy action.

The LGA Guidelines for considering Proposed Items of Business for LGA General Meetings acknowledge that, “Good public policy positions need to be supported by solid evidence, that the issues are well understood and that the proposed course of action provides the most efficient and effective solution. A strong evidence base is critical to successful advocacy, particularly when trying to change government policy, influence public opinion or attract additional funding.”

If this item is carried by LGA members at the AGM, the LGA Secretariat will liaise with the Town of Gawler to inform broader consultation with member councils.

This would enable the LGA to determine sufficient evidence, if available, and identify practical examples that highlight the impacts the monopoly oversight of adjustments of telecommunications service pits in road reserves has on a broad range of councils. A subsequent report with recommendations would be presented to the LGA Board of Directors, prior to progressing any advocacy actions on behalf of member councils.

Regarding the LGA's previous advocacy work on improving the quality and timeliness of reinstatement works to damaged local government infrastructure, despite the LGA's best endeavours during 2017 to 2019, there was a lack of engagement on this issue from essential services providers (with the exception of SA Water).

In response to a resolution of members at the LGA Ordinary General Meeting of April 2021, the LGA is attempting to further engage essential service providers to encourage them to work collaboratively with councils on improving council infrastructure remediation works.

Financial and Resource Implications

Advocacy on similar issues is anticipated in the LGA's current work plan. The LGA has the capacity within existing resources to further consult with member councils to build the evidence base before recommending a policy position and potential future advocacy actions to the LGA Board of Directors.

LGA General Meeting – Proposed Item of Business

The purpose of this form is to request consideration by SAROC, GAROC or the Board of Directors of an item of business to be included on the agenda of an LGA General Meeting - refer Clause 16.3.1 of the LGA Constitution. Prior to submitting a proposed Item of Business, please refer to the Considering Proposed Items of Business for LGA General Meetings Guidelines.

Council Name	Town of Gawler
The body the item is being referred to <i>Proposals may only be submitted to the ROC of which council is a member, or to the LGA Board of Directors.</i>	GAROC
Subject of the proposed item of business	Cost and timeframes for adjustment to telecommunication pits on road reserves
Proposed motion for the General Meeting	That the Annual General Meeting requests the LGA to explore ways to reduce the cost and timeframes to Councils associated with adjustment of telecommunication service pits in road reserves as part of their capital works programs
Supporting information <i>Provide a summary of the issue(s), relevant background information, description of the impact on the sector and evidence that this is an item of strategic importance to local government.</i>	<p>The sector has long held concerns associated with monopoly oversight of service adjustments to telecommunication utility pits, namely the cost of adjustment works & the length of time taken to address adjustments once contracted. Council are seeking the LGA to advocate for improved commercial arrangements on behalf of Councils on this significant expense in undertaking capital works on road reserves each year across the sector.</p> <p>Staff have found that in recent years the costs differences and timeframes for works to be delivered between utility service providers to adjust pits is vastly differing. This has been amplified by the increasing number of utility service providers with infrastructure on road reserves that are impacted by road works when adjusting surface levels to meet current standards (ie cross fall, horizontal alignment, relocation to suit new infrastructure design, etc).</p> <p>There is vast variability in range of quoted prices and lead times for works/quotes from one provider to another. Some provider timeframes associated for this work are now reaching unreasonable levels for the works being performed.</p> <p>Observations are that these high costs are partly due to in some instances three (3) different entities being contracted in any one project to perform the actual scope of works, resulting in 3 sets of profit & overheads being placed.</p>

	<p>Frustratingly, Councils are prohibited from directly engaging with qualified contractors to do this work, thus resulting in higher than necessary costs being incurred.</p> <p>In 2020/21 this service cost the Council in excess of \$80k, much more in lost productivity and re-visiting work.</p>
LGA Policy Manual <i>Does this item require a change to the LGA Policy Manual (new policy or amendment to existing policy)?</i>	No. This proposed Motion aligns with <i>Policy Item 1.1 Promoting the Interests of Local Government</i> , specifically <i>Item 1.1.6 Service Provisions</i>
LGA Strategic Plan reference	<p><i>Strategy 1 : Advocate</i></p> <p><i>Outcome 1.1 – We are close to our members, seek their feedback and represent them with evidencebased advocacy on issues that matter.</i></p>
Council Contact Officer submitting form	<p>Sam Dilena</p> <p>sam.dilena@gawler.sa.gov.au</p> <p>8522 9251</p>
Council Meeting minute reference and date of meeting	
Date submitted to LGA	

Please return Word version of completed form to lgasa@lga.sa.gov.au.
Refer to [LGA Latest News](#) in respect to deadlines for upcoming General Meetings.

8.3 Clear and Consistent Rules for Purchased Renewable Electricity (Gawler)

Recommendation Reports from the GAROC Committee

Submitted by:	Town of Gawler	
Approved by:	GAROC Committee	
Meeting	Annual General Meeting	29 October 2021
ECM:	766469	Attachment: 764409

Recommendation

That the Annual General Meeting requests:

1. **the LGA to support advocacy led by the Australian Local Government Association calling on the Federal Government to amend the National Greenhouse and Energy Reporting (NGER) Framework to establish a legal definition of what is required to buy renewable electricity via the electricity grid and claim 100% renewable electricity use and zero emissions. This will establish market-based accounting for renewable electricity, create a single nationally consistent method that applies to electricity and renewable electricity consumption and prevent double counting for all customers including for councils, seeking legally assured, clearly defined and priced renewable electricity; and**
2. **that the LGA President write to the Minister for Energy and Emissions Reduction to confirm member councils support for the above position.**

GAROC Committee's Comments

The GAROC Committee endorsed the proposed item of business, as amended by the LGA Secretariat, to support, and strategically align with Australian Local Government Association (ALGA) advocacy on this issue at the federal level.¹

The proposed item of business aligns with numerous LGA policy positions in relation to climate change² and LGA Policy relating to the consistent application of accountability and transparency standards for all tiers of government.³

Alignment with ALGA's advocacy position will prevent duplication of efforts and resources committed to work already being undertaken by the ALGA Secretariat.

¹ Australian Local Government Association, (2021) motion 34 < <https://alga.asn.au/motions/> >.

² LGA Policy Manual, *Managing the Risks of Climate Change* (4.4).

³ LGA Policy Manual, *Partners in Government* (1.2) – *Accountability* (1.2.2).

LGA Officer's Comments

(Officer: Brianna McGee, Senior Policy Officer)

Background

As a Party to the United Nations Framework Convention on Climate Change (UNFCCC), the Kyoto Protocol⁴ and the Paris Agreement,⁵ Australia has made commitments to:

- reduce its greenhouse gas emissions;
- track progress towards those commitments; and
- report each year on Australia's greenhouse gas emissions.

The National Greenhouse and Energy Reporting (NGER) scheme,⁶ established by the *National Greenhouse and Energy Reporting Act 2007* (Cth), commenced in 2008. The NGER scheme is a national system for reporting greenhouse gas (GHG) emissions, energy consumption, energy production consumption and other information specified under the legislation by Australian corporations.

The objectives of the NGER scheme⁷ are to:

- inform government policy
- inform the Australian public
- help meet Australia's international reporting obligations
- assist all tiers of government programmes and activities; and
- avoid duplication of similar reporting requirements in the states and territories.

Issues with reporting

The below discussion is based on the supporting evidence provided by the Town of Gawler.

There is currently no legal framework or consistent method to allocate, trade or claim use of renewable electricity via the grid. This results in a myriad of different methods being employed to determine what makes up a 100% renewable electricity use claim. Without a clear set of legal rules, market participants, scheme creators and consultants have established different methods to make renewable electricity claims, which at times are inconsistent to the NGER scheme.

The varying alternate calculation methods result in inconsistencies and, in some cases, double or even triple counting of emission reduction claims. Additionally, the uncertainty and inconsistency arising from the lack of a legal definition leads to electricity structures that are unfair.

Unfair pricing structures occur where those paying for accredited renewable electricity are subsidising those who only pay for mandatory contributions and those organisations that are exempt from contributions.

All customers across Australia, including councils, should be able to choose, buy and claim renewable electricity use under a consistent legal method assuring integrity and a basis for fair pricing.

⁴ United Nations: Climate Change, *What is the Kyoto Protocol?* (2021) < https://unfccc.int/kyoto_protocol >.

⁵ United Nations: Climate Change, *The Paris Agreement* (2021) < <https://unfccc.int/process-and-meetings/the-paris-agreement/the-paris-agreement> >.

⁶ Established by the *National Greenhouse and Energy Reporting Act 2007* (Cth).

⁷ *National Greenhouse and Energy Reporting Act 2007* (Cth) s 3.

Some potential risks to local government arising from the lack of a consistent approach and legal framework are reputational risk, exposure to legal challenge and an inability to claim renewable electricity use.

ALGA's policy position

ALGA's 2021 National General Assembly endorsed the following motion:

The National General Assembly calls on the Federal Government to amend the National Greenhouse and Energy Reporting (NGER) Framework to establish a legal definition of what is required to buy renewable electricity via the electricity grid and claim 100% renewable electricity use and zero emissions. This will establish market-based accounting for renewable electricity, create a single nationally consistent method that applies to electricity and renewable electricity consumption and prevent double counting for all customers including for councils, seeking legally assured, clearly defined and fairly priced renewable electricity.⁸

The above motion, moved by the Town of Gawler and seconded by the City of Mitcham, aligns with this item of business to ensure that the LGA adopts the same position on this matter as ALGA – to ensure one, consistent local government voice.

Strategically, as this is an issue for the Federal Government and this issue is already on ALGA's advocacy agenda, ALGA is well positioned to lead advocacy on behalf of the local government sector.

At its meeting on 22 July 2021, the ALGA Board of Directors endorsed the resolution of the ALGA 2021 National General Assembly and agreed to write to the Minister for Energy and Emissions Reduction, the Hon Angus Taylor MP. The action in this proposed item of businesses, reflects the same action undertaken by the ALGA President.

Financial and Resource Implications

This activity is not currently anticipated in the LGA's work program, but can be delivered within existing LGA resources.

Aligning the proposed item of business with ALGA reduces the risk of any independent activity undertaken by the LGA duplicating resources and efforts already undertaken by the ALGA Secretariat.

⁸ Australian Local Government Association, (2021) motion 34 < <https://alga.asn.au/motions/> >.

LGA General Meeting – Proposed Item of Business

The purpose of this form is to request consideration by SAROC, GAROC or the Board of Directors of an item of business to be included on the agenda of an LGA General Meeting - refer Clause 16.3.1 of the LGA Constitution. Prior to submitting a proposed Item of Business, please refer to the Considering Proposed Items of Business for LGA General Meetings Guidelines.

Council Name	Town of Gawler
The body the item is being referred to	Board of Directors GAROC
Subject of the proposed item of business	Clear and consistent rules for purchased renewable electricity
Proposed motion for the General Meeting	<p>That the Annual / Ordinary General Meeting requests the LGA to adopt the following motion as follows:</p> <p>The LGA calls on the Federal Government to amend the National Greenhouse and Energy Reporting (NGER) Framework to establish a legal definition of what is required to buy renewable electricity via the electricity grid and claim 100% renewable electricity use and zero emissions.</p> <p>This will establish market based accounting for renewable electricity that is consistent with the internationally respected Greenhouse Gas Protocol Scope 2 Accounting Guidelines^[1]. It will create a single nationally consistent method that applies to electricity and renewable electricity consumption and prevent double counting for all customers including for councils, households, and small to medium businesses seeking legally assured, clearly defined and fairly priced renewable electricity</p> <p>This motion aligns with the recent motion moved by the Town of Gawler Mayor, seconded by the City of Mitcham Mayor and endorsed at the ALGA National General Assembly on 21 June 2021.</p>
Supporting information <i>Provide a summary of the issue(s), relevant background information, description of the impact on the sector and evidence that this is an item of strategic importance to local government.</i>	<p>BACKGROUND</p> <p>There is no legal framework or method to allocate, trade or claim use of renewable electricity via the grid and zero scope 2 emissions associated with the use of renewable electricity. There is also no legal framework that supports the trading and claims of carbon offsets as negative scope 3 emissions. This situation has resulted in a variety of non-legal methods being used, pricing unfairness and double counting.</p> <p>Whilst there is a National Greenhouse and Energy Reporting Framework, this applies only to around 415 large corporations and does</p>

^[1] See: https://ghgprotocol.org/scope_2_guidance

	<p>not support market based methods to buy renewable electricity or to claim offset emissions.</p> <p><u>Renewable electricity procurement</u></p> <p>In the absence of legal methods, a large number of non-legal methods have been devised by state and federal agencies, consultants, businesses and individuals. The Certificate based schemes for accredited GreenPower and the voluntary surrender of Large Scale Certificates (often referred to as LGCs or RECs), do not incorporate the attributes of 'use of renewables' or 'zero scope 2 emissions' for customers. These schemes double count the emissions reduction claims and make an unsupported renewable electricity use claim. Other claims which do not incorporate the voluntary surrender of LGCs are growing and triple count those same benefits. There are real world consequences from the lack of a legal framework including:</p> <ul style="list-style-type: none"> • Reputational risk and exposure to legal challenge • Inability to claim (for example Accredited GreenPower¹ and voluntary surrender of LGCs can be claimed under the Climate Active Carbon Neutral Program) • Claims using the broad language of 'green power' and electricity only sourced from a renewable sources may suggest non accredited and triple counted claims. • Unfair pricing structures occur where those paying for accredited renewable electricity are subsidising those who only pay for mandatory contributions and those organisations that are exempt from contributions. In the case of ordinary household and small business customers purchasing GreenPower they are charged for more than 120% renewable electricity to claim 100% <p>The vast majority of councils have indicated their willingness to participate in the next LGAP process for electricity procurement in advance of new contracts starting in January 2023. Clarification of requirements for the short term and understanding the direction of reforms for the longer term will assist Councils and their communities when seeking to buy and claim renewable electricity use.</p> <p>Further detail is available on request</p>
<p>LGA Policy Manual</p> <p><i>Does this item require a change to the LGA Policy Manual (new policy or amendment to existing policy)?</i></p>	<p>The Item may signal an opportunity to review and update the LGA Policy 4.4 Managing the Risks of Climate Change, including an update of 4.4.7 which currently supports carbon pricing. Since 2014, business and Local Government have moved towards making procurement choices for renewable electricity and low emissions solutions as the mechanism to reduce emissions in the absence of a top down carbon pricing framework. The lack of market based accounting, allocation and trading frameworks underpinned by legislation comprise a major barrier to fair market choice for councils and their communities.</p>

¹ Accredited GreenPower is a trademark product under the National GreenPower Accreditation scheme operated by the NSW, Victorian, South Australian and ACT Governments. In contrast term 'green power' is two separate words of non-specific language that does not assure that an electricity product is renewable, sustainable or environmentally friendly.

LGA Strategic Plan reference	Strategy 1 Advocate - Achieve greater influence for local government Outcome 1.1 Governments rely on our proactive contribution to policy and legislation that impacts councils, leading to better outcomes for communities.
Council Contact Officer submitting form	Tim Kelly Tim.kelly@gawler.sa.gov.au 0499 800 275
Council Meeting minute reference and date of meeting	RESOLUTION 2021:07:COU272 27 July 2021
Date submitted to LGA	

Please return Word version of completed form to lgasa@lga.sa.gov.au.
Refer to [LGA Latest News](#) in respect to deadlines for upcoming General Meetings.

8.4 Homelessness (Port Adelaide Enfield)

Recommendation Reports from the GAROC Committee

Submitted by:	City of Port Adelaide Enfield	
Approved by:	GAROC Committee	
Meeting	Annual General Meeting	29 October 2021
ECM:	766471	Attachment: 765024

Recommendation

That the Annual General Meeting requests the LGA to:

1. support the Everybody's Home Campaign which calls on the Australian Government together with States and Territories to commit to a national plan to end homelessness by 2030 which addresses all the drivers of homelessness;
2. call on the South Australian Government to support community driven efforts to identify people experiencing homelessness by name; and
3. support these efforts through joint advocacy and investigate how homelessness support services can be most effectively and sustainably coordinated.

GAROC Committee's Comments

GAROC considered that advocacy for the alleviation of homelessness is of strategic importance to the local government sector and that joint advocacy with the Australian Local Government Association (ALGA) in this area is warranted.

The GAROC Committee recommends the item of business, as amended from the item originally proposed. Having considered the significant resourcing implications for the local government sector involved in coordinating homelessness services – featured in the City of Port Adelaide Enfield's original motion – the GAROC Committee accepted an amendment to the third part of the item. Whereas the original motion "commits to the local government sector supporting these [homelessness alleviation] efforts through ... coordination of services", the amended motion: "requests that the LGA ... investigate how homelessness support services can be most effectively and sustainably coordinated."

LGA Officer's Comments

(Officer: Dr Thomas Counce, Acting Director Policy)

Background

As aligned to the recommended item of business, the discussion provided below is separated into these three parts, analysing the background context and considerations under each heading.

Drivers of homelessness

The first section of the motion calls on the LGA to support the Everybody's Home Campaign, and particularly its advocacy to the Commonwealth, state and territory governments to end homelessness by 2030 by addressing the drivers of homelessness.

The Everybody's Home Campaign website¹ details the following drivers of homelessness:

- Barriers to home ownership – including tax incentives for property investors.
- Supply shortages of social and affordable housing.
- Insufficient regulatory protections for renters (e.g., length of tenancy, rent charges).
- Insufficient financial supports for renters.

Recent advocacy work published by both ALGA, the LGA, and the SAROC Committee has recognised some of these drivers of homelessness, in addition to others.

Moreover, actions taken by ALGA, the LGA, and the SAROC Committee demonstrate that the local government sector has a key advocacy role in alleviating homelessness, and the issue is of strategic importance to the local government sector.

ALGA advocacy on homelessness

In its 2019 Federal Election advocacy publication, 'All Politics is Local', ALGA noted that councils respond to the incidence of homelessness "where they can depending on their resources and priorities and using their local knowledge".² Examples provided of the types of actions councils take in this area included: facilitating accommodation (through social housing providers) for key workers, vulnerable people seeking refuge and low income earners; highlighting issues with overcrowded dwellings; undertaking housing surveys; and using excess council land or buildings for housing.

ALGA reinforced this approach in a June 2021 submission to the House of Representatives Standing Committee on Social Policy and Legal Affairs Inquiry into homelessness in Australia.³

In both documents, ALGA calls on the Commonwealth Government to adequately fund innovative housing partnership models (involving the local government sector) and coordinate a national dialogue between the three levels of government with the objective of establishing a National Housing and Homelessness Agreement. This agreement is envisaged to replace the direct negotiations which occur at present between only state/territory governments and the Commonwealth Government.

Inquiry into housing affordability and supply in Australia

The House of Representatives Standing Committee on Tax and Revenue is currently conducting an Inquiry into housing affordability and supply in Australia.⁴

The LGA has made a submission to the Inquiry⁵ which highlighted that the causes of housing affordability challenges and supply shortages are specific to the South Australian context. Therefore, by implication, South Australian advocacy on homelessness is warranted.

The following points of relevance to this item of business are emphasised in the LGA submission:

- Many metropolitan councils report that housing affordability remains a significant challenge for many of their residents.
- Councils receive few development applications featuring smaller, more affordable 1 and 2-bedroom dwellings and apartment buildings, or granny flat buildings on existing allotments, despite planning policies supporting this type of development.

¹ <http://everybodyshome.com.au/>

² ALGA, 'All Politics is Local: 12 ways to deliver for Australian communities', ALGA Federal Election Initiatives, p. 28, https://cdn.alga.asn.au/wp-content/uploads/ALGA_Election_Document.pdf

³ <https://cdn.alga.asn.au/wp-content/uploads/ALGA-Submission-House-of-Reps-Inq-Homelessness-12-June-2020.pdf>

⁴ https://www.aph.gov.au/Parliamentary_Business/Committees/House/Tax_and_Revenue/Housingaffordability

⁵ <https://www.aph.gov.au/DocumentStore.ashx?id=b00d9f0e-71c3-49bc-9d19-793674546ce4&subId=715072>

- Solutions being explored or implemented by metropolitan councils include public-private partnerships with community housing providers and 15 per cent minimum affordable housing requirements for residential developments on surplus council-owned land.
- In recent years regional South Australia has experienced severe housing shortages caused by:
 - lack of investment in housing in regional areas over many decades;
 - lack of affordable housing for rent or purchase;
 - properties in tourism destinations converting to Airbnb;
 - investment in regional housing not supporting a commercial return for private developers;
 - bank Loan-to-Value Ratios considerably higher than those applied in metropolitan areas; and
 - a decline in the number of suitably skilled builders and tradespeople due to an ageing workforce.
- Intrastate migration to regional areas coinciding with the COVID-19 pandemic, in conjunction with the stimulatory infrastructure response to the COVID-19 recession (including the Commonwealth Government's HomeBuilder program) has placed further pressure on regional real estate markets and contributed to many trades and material shortages, adversely affecting the supply of resources available for regional residential construction.
- In response, some councils have partnered with community housing providers, South Australian Government agencies and the National Housing Finance and Investment Corporation (NHFIC) to facilitate residential housing development directly.

SAROC development of Regional Housing Policy Toolkit

The LGA's submission to the Inquiry into housing affordability and supply in Australia also highlighted the SAROC Committee's commissioning of a Regional Housing Policy Toolkit – in accordance with the resolution made at the 29 July 2021 SAROC Committee meeting – which will be designed to consolidate advice on innovative policy options currently available to regional councils seeking to facilitate residential development, and provide an advocacy agenda for the SAROC Committee to take to other levels of government.

The Regional Housing Policy Toolkit Consultancy Brief refers to several potential solutions to alleviate the severe housing shortages experienced in regional South Australia, which need further investigation. These include:

- Devising the most effective model for the local government sector to access and make best use of Commonwealth Government (or State Government) funding for housing development initiatives, including through the NHFIC.
- Councils partnering with community housing providers – which benefit from access to large quantities of finance capital (due to their extensive asset bases), and their exemptions from GST and land tax.
- Local government provision of unused land for residential development, with a minimum requirement that 15 per cent of dwellings be quarantined for affordable housing.
- State Government funded housing supply and demand audits by local government area.
- State Government funded regional staff, tasked with identifying investment partners and delivery models for new residential development.

- State Government financed Regional Infrastructure Fund to administer infrastructure grants and bonds (used to spread the costs of providing essential services infrastructure over a longer period).
- Tax exemptions, rebates, and reductions for developers (including private sector employers) who invest in regional residential development projects (e.g., payroll tax exemptions, land tax exemptions).
- Accelerated tax deductible depreciation rates for rental investment properties, located a minimum distance from the Adelaide CBD.
- Zoning changes in the planning system, which allow for a mixture of allotment sizes to facilitate more diverse housing choices for workers and down-sizers looking for smaller (more affordable) accommodation options.
- State Government provision (through HomeStart Finance) of shared equity home loans for low-wage earners in more high risk regional real estate markets.

'By-Name' identification of people experiencing homelessness

The item of business “calls on the South Australian Government to support community driven efforts to identify people experiencing homelessness by name”. There appears a strong evidence base for this advocacy.

In May 2018, the Adelaide Zero Project implemented a 'By-Name' List system to identify people experiencing homelessness in the inner-city area.

This system was used by the Adelaide Zero Project to assist with one of the project's centrepiece objectives: 'Functional Zero' – achieved when a community's average monthly housing placement rate is more than the number of people sleeping rough.

The By-Name system was combined with a Vulnerability Index – Service Prioritisation Decision Assessment Tool (VI-SPDAT), to create a database which identifies the specific needs of individuals experiencing homelessness, which is then used by the Don Dunstan Foundation and service providers to tailor supports provided to each individual experiencing homelessness. According to the Adelaide Zero Project's Impact Report, this method “cemented a focus on getting the best results for people, rather than a focus on numbers and outputs”.⁶

According to the Adelaide Zero Project's Impact Report, by December 2020 – and despite the adverse impact of the COVID-19 pandemic – 500 people had been housed through the By-Name List system, an average of 18 per month.⁷

Calls for local government sector homelessness advocacy and coordination of services

The success of the Adelaide Zero project's By-Name List system has resulted from the collaborative relationships and shared project commitment exhibited by the service providers involved. As the project's Impact Report summarises:

*The Inner-City Community of Practice (ICCoP) is a vital mechanism established through the Adelaide Zero project, bringing service providers and government agencies together across a range of sectors who interact with people sleeping rough. Homelessness, housing, health, police and correctional services come together to coordinate and allocate housing and support according to people's needs on the By-Name List. This is critical to securing appropriate, rapid outcomes and responding to the complex vulnerabilities faced by people sleeping rough.*⁸

⁶ See: Adelaide Zero Project, 'Ending street homelessness in the inner city', Adelaide Zero Project Impact Report, March 2021, pp. 15-7, <file:///C:/Users/tcaunce/Downloads/AdelaideZeroProject-Impact-Report-March-2021.pdf>

⁷ *Ibid.*, p. 16.

⁸ *Ibid.*, p. 20.

The Adelaide Zero Project's Impact Report emphasises: "the need for co-location of services, a more integrated service system, and broader linkages to intersecting systems (such as health and corrections)." The report goes on to argue that "this approach, bolstered by dedicated resources and staff to oversee and drive a high level of coordination, is needed to meet people's diverse needs through a range of specialist supports and sectors."⁹

The effective coordination of services, as described by the Adelaide Zero Project will demand significant resources.

ALGA acknowledged in its 2019 Federal Election advocacy publication that: "Local governments continue to do some 'heavy lifting' on affordable housing with their communities in a financially-constrained environment which is exacerbated by cost-shifting, rate-capping and rate concessions for community housing."¹⁰

In this light, the recommendation: "requests that the LGA ... investigate how homelessness support services can be most effectively and sustainably coordinated." An investigation of this kind will provide insight as to whether the local government sector, or other stakeholders, are best placed to coordinate homelessness services.

Financial and Resource Implications

This activity is not currently anticipated in the LGA's work program, but can be delivered within existing LGA resources.

⁹ *Ibid.*, p. 25.

¹⁰ *Ibid.*, p. 28.

LGA General Meeting – Proposed Item of Business

The purpose of this form is to request consideration by SAROC, GAROC or the Board of Directors of an item of business to be included on the agenda of an LGA General Meeting - refer Clause 16.3.1 of the LGA Constitution. Prior to submitting a proposed Item of Business, please refer to the Considering Proposed Items of Business for LGA General Meetings Guidelines.

Council Name	City of Port Adelaide Enfield
The body the item is being referred to <i>Proposals may only be submitted to the ROC of which council is a member, or to the LGA Board of Directors.</i>	GAROC
Subject of the proposed item of business	Homelessness
Proposed motion for the General Meeting	<p>That the Annual General Meeting requests the LGA to:</p> <ol style="list-style-type: none"> 1. supports the Everybody's Home Campaign which calls on the Australian government together with States and Territories to commit to a national plan to end homelessness by 2030 which addresses all the drivers of homelessness; 2. calls on the South Australian Government to support community driven efforts to identify people experiencing homelessness by name; and 3. commits to the local government sector supporting these efforts through joint advocacy and coordination of services, but not necessarily through the direct provision of services.
Supporting information <i>Provide a summary of the issue(s), relevant background information, description of the impact on the sector and evidence that this is an item of strategic importance to local government.</i>	<p>Homelessness is a growing problem in South Australia, and that the face of homelessness looks different for each council.</p> <p>It is recognised that:</p> <ul style="list-style-type: none"> • the experience of homelessness can reduce life expectancy by up to 30 years compared to residents with secure housing; • the costs arising from chronic rough sleeping is greater than the cost of providing supportive housing; • single older women are the fastest growing group of people who are homeless in Australia; • the unique needs of Aboriginal and Torres Strait Islander people, particularly those visiting Adelaide and regional centres from remote communities; and • the lifelong effect on young people experiencing homelessness. <p>We also recognise that ending homelessness is possible, as 16 local government areas in North America have achieved this and can demonstrate it with data. A growing number of local government areas have sought to achieve the same outcome in Australia, with the City of Adelaide supporting the pioneering efforts of the Adelaide Zero Project.</p>

	Whilst local government is not the level of government responsible for homelessness, as the level closest to community, we are often left to deal with the consequences of homelessness. The LGA could consider adding this as an issue to the Community Assets and Services theme in its advocacy plan.
LGA Policy Manual <i>Does this item require a change to the LGA Policy Manual (new policy or amendment to existing policy)?</i>	It is considered that an additional item should be considered by the LGA under 3.4 Community Services. We respectfully request the LGA to consider this proposal to make homelessness 3.4.9 within its policy manual.
LGA Strategic Plan reference	Strategy 1: Advocate – Achieve greater influence for local government Outcome 1.2 – governments rely on our proactive contribution to policy and legislation that impacts councils, leading to better outcomes for communities.
Council Contact Officer submitting form	Danniele Worden danniele.worden@cityofpae.sa.gov.au (08) 8405 6898
Council Meeting minute reference and date of meeting	Item Number: 13.1, Meeting Date: 10 August 2021
Date submitted to LGA	12/08/2021

Please return Word version of completed form to lgasa@lga.sa.gov.au.
Refer to [LGA Latest News](#) in respect to deadlines for upcoming General Meetings.

8.4 Illegal Dumping (Port Adelaide Enfield)

Recommendation Reports from the GAROC Committee

Submitted by:	City of Port Adelaide Enfield	
Approved by:	GAROC Committee	
Meeting	Annual General Meeting	29 October 2021
ECM:	766472	Attachment: 765036

Recommendation

That the Annual General Meeting requests that the LGA advocates to the State Government for a portion of funds collected via the Solid Waste Levy to be allocated for a state-wide campaign on illegal dumping to be developed by the EPA in collaboration with Green Industries SA, local government and other key leading bodies in this space, like KESAB environmental solutions.

GAROC Committee's Comments

The GAROC Committee endorsed the proposed item of business, as amended, for the LGA to advocate to the State Government for a portion of funds collected via the Solid Waste Levy to be allocated for a state-wide campaign on illegal dumping to be developed by the EPA, in collaboration with Green Industries SA, local government and other key leading bodies.

The following discussion outlines that while the issue of illegal dumping is an issue for councils, opportunities to increase awareness of illegal dumping currently sit within the State Government's broader circular economy agenda and that other bodies are best placed to undertake a state-wide campaign on illegal dumping in collaboration with local government.

LGA Officer's Comments

(Officer: Brianna McGee, Senior Policy Officer)

Responding to instances of illegal dumping can be a costly and a time-consuming activity for councils. It has been established that for any illegal dumping that occurs in a council area, councils are forced to pay twice – for clean-up costs and then for the solid waste levy on disposal.¹

Evidence suggests that the illegal dumping of rubbish is a bigger issue for councils in regional and peri-urban settings, particularly where rubbish is dumped on roadside verges.²

Previous LGA action

At the LGA Annual General Meeting on 26 October 2018 an item of business was endorsed that considered the matter of illegal dumping along the Northern Gateway Maintenance (Adelaide Plains Council).³ The LGA raised concerns regarding the high volumes of instances of illegal dumping along the Port Wakefield Highway with the Minister for Environment and Water, the Minister for Transport and the Environment Protection Authority (EPA).

¹ LGA Submission, *Review of the Local Nuisance and Litter Control Act 2016* < <https://www.lga.sa.gov.au/news-and-events/news/submissions> >.

² BRM Advisory (2020) *Local Nuisance and Litter Control Act 2016 (SA) - Understanding the benefits and cost imposts to local government*, page 21.

³ <https://www.lga.sa.gov.au/about-lga/lga-meetings/ogmagm>

The item of business coincided with the end of the EPA's *Dob in a Litterer*⁴ app and website. This reporting application and website enabled members of the community to report people committing a littering offence.⁵

Actions undertaken by the Department for Infrastructure and Transport in response to this illegal dumping include targeted litter picks along Port Wakefield Road (continuing as required) and continued assistance from the EPA to councils – for example the deployment of resources (such as cameras) and staff to undertake “hot spot” surveillance.

Illegal dumping has remained an advocacy issue that the LGA highlights as part of the broader litter, waste, recycling, resource recovery and circular economy agenda.

Green Industries SA and EPA

The City of Port Adelaide's supporting information notes an opportunity to connect an illegal dumping media campaign with the expansion of GISA's waste education/awareness campaign action on the LGA Advocacy Plan. GISA has already, through its State Waste Strategy 2020 -25,⁶ identified this through the following priority action:

“Identify and maximise opportunities to increase awareness and link environmental values with reduced litter, illegal dumping and associated impacts.”

Previous media and behaviour change campaigns on illegal dumping have been led by the State Government to enable consistent state-wide messaging.

The LGA is supportive of the State Government leading media campaigns associated with illegal dumping and other whole of state waste, recycling and resource recovery issues.

The LGA through its ongoing relationships with GISA and the EPA are exploring various opportunities to address issues relating to waste and recycling that result in certain items being dumped illegally.

The LGA continues to advocate, advise and support the following endeavours that align with outcomes associated with reduced littering and instances of illegal dumping in the community:

- the review of the Container Deposit Scheme (CDS);
- high level waste education working groups;
- the continued development and implementation of single-use plastics legislation; and
- exploring opportunities for textile circularity within South Australia.⁷

Additionally, as part of the review process of the *Local Nuisance and Litter Control Act 2016* (and associated regulations), the LGA has advocated⁸ for the state government to explore opportunities that can assist councils to address illegal dumping in their communities. The LGA's formal submission to the review supported money being made available to councils to assist councils in cleaning up waste and illegal dumping in their local areas.

This review is currently ongoing. However, preliminary recommendations in relation to cost recovery associated with the clean-up of illegal dumping have been identified and explored by the EPA in consultation with councils.⁹

⁴ http://www.epa.sa.gov.au/articles/2017/02/27/dob_in_a_litterer_through_a_new_app

⁵ <https://data.sa.gov.au/data/dataset/dob-in-a-litterer-summarised-data>

⁶ <https://www.greenindustries.sa.gov.au/resources/sa-waste-strategy-2020-2025>

⁷ <https://www.lga.sa.gov.au/news-and-events/news/latest-news/2021/july/information-session-opportunities-for-circular-textiles-in-south-australia>

⁸ LGA Submission, *Review of the Local Nuisance and Litter Control Act 2016* < <https://www.lga.sa.gov.au/news-and-events/news/submissions> >.

⁹ Government of South Australia (2021), *Consultation report – Review of the Local Nuisance and Litter Control Act 2016*,

Solid Waste Levy

As mentioned above, councils pay twice in relation to any illegal dumping in their area.

The LGA's Bin Tax campaign, implemented in response to the 40% increase in the solid waste levy announced in the 2019-20 State Budget, highlighted the connection between the inability or unwillingness of members of the community to pay for correct disposal of items due to the rising solid waste levy and illegal dumping in the community.

This campaign was effective in limiting future State Government increases to the solid waste levy (which has only increased by CPI in each of the past two years) but was not developed with the objective of changing behaviour at the household level.

The item of business also aligns with GAROC's 2021-22 Annual Business Plan, that includes an objective to:

Support councils to improve waste and recycling practices and deliver viable and innovative waste services that meet the needs of the community and grow the Circular Economy and advocate for State and Federal Government legislation, policies, funding and programs that will enable and support these outcomes.

Reflecting an item of business that was carried by member councils at the LGA Annual General Meeting, 29 October 2020, GAROC's plan has an advocacy action to:

Develop an evidence base to inform and support LGA advocacy for 50% of the monies accumulated in the Green Industry Fund (collected from council contributions to the Solid Waste Levy) be committed back to local government for worthwhile waste, recycling and resource recovery endeavours that support the transition towards a more circular economy.

Financial and Resource Implications

LGA resources are available to progress the advocacy approach in the item of business, within the LGA advocacy agenda and forthcoming LGA 2022 State Election campaign.

LGA General Meeting – Proposed Item of Business

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Council Name	City of Port Adelaide Enfield
The body the item is being referred to <i>Proposals may only be submitted to the ROC of which council is a member, or to the LGA Board of Directors.</i>	GAROC
Subject of the proposed item of business	Illegal Dumping.
Proposed motion for the General Meeting	That the Annual General Meeting requests the LGA develops a media campaign, which strongly considers the use of television advertising, possibly in conjunction with Green Industries SA, on the prevention of illegal dumping.
Supporting information <i>Provide a summary of the issue(s), relevant background information, description of the impact on the sector and evidence that this is an item of strategic importance to local government.</i>	The LGA Advocacy Plan highlights that the LGA is currently pursuing other incentives towards waste and recycling and the proposed motion lends itself well to the current outcome for Green Industries SA to expand its Waste Education/Awareness campaign to include the issue of illegal dumping.
LGA Policy Manual <i>Does this item require a change to the LGA Policy Manual (new policy or amendment to existing policy)?</i>	It is considered that item 4.2.7 is a broad enough policy position to cover this issue.
LGA Strategic Plan reference	Strategy 1: Advocate – Achieve greater influence for local government Outcome 1.2 – governments rely on our proactive contribution to policy and legislation that impacts councils, leading to better outcomes for communities.
Council Contact Officer submitting form	Danniele Worden danniele.worden@cityofpae.sa.gov.au (08) 8405 6898
Council Meeting minute reference and date of meeting	Item Number: 13.3, Meeting Date: 10 August 2021
Date submitted to LGA	12/08/2021

Please return Word version of completed form to lgasa@lga.sa.gov.au.
Refer to LGA Latest News in respect to deadlines for upcoming General Meetings.

9.1 2021 Local Government Legislative Reforms – Likely Cost to Councils (Marion)

Recommendation Reports from the LGA Board of Directors

Submitted by:	City of Marion	
Approved by:	LGA Board of Directors	
Meeting	Annual General Meeting	29 October 2021
ECM:	767236	Attachment: 764666

Recommendation

That the Annual General Meeting requests the LGA to investigate and provide a report with an analysis of likely costs to the sector (and individual councils where relevant) of:

- 1. submissions to the Remuneration Tribunal;**
- 2. submissions to ESCOSA;**
- 3. the Behavioural Panel;**
- 4. HR Consultancy when recruiting a CEO; and**
- 5. any other relevant changes mandated by the 2021 Local Government legislative reforms.**

LGA Board of Directors' Comments

The LGA Board of Directors supports the recommendation proposed by the City of Marion.

The LGA Board noted the comments provided by the Secretariat, recognising that many of the likely costs are subject to further negotiations with State Government agencies. Each of these discussions are set out below.

LGA Officer's Comments

(Officer: Andrew Lamb, LG Reform Partner)

The recently enacted local government reforms will require councils to make many changes aimed at improving their effectiveness and efficiency.

A number of the reform elements will result in direct costs being incurred by the sector. However, many of those costs are aimed at reducing other costs, eg. the Behavioural Standards Panel is aimed at reducing the costs of lawyers and other external advice, together with the significant resources consumed by administrations and elected members in dealing with unresolved behaviour issues.

The proposed motion is consistent with the existing plans of the LGA Secretariat. While the direct costs of the local government reforms are still to be determined, the LGA plans to provide information to the sector about those costs as they become known. This is unlikely to include costs that are internal to each individual council (eg. internal administrative costs relating to compliance with the reforms), which will be council-specific and not monitored by the LGA. In the meantime, the LGA will, at every opportunity, highlight the importance of managing costs to councils as part of implementation of sector wide reform initiatives and seek to influence those costs for the benefit of councils.

The motion is also consistent with the LGA's LG Equip program, which will provide resources and support to councils to assist them to implement the reforms and reduce the resource burden on council staff and legal spending required across the sector.

Further information about the specific reforms mentioned in the motion is discussed below.

Remuneration Tribunal

The role of the Remuneration Tribunal has been extended to include determinations relating to CEO remuneration. Officer level discussions with the Tribunal have indicated a desire by the Tribunal to limit costs associated with this new role.

Rates oversight framework

The LGA is in early discussions with ESCOSA about the design of the rates oversight framework, which is likely to commence in 2022. The LGA is advocating for a framework that utilises existing council documents and data as much as possible, to avoid new reporting requirements for councils. The administrative cost incurred by ESCOSA in performing its new role will ultimately be passed on to councils. The LGA is liaising with ESCOSA and the Office of Local Government to influence the design of the framework and its costs. Information about the likely costs will be communicated to councils as the design of the framework develops over the next 12 months.

Behavioural Standards Panel

Section 262M of the *Local Government Act 1999* provides that reasonable costs of establishing the Behavioural Standards Panel (the 'Panel') and the reasonable ongoing administrative and operational costs of the Panel are to be paid by the LGA. The section goes on to provide that the LGA may recover the costs payable as a debt from councils.

While those costs are still to be determined, the LGA is working closely with the Office of Local Government in relation to the establishment of the Panel and will advocate for arrangements that are cost effective.

If successful, the new behaviour management framework will, overall, reduce legal and administrative costs to the sector. The costs of the new arrangements will fall primarily on those councils who refer matters to the Panel. However, all councils will contribute to the fixed costs of the Panel.

Auditor-General

For many years, the SA Auditor-General has had a power to conduct an audit of a South Australian council. This power has been rarely used.

Changes to the Act will enable the Auditor-General to recover the reasonable costs of conducting an audit of a council. This change may increase the likelihood that the audit power will be used more often.

Other costs

There will be a number of matters that will require councils to put in place arrangements to support changed requirements in the Local Government Act. For example, the requirement to obtain advice from a qualified independent person in relation to the employment, termination and review of performance of the chief executive officer. The engagement of these services will be governed by individual council procurement requirements and budgets, and it is not possible for the LGA to quantify possible costs to councils in these circumstances.

Similarly, a majority of the members of a council's Audit and Risk Committee will need to be independent in future. This change will likely increase costs.

A large number of changes to legislation will result in small reductions in council costs. These include:

- As a result of changes to engagement and disclosure laws, a reduction in the circumstances where councils must pay for notices in the Government *Gazette* or advertisements in newspapers.
- Councils will no longer need to print hard copies of a range of documents and make these available at front counters.
- Councils will no longer need to facilitate a range of public meetings (eg on Annual Business Plans).
- When conducting a Representation Review, councils will only need to consult with their communities once.
- The ability to charge a member of the public a small fee for a review of a council decision may deter some vexatious and persistent complainants. Section 270 reviews have consumed considerable resources at some councils.
- The increase in the maximum penalty for breach of a council by-law (from \$750 to \$1250) may result in a minor increase to fines and expiation fee revenue.

As a result of delays within the State government and consultation with the sector (eg on the preferred commencement date for the new Behavioural Management Framework), some provisions of the Act will now commence on a date later than expected (at the time of the passage of the Bill). This will defer the impact of the costs and savings outlined above.

Information about likely commencement dates to the respective sections of the *Statutes Amendment (Local Government Review) Act 2021* are set out in the 'Local Government Reform' tab in the LGA's web page. These pages are regularly updated as additional information is made available by the State Government.

Summary

The motion is consistent with the LGA Secretariat's existing plans to provide information to the sector as and when it becomes available regarding costs of reform implementation. At this stage, it is too early to provide information that has any level of certainty or accuracy.

Financial and Resource Implications

This activity is currently anticipated in the LGA budget.

LGA General Meeting – Proposed Item of Business

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Council Name	
The body the item is being referred to <i>Proposals may only be submitted to the ROC of which council is a member, or to the LGA Board of Directors.</i>	Board of Directors <u>OR</u> SAROC <u>OR</u> GAROC (<i>choose only one</i>) LGA Board of Directors
Subject of the proposed item of business	2021 Local Government Legislative Reforms – Likely Costs to Councils.
Proposed motion for the General Meeting	That the Annual General Meeting requests the LGA to investigate and provide a report with an analysis of likely costs to the sector (and individual Councils where relevant) of: <ul style="list-style-type: none"> • submissions to the Remuneration Tribunal • submissions to ESCOSA • the Behavioural Panel • HR consultancy when recruiting a CEO • any other relevant changes mandated by the 2021 Local Government legislative reforms
Supporting information <i>Provide a summary of the issue(s), relevant background information, description of the impact on the sector and evidence that this is an item of strategic importance to local government.</i>	The outcomes of the Local Government Reform have led to the <i>Statutes Amendment (Local Government Review) Act 2021</i> . A number of the amendments may result in financial implications to the sector. For Councils to have greater transparency over these costs and to enable appropriate budgeting and resources be allocated, we are requesting an analysis of the likely costs to Councils.
LGA Policy Manual <i>Does this item require a change to the LGA Policy Manual (new policy or amendment to existing policy)?</i>	NA
LGA Strategic Plan reference	Strategy 2 – Assist <i>Build the capacity of member Councils</i> 2.3 Councils are engaged in addressing sector-wide priorities, including local government reforms and achieving greater financial sustainability
Council Contact Officer submitting form	Victoria Moritz Victoria.moritz@marion.sa.gov.au (08) 8375 6601

Council Meeting minute reference and date of meeting	27 July 2021 GC210727R11.1
Date submitted to LGA	5 August 2021

Please return Word version of completed form to lgasa@lga.sa.gov.au.
Refer to [LGA Latest News](#) in respect to deadlines for upcoming General Meetings.