



Councillor Information Bulletin

For the Ordinary Council Meeting
held on Thursday 17TH March 2022

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SHIRE OF WESTONIA

Mar/April 2022

Date & Time	What	Where	Who
Wednesday 16 March	Eastern Wheatbelt Biosecurity Group Committee Meeting	Merredin	Crs DellaBosca & Crees
Thursday 17 March	Audit Committee Meeting 1.30pm	Chambers	Councillors Senior Staff
Thursday 17 March	Council Meeting 3.30pm	Chambers	Councillors, Senior Staff
Friday 18 March	Rural Water Council Meeting	Zoom	Crs DellaBosca & Crees
Tuesday 22 March	OH&S Committee Meeting Regulation Changes Update	CEO Office	CEO, Staff
Thursday 31 March	Grants Commission Hearing Teams Videoconference	Chambers	Councillors Senior Staff
Wednesday 30 To Sunday 3 April	CMCA Rally	Oval & Complex	Community
Wednesday 13 & Thursday 14 April	Interim Audit – Audit Partners	Administration Office	CEO & Senior Staff
Wednesday 20 April	WEROC CEO Meeting	Kellerberrin	CEO
Thursday 21 April	Council Meeting 3.00pm	Chambers	Councillors, Senior Staff



Local Government Report Package for

WESTONIA (S)

Printed: 02/03/2022

**Incidents Reported to DFES and Attended by Local Government
and Bushfire Brigades**

Current Brigade Vehicle Lists

000 Service Agreement

SMS List

Brigade Personnel Lists

v4.51



Volunteer and Career firefighters who develop one of 12 cancers stand to have easier access to compensation under legislation introduced to Parliament in May 2016 - [Read more here](#)

If your Brigades attend incidents reporting these to DFES will assist them to be covered by this legislation

If your Brigade Members attend incidents reporting this to DFES will assist them to be covered by this legislation

DFES requires a **minimum standard of information** for any incident attended

If your Brigades do not have access to IRS they can order Incident Reporting Pads simply by sending an email to g.cole@qualitypress.com.au

The types of pads are as follows;

IRS Form - Attendance
IRS Form - Bushfire
IRS Form - Structure/Mobile
IRS Form - Other Incidents

This is Required for every incident attended
For all Bushfires and Rubbish Fires
For Structure and Vehicle Fires
For all other incidents (ie. Vehicle Accident)

Order Code: DFES 96
Order Code: DFES 95
Order Code: DFES 97
Order Code: DFES 94

DFES currently has folders for these pads free of charge. To order folders please email reports@dfes.wa.gov.au

You can also download copies of these forms [here](#) Search for *Incident Reporting* then expand *Fire services volunteers reporting without IRS access*

You must be a registered user of the DFES Volunteer Portal to use the above link. You can register [at this site.](#)

Incidents Reported to DFES and Attended by Local Government and Bushfire Brigades
WESTONIA (S)
 01/07/2016 to 02/03/2022

9134 SHIRE WESTONIA

Incident Address	Type of Incident	IRS Report Completed	Paper Report received by DFES
379496 01/01/2018 13:55 BURRACOPPIN SOUTH RD BURRACOPPIN	Fire - Bushfire (sml)	N	N
401126 20/08/2018 05:14 LEACH RD WESTONIA	Fire - Bushfire (sml)	N	N
426246 21/03/2019 14:52 (12KM SOUTH OF)GREAT EASTERN CARRABIN	Fire - Bushfire (sml)	N	N
429334 17/04/2019 15:52 WARRACHUPPIN NORTH RD WARRACHUPPIN	False Call - Good Intent	N	N
439841 10/06/2019 10:59 LINDLEY RD CARRABIN	Fire - Other/Rubbish/Vehicle	N	N
459181 18/11/2019 18:35 WEBB RD WARRACHUPPIN	Fire - Bushfire (lge)	N	N
459182 18/11/2019 18:37 FARINA RD ELACHBUTTING	Fire - Bushfire (lge)	N	N
510006 02/01/2021 08:47 SHREEVE RD WALGOOLAN	Fire - Bushfire (sml)	N	N

Total number of Incidents attended in time frame: 8

6644 WALGOOLAN BFB

Incident Address	Type of Incident	IRS Report Completed	Paper Report received by DFES
356336 03/03/2017 13:00 BURRACOPPIN SOUTH RD SOUTH BURRACOPPIN	Fire - Bushfire (lge)	Y	
357472 17/03/2017 18:30 ROHAN DAY DELLA RD SOUTH BODALLIN	Fire - Bushfire (lge)	Y	
387398 29/03/2018 12:00 ELLERY RD SOUTH BURRACOPPIN	Fire - Bushfire (sml)	N	N
460785 01/12/2019 21:25 GREAT EASTERN HWY BURRACOPPIN	Fire - Bushfire (sml)	N	N
461003 04/12/2019 06:36 GOLDFIELDS RD WALGOOLAN	Fire - Other/Rubbish/Vehicle	N	N
560986 15/02/2022 16:05 MCPHARLIN RD WALGOOLAN	Fire - Bushfire (lge)	N	N

Total number of Incidents attended in time frame: 6

6658 WARRALAKIN BFB

Incident Address	Type of Incident	IRS Report Completed	Paper Report received by DFES
357472 17/03/2017 18:30 ROHAN DAY DELLA RD SOUTH BODALLIN	Fire - Bushfire (lge)	N	N
377761 10/12/2017 15:46 LEAVE JOB OPEN UNTIL 11/12 ROSE THOMSON RD ENEABBA	Fire - Bushfire (lge)	N	N

377973	12/12/2017 14:41	WEBB RD WARRACHUPPIN	Fire - Bushfire (Ige)	N	N
416374	03/12/2018 15:02	WARRACHUPPIN NORTH RD WARRACHUPPIN	Fire - Bushfire (Ige)	N	N
Total number of Incidents attended in time frame: 4					

6668 WESTONIA BFB

	Incident Address	Type of Incident	IRS Report Completed	Paper Report received by DFES
357472	17/03/2017 18:30 ROHAN DAY DELLA RD SOUTH BODALLIN	Fire - Bushfire (Ige)	N	N
368919	17/08/2017 15:21 CARRABIN ROADHOUSE YORK RD CARRABIN	Road Crash & Rescue	N	N
377973	12/12/2017 14:41 WEBB RD WARRACHUPPIN	Fire - Bushfire (Ige)	N	N
416374	03/12/2018 15:02 WARRACHUPPIN NORTH RD WARRACHUPPIN	Fire - Bushfire (Ige)	N	N
416402	03/12/2018 16:29 SMYTH RD CARRABIN	Fire - Bushfire (Ige)	N	N
422358	06/02/2019 23:36 GRAHAM RD CARRABIN	False Call - Good Intent	N	N
439841	10/06/2019 10:59 LINDLEY RD CARRABIN	Fire - Other/Rubbish/Vehicle	N	N
553825	02/12/2021 14:50 GREAT EASTERN HWY WALGOOLAN	Road Crash & Rescue	N	N
554002	04/12/2021 07:27 CREES RD BURRACOPPIN	Fire - Bushfire (Ige)	N	N
Total number of Incidents attended in time frame: 9				

NOTE: The above list shows all Incidents reported to DFES via the ComCen, or via a Paper Incident Report received, during the given time frame. Incidents not displayed on this list have not been reported to DFES.

If the '*IRS Report Completed*' column shows N, then a complete Incident Report has not been received by DFES.

If there is an N in the '*Paper Report received at DFES*' column, then a copy of the Paper Report has not been received by DFES.

To enable the Incident Report to be completed, please forward a copy of the original Incident Report via fax or email to DFES as below.

If you require any assistance please contact us using any of the the following methods;

OIS Branch

Fax: 1800 309 999

Phone: 9395 9406 (office hours)

Email: reports@dfes.wa.gov.au

CEO'S REPORT

1. GENERAL MATTERS

- Surveyed school accommodation site for positioning of dongas and leach drains.
- Held negotiations with house purchase of 13 Pyrites Street.
- Survey proposed fence line between Recreation reserve and Church site.
- Represented Council at Herman Sietz funeral.
- Participated in teleconference with Ben Symmons from Asset Infrastructure in regard to undertaking Asset Management Plan review on behalf of Council.
- Met with LGIS representative in regard to Council's annual insurance renewal returns.
- Attended briefly the NEWTRAVEL meeting held in Westonia on Thursday 24th February.
- Participated in Teams teleconference with Shire President and representatives from WACHS and Rural Health in regard to the opportunity to have the Nurse Practitioner position funding directly to the Council as an interim arrangement.
- Onsite meeting with Brownley Plumbing at School site to obtain quotation for septic works.
- Participated in Westonia Bowling Club Open day at Wanderers Stadium.
- Along with Council representative L Geier, attended CEACA meeting, held at the Merredin Recreation Centre on Monday 28th February.
- Along with Cr Crees, participated in Teams videoconference of the WEROC meeting held Tuesday 1st March.
- Debbie Goodwin has resigned her position as Caravan Park caretaker effective 14th March after nearly 5 years of service. The vacancy has been advertised.
- Along with Cr Geier, participated in Teams videoconference of the Yilgarn/Westonia LEMAC committee meeting held on 24th February.
- Two staff members have been absent from work this week as they were considered close contacts to a positive COVID case.

2. DELEGATED AUTHORITY ACTIONS

- Nil

3. CONSTRUCTION

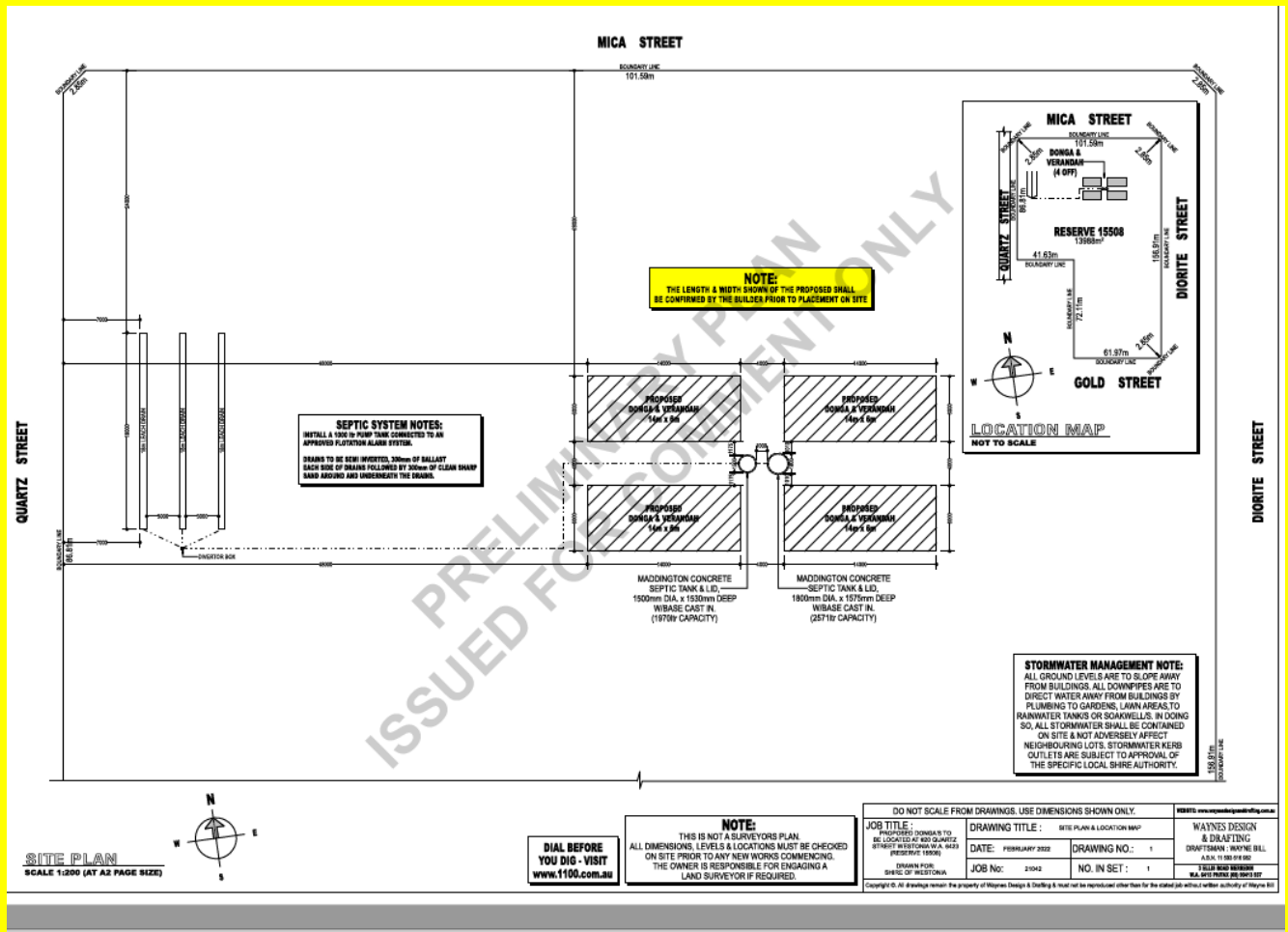
- Gravel sheeting has been completed in the far north of the shire on sections of Maisefield and Elsewhere Roads.
- Gravel carting has commenced on the 2km section of Webb Road.
- Siteworks have been completed at the Primary School Accommodation site and Caravan Overflow site adjacent to the town oval.
- The construction crew will be taking leave between Friday 15th April (Good Friday) and return to work on Tuesday 26th April (after Anzac day).
- Graham Daddow has tendered his resignation to retire effective 20th April. He has extended his appreciation to Council for his more than 10 years full time employment.

4. TOWN

- Install new windsock at airport.
- The Old Horse Cart has been moved from Burracoppin to Walgoolan where Mr Murray will undertake some restoration work.
- Installed WIFI at Wanderers Stadium.

5. ENVIRONMENTAL HEALTH & BUILDING MATTERS

- The pool water samples tested at Pathwest were satisfactory for the monthly sampling in February.
- Shire staff carried out a soil test in accordance with the applicable Regulations to determine the length of leach drains required for the proposed accommodation units at the old school site. The local draftsman included the septic tanks and leach drains on a site plan which was forwarded to the Health Department for approval. I would like to add that any on site effluent disposal system that has an expected effluent quantity of over 540 litres per day has to be approved by the Health Department. This system was assessed as 1,640 litres per day based on the number of people accommodated.



An inspection by a practicing structural Engineer of the proposed dongas to be used as the accommodation units has been arranged prior to them being transported to Westonia. The same Engineer will assess the old school site location of the proposed dongas and provide a report on the soil preparation and structural supports for the dongas. If all goes to plan, all the site works can be carried out so that the dongas can be plonked straight on top of the footings.

6. PLANT HOURS

The following is a list of plant and vehicle kilometre and hour readings for the period ending 1.3.22

Item		1.2.22	1.3.22
P1	CAT 140 GRADER	416hrs	508hrs
P2	CAT 12M GRADER	6,464hrs	6,547hrs
P3	PRIME MOVER (OLD FREIGHTLINER)	186,073kms	189,619kms
P4	ROAD TRAIN (NEW FREIGHTLINER)	59,754kms	63,364kms
P5	JOHN DEERE LOADER	3,613hrs	3,734hrs
P6	CAT ROLLER (SKIP)	168hrs	169hrs
P7	MINI-EXCAVATOR	727hrs	737hrs
P8	TELEHANDLER JCB	2,129hrs	2,147hrs
P9	TOYOTA (MTCE UTE)	SOLD	SOLD
P10	mitsubishi CANTER	73,041kms	73,845kms
P11	TOYOTA HILUX (GARDENER) WT 35	83,700kms	85,842kms
P12	JOHN DEERE (5100)	2,270hrs	2,275hrs
P14	TOYOTA LANDCRUISER GXL (CEO)	7,350kms	7,999kms
P15	TOYOTA PRADO GXL (W/SUPER)	18,119kms	SOLD
P16	TOYOTA RAV4 (ADMIN)	42,654kms	44,324kms
P17	TOYOTA HILUX DUAL CAB	106,740kms	111,000kms
P19	FAST ATTACK	12,164kms	12,284kms
P20	FIRE TRUCK	6,356kms	6,481kms
P18	WESSY BUS	126,983kms	127,444kms
P22	KUBOTA RIDE ON MOWER (OVAL)	1,947hrs	1,954hrs
P23	TOYOTA MINI BUS (WT COM V)	27,630kms	28,112kms
P24	CAT ROLLER (LOLA)	128hrs	185hrs
P25	MICK's BEAUT UTE	149,650kms	150,282kms
P26	GO-GO MOBILE SWEEPER		

TOURISM REPORT

WESTONIA TOURIST PARK

Sadly we are losing our Caravan Park Caretaker. After nearly 5 years Deb has decided it is time for her to start exploring again. She plans to make her way over east for a long awaited visit to her family in Innisfail QLD. We have advertised her position and have a few applicants wanting to take up the opportunity to run our caravan park. This is an important role for tourism in Westonia. At times our caretaker is the face of tourism in our town. It is important that we get the right person/s for the job. Deb is highly regarded amongst travelers to Westonia Tourist Park due to her high standard of communication with visitors and consistent pride in our parks appearance and cleanliness.

The Caravan and Motorhome Club of Australia, Annual Rally in Westonia - 30th of March until the 4th of April. They currently have only 75 members attending with more last minute bookings expected. They are assuming that they will have no more than 80 members attending the event.

REPAIRS & MAINTENANCE

- Various minor repairs and maintenance ongoing.
- Grassed/Synthetic Lawn area for Tents. The shade cloth areas are not lasting as long as first thought. They are breaking down within a year then look a mess until they are able to be replaced.

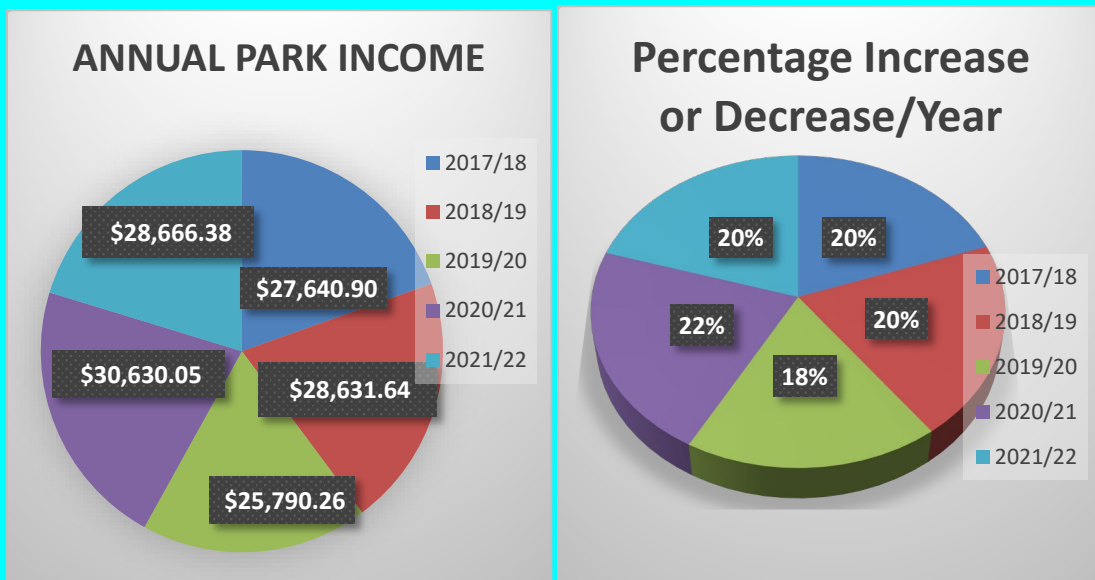
FUTURE PROJECTS

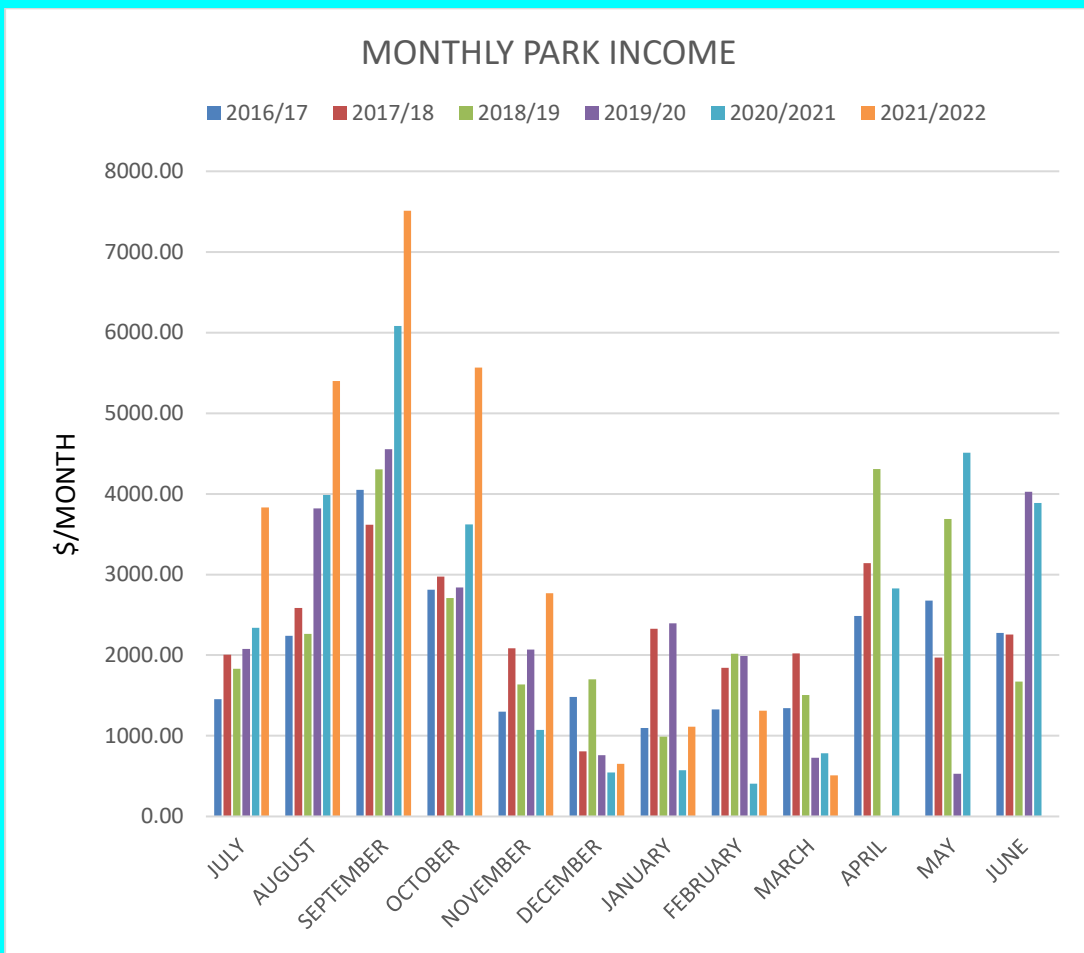
- Unpowered Overflow/ Tent area – Weed matting and out lined sites

VISITOR FEEDBACK

- Great Facilities!
- Love the new look and it's great to see more bays.
- Caretaker is fantastic and an asset to the park.

STATISTICS





HOOD-PENN MUSEUM:

The Museum has reopened on the weekends for 2022, we look forward to another successful tourist season ahead, Stacey Geier has donated some special goodies from her grandmother’s house, items of particular interest were these 1937 wooden lawn bowls, which are in pristine condition. This pocket watch was donated by Patrick Kaupert a Lab Tech from Ramelius Resources, Patrick is a collector of pocket watches and thought this watch would fit well with the watch chain we have on show



REPAIRS & MAINTENANCE

- We now need to change handles over on the doors so that volunteers can enter through the rear door and close off the old one to become a façade’.

RECENT PROJECTS

- Lighting solutions.
- Storage area restructure

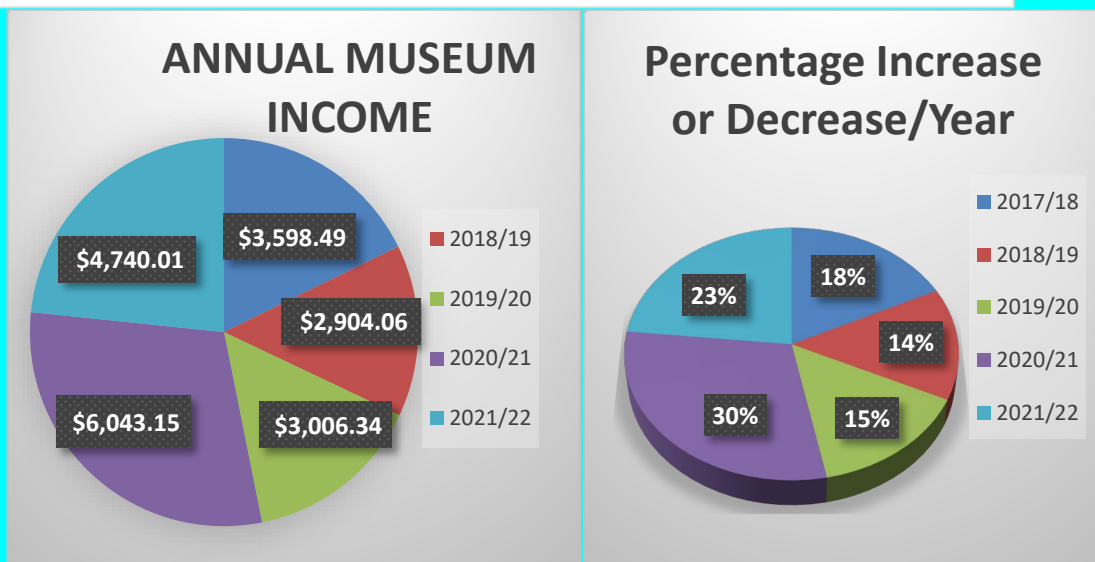
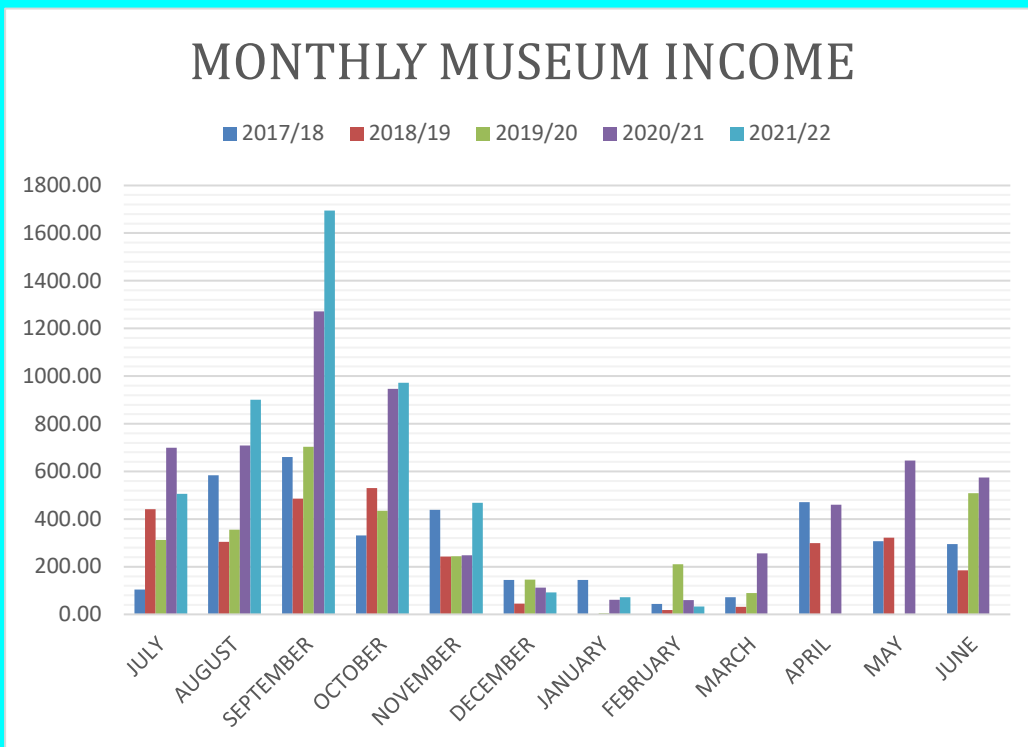
FUTURE PROJECTS

- New scenes to be created in the existing space of the old storage room to tell the stories of our primary industries of which Westonia was founded on.

VISITOR FEEDBACK (Verbal and Visitor register)

- Clean No dust!
- Not cluttered
- The best Museum they have visited on their travels.
- Not over the top with things to read.
- Visitor’s hearing about museum in Merredin, specifically the Visitor’s Centre, railway & military museums.
- Wheatbelt way and word of mouth still a big performer for us (getting quite more and more of the highway drop-ins)

STATISTICS



Councillor Direct

17 FEBRUARY 2022



Issue 6

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Funding Available for the Western Australian Coastline

The 2022/23 CoastWA grant programs are now open with \$4 million available to help manage and protect the Western Australian coastline.

In collaboration with Department of Planning, Lands and Heritage (DPLH) and Department of Transport (DoT), WALGA will be holding a CoastWA Grants Q&A Information Session. After a brief overview of the CoastWA 2022 grants program, officers from DPLH and DoT will provide advice on project ideas and answer questions about completing grant applications.

Date: Thursday, **10 March**
Time: 10:00am to 12:00pm

To register for the information session please click [here](#).

CoastWA Grants include the following funding programs:

- Coastal Management Plan Assistance Program (CMPAP) - DPLH
- Coastwest - DPLH
- Coastal Adaptation and Protection (CAP) Grants – DoT
- Hotspot Coastal Adaptation and Protection (H-CAP) Major Project Fund – DoT

Information on the Grants can be found [here](#).

Applications close Monday, **4 April**.

The Federal Government has also announced a \$50 million [Coastal and Estuarine Risk Mitigation Program](#), with applications opening in March. State and Territory Governments are eligible to apply to the Program for projects that drive long term resilience to coastal hazards.

For more information, please contact CoastWA Local Government Facilitator, [Lucy Sheehy](#) or call 0408 013 522.

Careers at Council

Local Governments in WA are encouraged to support [Careers at Council](#), the sector's national careers and jobs portal.

Established two years ago by Local Government Associations across Australia, Careers at Council is the fastest growing Local Government jobs platform and offers broad scope and value for Members' recruitment requirements.

Benefits include promotion of all vacancies on [LinkedIn](#) and Indeed, discounts on Councils' own LinkedIn products, automatic job feeds to university graduates and veterans, and the ability to promote videos and employee blogs to a local and national audience. All income is directed to attracting talent via Google advertising, LinkedIn, Facebook and a wide range of government, industry and career referral sites.

The Careers at Council initiative has received a high level of engagement from Councils interstate, and WALGA sees similar opportunities for Local Governments locally.

Individuals and organisations can follow [Careers at Council on LinkedIn](#) or register for [job alerts](#).

Local Governments interested in posting jobs on an annual subscription basis can read further details [here](#).

For further information, please contact [Jennifer James](#) at Local Government NSW on 0419 974 084.

International Women's Day 2022

The Department of Communities is the lead agency in WA for International Women's Day (IWD) held on Tuesday, 8 March.

Some great resources have been developed to encourage organisations and individuals to get involved and help end gender inequality.

IWD ribbons are available for order online, a range of online resources are also available including event posters, infographics, selfie cards and a toolkit on the 2022 theme 'break the bias' with useful information and tips.

For more information, please visit [Department of Communities](#).

Local Government Honours Program 2022

Nominations for the Local Government Honours Program are now open.

The Honours Program recognises and celebrates the outstanding achievements and lasting contributions made by Elected Members and employees to their respective Councils, the Local Government sector and the wider community.

There are six awards in the Program, including two new awards:

- **Local Government Medal**
 - recognises exceptional service, outstanding achievements and significant contributions to WALGA, Local Government and/or the Local Government sector.
- **Life Membership**
 - recognises outstanding service to WALGA and/or the Local Government sector and distinguished contributions to the community.
- **Eminent Service Award**
 - recognises eminent service and distinguished contributions to WALGA, Local Government and/or the Local Government sector.
- **Merit Award (*new*)**
 - recognises notable contributions to WALGA, Local Government and/or the Local Government sector.
- **Local Government Distinguished Officer Award**
 - recognises outstanding contributions by Local Government officers to the Local Government sector.
- **Young Achievers Award (*new*)**
 - recognises those aged 35 years or younger for notable contributions and commitment to Local Government and demonstrated potential for professional success.

For more information on the Honours Program or to download a copy of the nomination forms, visit the WALGA [website](#).

Nominations will close at 5:00pm on Friday, 24 June. For more information or to apply, visit the [website](#) or email honours@walqa.asn.au

Elected Member Training

The following courses are scheduled to run at WALGA in February/March.

[Serving on Council](#)

Thursday, **24 February** & Friday, **25 February**

[Understanding Financial Reports and Budgets](#)

Monday, **28 February**

[Effective Community Leadership](#)

Friday, **11 March**

[Dealing with Conflict](#)

Monday, **14 March** & Tuesday **15 March**

[Planning Practices - Advanced](#)

Friday, **18 March**

[CEO Performance Appraisal](#)

Tuesday, **22 March**

[Professionally Speaking](#)

Wednesday, **30 March**

To secure a place, please register through our [website](#) or contact the WALGA Training team on training@walga.asn.au or call 9213 2088.

WALGA

ONE70, LV1, 170 Railway Parade,
West Leederville, WA 6007
PO Box 1544, West Perth, WA 6872
Tel: (08) 9213 2000 | Fax: (08) 9213 2077
Email: info@walga.asn.au
www.walga.asn.au

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Councillor Direct

3 MARCH 2022



Issue 8

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- [Exclusive ALGA Pre-Federal Election Briefings](#)
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Federal Election Campaign

WALGA is working alongside our national body, ALGA on a five-week Federal election campaign commencing Sunday, 27 March.

Materials such as draft media releases, letters and social media posts will be provided and artwork will be available from the ALGA website for Councils to download. All members are encouraged to support [ALGA's election priorities](#) and to formally pass motions in support of the campaign at council meetings, which can be downloaded [here](#).

Case studies are a great way to illustrate and promote the campaign 'asks'. Please email [Kelly McManus](#) with any examples, including pictures and

quotes from Mayors/Presidents, which outline the importance of Federal funding. A typical social media promotion will concentrate on the funding 'ask', with supporting evidence from Councils.

Local Governments are encouraged to meet with their Federal Members and candidates, as well as State Members to discuss the agreed priorities for Federal funding and the needs of their local communities.

If you need any assistance in making contact with Members or candidates please contact [Kelly McManus](#), WALGA Principal, Policy and Advocacy.



Exclusive ALGA Pre-Federal Election Briefings

ALGA will host two online Pre-Election Briefings (including Q&A sessions) with the Shadow Minister for Local Government the Hon Jason Clare MP on Tuesday, 8 March and Assistant Minister for Local Government the Hon Kevin Hogan MP on Tuesday, 15 March.

In this first webinar, hear directly from the Shadow Minister about how a Labor Federal Government would seek to work with councils should they be elected this year.

ALGA Pre-Federal Election Briefing with Shadow Minister for Local Government the Hon Jason Clare MP

Time and Date: 6.30am-7:30am (Perth time), Tuesday, **8 March**.

Venue: Virtual Webinar

Cost: Free

To register for this webinar, click [here](#).

ALGA Pre-Federal Election Briefing with Assistant Minister for Local Government the Hon Kevin Hogan MP.

In this webinar, hear how a re-elected Coalition Government would seek to work with Councils for the benefit of our communities. There will also be an opportunity to ask Minister Hogan questions during the session.

Time and Date: 12:00pm-1:00pm (Perth time), Tuesday, **15 March**.

Venue: Virtual Webinar

Cost: Free

To register for this webinar, click [here](#).

Please note that participants will need a Local Government supplied email address to register for the webinars.

For more information, contact ALGA's Executive Director Advocacy Darren Hunter at darren.hunter@alga.asn.au



Scam Warning - Gift Card Requests

Many Elected Members and Local Government staff continue to be targeted by a phishing scam, with some events significant enough to trigger their Local Government's LGIS Commercial Crime and Cyber Liability Protection.

Scammers usually pose as the Mayor or President, emailing with an urgent and 'secret' request to purchase electronic gift cards to surprise staff with a reward for all their hard work.

Scammers attempt to build rapport with the victim with polite 'chit-chat' and provide reasons for their request such as maintaining secrecy due to the surprise nature of the gift, or the fact they are on holidays out of range and can't complete the purchase themselves.

The scammer asks the recipient to purchase and send via return email electronic gift cards using their personal funds, and promises to reimburse them.

Members are asked to keep this in mind when receiving emails that are unexpected or out of character for their colleagues. If unsure, call or email the person directly using contact details you already have for them.

DO NOT respond to the email, click on any links, or use contact details provided in an attempt to verify.

For further information, view the LGIS news update [here](#).



International Women's Day

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Some great resources have been developed to encourage organisations and individuals to get involved and help end gender inequality.

IWD ribbons are available for order online, a range of online resources are also available including event posters, infographics, selfie cards and a toolkit on the 2022 theme 'break the bias' with useful information and tips.

For more information and resources, please visit [Department of Communities](#).



Working Together to Promote Blessing of the Roads

Is yours one of the many Local Governments holding Blessing of the Roads events this Easter?

WALGA's RoadWise would like to help. Send details of your event or events to your Regional Road Safety Advisor for publishing in RoadWise communications.

Nothing planned as yet? There's still plenty of time to for your community to get on board and prepare to come together to reflect, remember and resolve to keep working to reduce road trauma.

By working together, we can achieve the vision of zero deaths and serious injuries.

To find out more about the campaign and how to get involved visit the [RoadWise website](#).



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 - recognises notable contributions to WALGA, Local Government and/or the Local Government sector.
- **Local Government Distinguished Officer Award**
 - recognises outstanding contributions by Local Government officers to the Local Government sector.
- **Young Achievers Award (*new*)**
 - recognises those aged 35 years or younger for notable contributions and commitment to Local Government and demonstrated potential for professional success.

For more information on the Honours Program or to download a copy of the nomination forms, visit the WALGA [website](#).

Nominations will close at 5:00pm on Friday, 24 June. For more information or to apply, visit the [website](#) or email honours@walga.asn.au

Elected Member Training

The following courses are scheduled to run in March and April.

[Planning Practices - Advanced](#)

Friday, **18 March**

[CEO Performance Appraisal](#)

Tuesday, **22 March**

[Professionally Speaking](#)

Wednesday, **30 March**

[Emergency Management for Local Government](#)

Monday, **4 April**

[Community Disaster Recovery for Local Government](#)

Tuesday, **5 April**

[Understanding Local Government](#)

Wednesday, **27 April**

[Conflicts of Interest](#)

Wednesday, **27 April**

[Effective Community Leadership](#)

Thursday, **28 April**

[Meeting Procedures](#)

Friday, **29 April**

To secure a place, please register through our [website](#) or contact the WALGA Training team on training@walga.asn.au or call 9213 2088.

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Councillor Direct

10 MARCH 2022



Issue 9

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- [New IPCC Report Shows Australia is at Real Risk from Climate Change](#)
- [New WALGA Road Safety Service Helps Prioritise Effort and Achieve Community Benefits](#)
- [Federal Election Campaign](#)
- [ALGA Pre-Federal Election Briefing - Postponed](#)
- [Local Government Honours Program 2022](#)
- [Elected Member Training](#)

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- [IPCC Report Climate Change 2022: Impacts, Adaptation and Vulnerability](#)

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Donations for Flood Affected Areas

The extraordinary floods this season have led to significant impacts in many communities in Australia's eastern states.

WALGA has been contacted by a number of Local Governments who would like to make donations in support of their counterparts in these affected

communities.

As such a list of organisations who are accepting donations to provide aid, or to provide disaster relief and recovery assistance is provided. This list is not exhaustive and Local Governments and individuals are encouraged to research further if they would like to donate to specific causes not listed below.

Disaster Relief Funds

- [GIVIT QLD and NSW Floods](#)
- [City of Lismore Flood Fund](#)
- [Gippsland Emergency Relief Fund](#)
- [St Vincent De Paul Vinnies NSW Flood Appeal](#)
- [St Vincent De Paul Vinnies QLD Flood Appeal](#)
- [Salvation Army Flood Appeal](#)
- [Australian Red Cross Disaster Response and Recovery Fund](#)
- [Queensland State Emergency Service](#)
- [NSW State Emergency Services](#)
- [Foodbank](#)
- [Foundation for Rural and Regional Renewal Disaster Resilience and Recovery Fund.](#)

For more information, please email WALGA Senior Policy Advisor, Emergency Management, [Vanessa Jackson](#) or call 9213 2064.

New IPCC Report Shows Australia is at Real Risk from Climate Change

The latest IPCC report reflects what we are already seeing on the ground around the country, drier and hotter temperatures, more intense flooding and compounding impacts across communities and industry.

The Intergovernmental Panel on Climate Change (IPCC) has released a report, *Climate Change 2022: Impacts, Adaptation and Vulnerability*, assessing the impacts of climate change on ecosystems, biodiversity, and human communities. The extent of current and future impacts from climate change presented in the report are significantly greater than those presented in previous reports, highlighting the need for greater action to limit the impacts across the globe.

For Australia, climate change is bringing hotter temperatures, more dangerous fire seasons, additional drought and floods, higher sea levels and drier winter months across parts of the continent. These impacts are already being seen across the country, but as the report finds, these impacts will only escalate with every further degree of warming locked in through slow action on climate change.

Local Governments are making significant commitments for both their communities and as organisations in addressing climate change. WALGA has

developed a range of resources to assist the sector in this work including templates, tools and a climate change declaration – a commitment 48 members from across the state have signed, representing 80% of the Western Australian population.

Further information on the IPCC report findings and what Local Governments can do can be found [here](#).

For more information, please contact Manager Waste, Recycling and Environment [Rebecca Brown](#).

New WALGA Road Safety Service Helps Prioritise Effort and Achieve Community Benefits

WALGA is offering a new service which supports Local Governments to achieve best practice road safety outcomes for their community, through the development of a Road Safety Management System (RSMS).

A RSMS is a framework which outlines the key policies and processes that will enable Local Governments to systematically manage local road safety performance. Developing a RSMS helps Local Governments build, refine, evaluate and continually improve road safety practices in order to improve road safety outcomes on local roads. Having a RSMS or similar process in place allows Local Governments to establish clear policies and practices, prioritise effort and resources, and puts the Local Government in control of managing road safety performance on the local road network.

WALGA has developed and adapted a suite of tools and will work with interested Local Governments to design a fit-for-purpose approach which suits existing resources, capacity and capability whilst working towards best practice. The tools utilised are based on, but not limited to, the International Standard for Road Traffic Safety Management Systems (ISO 39001) and the WALGA *Principles for Managing Road Safety in Local Government*. The methods used and desired outcomes will be determined in consultation with each Local Government.

To find out more about implementing a RSMS, please contact Road Safety Systems Specialist, Jo Malcolm on 9213 2523 or email jmalcolm@walga.asn.au.

Federal Election Campaign

WALGA is working alongside our national body, ALGA on a five-week Federal election campaign commencing Sunday, 27 March.

Materials such as draft media releases, letters and social media posts will be provided and artwork will be available from the ALGA website for Councils to download. All members are encouraged to support [ALGA's election priorities](#) and to formally pass motions in support of the campaign at Council meetings, which can be downloaded [here](#).

Case studies are a great way to illustrate and promote the campaign 'asks'. Please email [Kelly McManus](#) with any examples, including pictures and quotes from Mayors/Presidents, which outline the importance of Federal funding. A typical social media promotion will concentrate on the funding 'ask', with supporting evidence from Councils.

Local Governments are encouraged to meet with their Federal Members and candidates, as well as State Members to discuss the agreed priorities for Federal funding and the needs of their local communities.

If you need any assistance in making contact with Members or candidates please contact WALGA Principal, Policy and Advocacy [Kelly McManus](#).

ALGA Pre-Federal Election Briefing - Postponed

ALGA's online Pre-Federal Election Briefing with Assistant Minister for Local Government the Hon Kevin Hogan MP which was scheduled to be held on Tuesday, 15 March has now been postponed.

We will advise of the rescheduled date in an upcoming edition of this newsletter. In this webinar, you will hear how a re-elected Coalition Government would seek to work with Councils for the benefit of our communities.

For more information, contact ALGA's Executive Director Advocacy Darren Hunter at darren.hunter@alga.asn.au

Local Government Honours Program 2022

Nominations for the Local Government Honours Program are now open.

The Honours Program recognises and celebrates the outstanding achievements and lasting contributions made by Elected Members and employees to their respective Councils, the Local Government sector and the wider community.

There are six awards in the Program, including two new awards:

- **Local Government Medal**
 - recognises exceptional service, outstanding achievements and significant contributions to WALGA, Local Government and/or the Local Government sector.
- **Life Membership**
 - recognises outstanding service to WALGA and/or the Local Government sector and distinguished contributions to the community.
- **Eminent Service Award**
 - recognises eminent service and distinguished contributions to WALGA, Local Government and/or the Local Government sector.

- **Merit Award (*new*)**
 - recognises notable contributions to WALGA, Local Government and/or the Local Government sector.
- **Local Government Distinguished Officer Award**
 - recognises outstanding contributions by Local Government officers to the Local Government sector.
- **Young Achievers Award (*new*)**
 - recognises those aged 35 years or younger for notable contributions and commitment to Local Government and demonstrated potential for professional success.

For more information on the Honours Program or to download a copy of the nomination forms, visit the WALGA [website](#).

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COVID-19: Update for Local Government



IMPORTANT INFORMATION FOR WALGA MEMBERS

18 February 2022

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- [State Government Announcement – Borders, Masks and Social Distancing](#)
- [COVID-19 Webinar: Managing COVID-19 and Access to Local Government Premises](#)
- [Save the Date: COVID-19 Webinar on Vaccination Policy – Key Considerations](#)
- [WA Test, Trace, Isolate and Quarantine \(TTIQ\) Plan Released](#)
- [WALGA COVID-19 Survey](#)
- [Proof of Vaccination – FAQs](#)

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CEO Update

Thank you to all Local Governments for your ongoing feedback and active engagement with WALGA on the range of issues which continue to be raised, in relation to the Government Response to COVID-19.

I appreciate that the ongoing lack of clarity regarding some parts of the Proof of Vaccination Directions, and how they are being interpreted in different parts of the State, is causing concern. WALGA is continuing to seek clarification on key elements of the Proof of Vaccination Directions. We have recently received some more information, [included in this update](#), which will assist the sector for some venues. Where clarification is not being provided and if an issue is of concern to the sector, WALGA is seeking legal advice. This advice will be provided via [webinars](#) we have scheduled in the coming weeks.

I have heard from many Local Governments expressing significant concern regarding the requirement to still hold in person Special Electors Meetings, in particular, recent action by anti-mandate/vaccination groups requiring Local Governments to call a Special Electors Meeting to consider declaring their Local Government area as a pro-choice community and demanding that the Premier revoke vaccination mandates – not something that Local Government has any power to influence.

The Department of Local Government, Sport and Cultural Industries (DLGSC) has recently [confirmed](#) that electronic meetings are currently not an option for Special Elector Meetings.

I have raised this issue with the Local Government Minister and the DLGSC. Based on these discussions it's unlikely the requirement for elector's meetings to be held in person will be suspended at this time. In addition, I have contacted the office of the Chief Health Officer seeking urgent advice from a health perspective regarding the advisability of holding these meetings. WALGA is actively engaging with Government to highlight that, on public health grounds, Special Electors Meetings should be suspended (as they were in 2020) or an option should be provided for Local Governments to hold the meetings online.

Importantly, we have now received legal advice that indicates Local Governments can implement a policy to require patrons to provide proof of vaccination in order to enter certain Local Government premises and meetings (even where the premises aren't covered by the Proof of Vaccination Directions). This may assist in exercising control over both the venue and numbers of people attending these meetings. It should be noted that a blanket exclusion of unvaccinated persons from all Local Governments facilities is an excessive step at this current point in time. Details in relation to this advice will be provided early next week and a [webinar](#) is scheduled for next Friday to canvas the issues in more detail.

WALGA is continuing to collect information from the sector to provide an evidence base for our advocacy. I strongly encourage you to complete the [second survey](#), which was recently circulated.

For more information, email WALGA's [COVID-19 Response Team](#).



State Government Announcement – Borders, Masks and Social Distancing

The Premier today [announced](#) a full border opening on Thursday, 3 March and that [new restrictions](#) will apply State-wide from Monday, 21 February. The updated [WA Transition Plan Summary](#) identifies these measures.

From 6am Monday, **21 February**, the current mask mandate will be required State-wide for all public indoor settings.

There are different levels of restriction, with Perth, Peel, South West, Wheatbelt, Great Southern and Pilbara requiring level 1 public health and social measures.

In addition to current restrictions, the measures will include gathering and capacity limits. The 2 square metre rules will be introduced for a range of venues including fitness and hospitality. [COVID Event Checklists](#) are required for events with more than 500, but less than 1000 patrons and COVID Event Plans require for events with more than 1000 people.

For Kimberley, Gascoyne, Mid West and Goldfields-Esperance, level 2 public health and social measures will be required (and they move to level 1 restrictions as community transmission is detected). This is the wearing of masks in indoor settings.

More information on the public health and social measures can be found on the State Government website [here](#).

COVID-19 Webinar: Managing COVID-19 and Access to Local Government Premises

WALGA is hosting a joint webinar with Moray & Agnew Lawyers to present on whether Local Governments can restrict access to property and meetings to manage the spread of COVID-19 of WA.

This webinar is suitable for Local Government CEOs, Senior Managers and HR staff.

Date: Friday, **25 February**
Time: 9:30am to 10:30am
Venue: Online

To register, please click [here](#).

Save the Date: COVID-19 Webinar on Vaccination Policy – Key Considerations

WALGA is hosting a joint webinar with Samantha Maddern, Partner, Mills Oakley to present on COVID-19 vaccinations for employees and key considerations for employers when deciding whether to implement, and how to implement, a COVID-19 vaccination policy for current and new staff.

This webinar is suitable for Local Government CEOs, Senior Managers and HR staff.

Date: Friday, **4 March**
Time: 10am to 10:45am
Venue: Online

To register, please click [here](#).

For more information, please contact the [WALGA Employee Relations team](#).

WA Test, Trace, Isolate and Quarantine (TTIQ) Plan Released

The recently released [TTIQ Plan](#) provides greater clarification on a range of important issues for Local Government.

The Plan includes:

- Definitions of critical workers and close contacts, characterises high and very high case load environments and outlines workplace outbreak response requirements.
- General guidelines on the isolation requirements in a high and very high case load environment, including the reduced isolation requirements for critical workers.

Frequently Asked Questions have also been published [here](#).

WALGA COVID-19 Survey

WALGA recently distributed a survey to all CEOs seeking feedback on the impact of COVID-19 on their Local Government and community.

Thank you to all those who have already completed the survey. If you have yet to complete the survey, please click [here](#), it will take approximately 15 minutes.

The results of the Survey will be used to ensure WALGA's COVID-19 advocacy and support of the sector is well informed and that the issues facing Local Governments and their communities are front and centre of discussions with the State Government.

For more information, email WALGA's [COVID Response Team](#).

Proof of Vaccination – FAQs

WALGA has continued to seek clarification in relation to the Proof of Vaccination Directions (No 3).

The following Frequently Asked Questions come from a variety of sources, which are noted after each item.

Question: Does community sport require proof of vaccination (PoV)?

Answer: No, community sport does not require proof of vaccination, regardless of where it is held.

This includes spectators, however, if spectators are watching community sport in an area where alcohol is served and consumed under a liquor licence, then proof of vaccination is required in those licensed areas.

Community sport means organised, community-based team or individual amateur sport played or participated in without payment but does not include activities in the nature of an exercise class which requires payment or a ticket or other form of registration to participate.

Question: Are regular weekly training sessions or weekend sporting fixtures considered an event, for the purposes of proof of vaccination?

Answer No, community sport is not included.

Source: [WA Government COVID-19: Proof of vaccination frequently asked questions, updated 17 February 2022.](#)

Question: Can community sport comply with the proof of vaccination requirements by conducting random checks for competitors and spectators entering a place where food and /or alcohol is being served?

Answer: If the activity is ticketed with a controlled entry, then proof of vaccination is required to be checked at that point. If it is not ticketed and entry is via uncontrolled points, then proof of vaccination at point of service is reasonable and/or through random checks.

Question: Can community sporting clubs clearly define a bar area and only check proof of vaccination in that area to meet the requirements?

Answer: Yes. The Proof of Vaccination Directions (No 3) allow for the following:

“if particular premises consist of two or more separate parts and only one part is licensed, then only that part of the premises that falls within the definition of hospitality venue is a specified proof of vaccination venue. Proof of vaccination will be required if the person enters the hospitality venue, but will not be required if, for example, they access a part of the premises that is wholly outside the hospitality venue and is not otherwise captured as a specified vaccination venue.”

Source: [Sportsview 2022, Issue 8 - 11 February](#)

Question: WALGA has received a lot of queries about the definition of ‘indoor entertainment venue of any other kind’ as it potentially applies to Local Government facilities such as town halls which are hired out and used for a range of activities, for example, dance classes, theatre performances, birthday parties, etc.

Answer: Town halls and community halls are generally considered exempt unless they are being used for activities defined as specific vaccination venues under the Proof of Vaccination Directions (No 3) e.g. exercise classes.

Question: Can you confirm that for 'indoor entertainment venue' the proof of vaccination only applies if all these conditions are met:

1. It is an 'indoor space' (as defined in the Directions)
2. It is being used for the primary purpose of entertainment
3. Is open to the public (for free or ticketed).

Department of Health Public Events Team: Agree with the above conditions.

Question: Are there any definitions of 'entertainment' that we could direct Local Governments to for them to make this determination?

Department of Health Public Events Team: No definitions available, although museums, art galleries and generally educational venues are not considered 'entertainment'.

Example 1: A Local Government town hall is used for a range of purposes including theatre and a range of exercise classes. The town hall building also houses the visitor's centre and Council Chambers. The Visitor's Centre and Council Chambers are in a separate part of the town hall. In the case of the Visitor's Centre and Council Chambers, they are not used primarily for the purpose of entertainment. So those parts of the town hall building would not require PoV. Whether the town hall would require PoV depends on how it is being used.

Department of Health Public Events Team: Agrees with the above interpretation.

Example 2: The town hall is hired out for a birthday party with 50 people attending and there is a band. Although entertainment is provided, it is not open to the public, so PoV would not apply.

Department of Health Public Events Team: unless the event has a liquor licence.

Example 3: The town hall is hired out for a ticketed concert. PoV would be required for entry to the venue, as this meets all three criteria being an indoor space, being used for the primary purpose of entertainment, and it is open to the public.

Department of Health Public Events Team: Agrees with the above interpretation.

Example 4: The town hall is hired out for a boot scooting class. PoV is required, as it meets the criteria and social distancing / other public health measures are not possible.

Department of Health Public Events Team: Agrees with the interpretation,

mainly because it would be considered a dance / exercise class under item 16 of Schedule 1 of the Directions.

For more information, email WALGA's [COVID Response Team](#).

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COVID-19: Update for Local Government



IMPORTANT INFORMATION FOR WALGA MEMBERS

21 February 2022

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- [Critical Worker Directions and Registration System Released](#)
- [Webinar: Managing COVID-19 and Access to Local Government Premises](#)
- [Webinar: Implementing a Vaccination Policy – Key Considerations](#)
- [Safe Work Australia Guidance on RATs](#)

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Correction to 18 February COVID update

From 6am Monday, 21 February 2022 for the Kimberley, Gascoyne, Mid West and Goldfields-Esperance, wearing a mask in all indoor public settings is required, in addition to existing proof of vaccination and contact registration requirements and restricted access to remote Aboriginal communities. All Level 1 measures will be applied to these regions as community transmission is detected there.

Last Friday's update incorrectly stated that for Kimberley, Gascoyne, Mid West and Goldfields-Esperance, level 2 public health and social measures will be required (and move to level 1 restrictions as community transmission is detected).

Further information is available [here](#).

New Directions Released

Directions relating to additional public health and social measures are now available.

- [COVID Transition \(Face Covering\) Directions \(No 2\)](#) – This identifies the state-wide requirements for wearing of masks in indoor spaces.
- [COVID Transition \(Public Health and Social Measures\) Directions](#) – These include the two square metre rule and requirement for a COVID safety plan for Local Government venues such as community halls, gyms, recreation and fitness centres, museums and galleries and youth centres.
- [Proof of Vaccination Direction \(No 4\)](#) – The updated Proof of Vaccination Directions removes bottleshops from the list of specified vaccination venues meaning patrons can now enter bottleshops without providing proof of vaccination.
- [COVID Transition \(Critical Worker\) Directions](#) – Please see further information below.

More information on the public health and social measures can be found on the State Government website [here](#).

Critical Worker Directions and Registration System Released

The WA Government has now [issued further information](#) about the Critical Worker Furloughing Policy.

- The [COVID Transition \(Critical Worker\) Directions](#).
- An [online system](#) to register critical worker roles.
- Two FAQs documents:
 - [COVID-19 coronavirus: Critical worker furloughing policy frequently asked questions](#).
 - [COVID-19 coronavirus: Critical worker furloughing registration frequently asked questions](#).

Key general takeaways include:

1. A **critical worker** is someone whose role cannot be undertaken at home and performs work that is:
 - i. critical to the COVID-19 response, or
 - ii. critical to the continuation of critical services that prevent significant harm (including loss of life, catastrophic impacts to safety or welfare or lack of access to essential goods) to any person or the community, or

- iii. necessary to the safe continuation of services in an eligible industry (see below) or provides specialist skills in an essential industry.
2. More information on the definition of critical workers in a very high caseload environment can be found [here](#) but employers will need to assess whether someone is a critical worker using the definition in the [COVID Transition \(Critical Work\) Directions](#).
3. Employers can now register their critical worker roles online [here](#). The purpose of registering critical workers is so that critical workers that:
 - i. are an asymptomatic close contact,
 - ii. are required to isolate, and
 - iii. have not returned a positive PCR or rapid antigen test or otherwise been diagnosed with COVID-19 – i.e. is not a diagnosed person under the [COVID Transition \(Testing and Isolation\) Directions \(No 2\)](#)), may temporarily attend work during their isolation period to alleviate workforce shortages. Put simply it allows critical workers with a limited exemption from a requirement to isolate where the critical worker is an asymptomatic close contact.
4. For the purposes of the exemption from isolation, the definition of critical worker does not relate to essential or critical workers as defined for mandatory vaccination requirements or previous lockdowns.

It is important to note that this exemption from isolation for critical workers cannot be used yet and will be introduced in a very high caseload environment for certain workforces as a last resort.

The Government's media statement can be viewed [here](#).

Webinar: Managing COVID-19 and Access to Local Government Premises

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This webinar is suitable for Local Government CEOs, Senior Managers and HR staff.

Date: Friday, **25 February**

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Venue: Online

To register, please click [here](#).

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Date: Friday, **4 March**
Time: 10am to 10:45am
Venue: Online

To register, please click [here](#).

If you have any questions about these webinars, please contact the WALGA Employee Relations team on employeerelations@walga.asn.au.

Safe Work Australia Guidance on RATs

Safe Work Australia has published guidance to assist employers to determine whether rapid antigen testing for workers is reasonable in the workplace. The guidance published is industry specific.

The guidance can be viewed [here](#).

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COVID-19: Update for Local Government



IMPORTANT INFORMATION FOR WALGA MEMBERS

25 February 2022

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- [Critical Worker FAQs and Guidelines](#)
- [Webinar: Managing COVID-19 and Access to Local Government Premises](#)
- [Webinar: Implementing a Vaccination Policy - Key Considerations](#)

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State wide Expansion of Public Health and Social Measures

Level 1 COVID-19 public health and social measures will apply in the Kimberley region from 6:00am, Saturday 26 February, and State-wide from 6:00am, Monday 28 February.

Level 1 public health measures were introduced for Perth, Peel, South-West, Wheatbelt, Great Southern and the Pilbara Regions on Monday, 21 February. With the increased spread of Omicron across the State, these measures will now be expanded to the:

- Kimberley region from 6:00am, Saturday **26 February**
- Gascoyne, Mid-West and Goldfields-Esperance regions from 6:00am, Monday **28 February**.

Changes to the requirements continue to be guided by advice from the Chief Health Officer, available [here](#).

Further information on the expanded health and social measures can be found [here](#).

Critical Worker FAQs and Guidelines

Further information and guidance relating to Critical Workers.

The [Critical Worker Furloughing Policy Frequently Asked Questions](#) identify some of the key considerations in relation to critical workers, including that the policy and exemptions are intended as a last resort in a very high case load environment. Detailed [Guidelines](#) are also available.

A Department of Premier and Cabinet presentation which outlines the policy, registration process and relevant considerations relating to critical workers can be viewed [here](#).

Who is a critical worker?

A critical worker is someone who may be exempt from isolation requirements to attend work and perform essential duties while they are a close contact. They must be vaccinated and asymptomatic, and provide a daily negative RAT result to attend work. Attendance at work by critical workers is voluntary, and by mutual agreement with the employer.

For the purposes of the exemption from isolation, the definition of critical worker does not relate to essential or critical workers as defined for mandatory vaccination requirements or previous lockdowns.

Under the conditions of the exemption, the worker may return to work if it is necessary for continuity of operations, and if all other options have been exhausted. This will only apply to a select number of workplaces/industries and in very few circumstances to temporarily address workforce shortages and ensure critical supply chains and services continue. It is a measure of last resort.

It is intended that employers make all reasonable efforts to plan alternative strategies, and explore all avenues for replacement workers, prior to implementing this critical worker exemption.

A list of [Critical workers categories](#) is outlined on the information page of the State Government's website. The definition of critical worker can be found in the [COVID Transition \(Critical Worker\) Directions](#).

Why is the policy intended as a last resort when WA has very high caseloads?

Due to the high transmissibility of COVID-19, many people who are critical workers are likely to be required to isolate when they become close contacts. A proportion of these close contacts will go on to test positive for COVID-19. Allowing close contacts to leave isolation to attend work must be for only the most critical of tasks that cannot be avoided or deferred for reasons such as health and safety.

It is anticipated that worker shortages are most likely when caseloads are very high. This measure is intended to support critical services and supply chains during that time.

Requests for further information on the [registration of critical workers](#) should be directed to criticalworkers.register@dpc.wa.gov.au

Webinar: Managing COVID-19 and Access to Local Government Premises

More than 100 attendees from Local Governments across the State attended a WALGA webinar on Managing COVID19 and access to Local Government premises on Friday, 25 February.

Presentations were provided from representatives of Moray & Agnew Lawyers.

A recording of the Webinar is available [here](#).

Webinar: Implementing a Vaccination Policy - Key Considerations

WALGA is hosting a joint webinar with Samantha Maddern, Partner, Mills Oakley to present on COVID-19 vaccinations for employees and key considerations for employers when deciding whether to implement, and how to implement, a COVID-19 vaccination policy for current and new staff.

This webinar is suitable for Local Government CEOs, Senior Managers and HR staff.

Date: Friday, 4 March

Time: 10:00am to 10:45am

Venue: Online

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PO Box 1544, West Perth, WA 6872
Tel: (08) 9213 2000 | Fax: (08) 9213 2077
Email: covid@walga.asn.au
www.walga.asn.au

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COVID-19: Update for Local Government



IMPORTANT INFORMATION FOR WALGA MEMBERS

28 February 2022

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Introduction of Level 2 Public Health Measures

The Premier has **announced** that WA will move to Level 2 restrictions from 12.01am on Thursday, 3 March.

The upgraded public health measures of particular significance to Local Government include:

- 2 sqm rule for public venues such as swimming pools and recreation centres
- Indoor community sports, as per venue requirements, with no spectators, except for parents and guardians. Outdoor community sports permitted with no spectators, except for parents and guardians.
- 2sqm rule and 150 patron capacity limit will be introduced for fitness venues, hospitality (seated service only), entertainment venues, galleries and museums.
- 2 sqm rule and a 500 person capacity limit for outdoor public venues and events, with mask wearing.

The Premier has indicated that the Level 2 measures are expected to be in place for about four weeks, with a review to be undertaken at the end of March.

Further information on the Level 2 measures can be viewed [here](#).

Quarantine and Isolation Information

The Department of Health has included further information on Quarantine and Isolation requirements.

Some useful resources, including what contacts of close contacts should do, are available on the [Department of Health website](#) and on the [WA Government website](#).

Consolidated Directions – Critical Workers and Public Health Measures

There have been several amendments to the COVID Transition (Critical Worker) Directions and COVID Transition (Public Health and Social Measures) Directions.

The unofficial consolidation of the [Critical Worker Directions](#) and [Public Health and Social Measures Directions](#) can be found here (noting that updated COVID Transition (Public Health and Social Measures) Directions will be issued ahead of the commencement of Level 2 restrictions).

Webinar: Implementing a Vaccination Policy - Key Considerations

WALGA is hosting a joint webinar with Samantha Maddern, Partner, Mills Oakley to present on COVID-19 vaccinations for employees and key considerations for employers when deciding whether to implement, and how to implement, a COVID-19 vaccination policy for current and new staff.

This webinar is suitable for Local Government CEOs, Senior Managers and HR staff.

Date: Friday, 4 March

Time: 10:00am to 10:45am

Venue: Online

To register, please click [here](#).

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Employee Relations Alerts

23 FEBRUARY 2022



Alert 3 / 2022

February Updates from WALGA Employee Relations

Easter Sunday Public Holiday Proclaimed in WA

In [Alert 1/2022](#) we advised that Easter Sunday would soon be added to WA's calendar and provided [WALGA's updated WA Public Holidays Information Sheet](#) for ER subscribers.

Easter Sunday Public Holiday has now been proclaimed and the changes to the *Public and Bank Holiday Act 1972 (WA)* (PBH Act) and the *Minimum Conditions of Employment Act 1993 (WA)* (MCE Act) came into operation on 12 February. Updated versions of the [PBH Act](#) and [MCE Act](#) are now available online.

All employees in WA are entitled to the new Easter Sunday Public Holiday, which falls on Sunday, 17 April, including employees in the Federal industrial relations system by virtue of s.115(1)(b) of the *Fair Work Act 2009 (Cth)*. The PBH Act amendments confirm that the new public holiday will be observed on Easter Sunday itself, rather than some alternative day. However, there may be exceptions to substitute the public holiday in some cases.

Local Governments now need to update their payroll systems to provide for this new public holiday in compliance with these legislative amendments and any provisions of applicable industrial instruments such as the Local Government Industry Award 2020 or an enterprise agreement.

WA Mentally Healthy Workplace Codes of Practice Released

New codes of practice have been released by the WA Commission for Occupational Safety and Health in the following areas:

- [Violence and aggression at work](#)
- [Workplace behaviour](#)

- [Psychosocial hazards in the workplace](#)

A code of practice sets out practical information on how to comply with general or specific duties under occupational safety and health legislation.

WALGA prepared a submission on the draft Code of Practice – Workplace Behaviour on behalf of Local Governments in September 2021.

The [Department of Mines, Industry Regulation and Safety](#) advises that codes of practice should be followed, unless there is another solution which achieves the same or better result, and can be used to support prosecution for non-compliance.

COVID-19 Webinar on Vaccination Policy – Key Considerations

WALGA is hosting a joint webinar with Samantha Maddern, Partner, Mills Oakley to present on COVID-19 vaccinations for employees and key considerations for employers when deciding whether to implement, and how to implement, a COVID-19 vaccination policy for current and new staff.

This webinar is suitable for Local Government CEOs, Senior Managers and HR staff.

Date: Friday, **4 March**
Time: 10am to 10:45am
Venue: Online

To register, please click [here](#).

WALGA Webinar for WA ER Subscribers – Bargaining in the State IR System

A reminder that WALGA Employee Relations is hosting a webinar to discuss the process and formal requirements of bargaining for an industrial agreement in the State industrial relations system. This webinar will also provide a high-level contrast between the Federal and State bargaining requirements.

Date: Wednesday, **9 March**
Time: 10:30am to 11:15am
Venue: Online

To register, please click [here](#).

Please note this webinar is only available to subscribers of the WALGA Employee Relations service.

Family and Domestic Violence Leave Review

On 3 February 2022, WALGA filed a [joint submission](#) to the Fair Work Commission's Family and Domestic Violence Leave (FDVL) Review. The joint submission was made on behalf of the Local Government Association of the Northern Territory, Local Government NSW, the Municipal Association of

Victoria and WALGA.

WALGA's joint submission was based on WALGA's State Council resolution and the WA results from the FDVL survey that WALGA conducted. You can find a copy of the State Council resolution on page 9 and a copy of the WA FDVL survey results on pages 18 to 26 in the [full minutes](#) from the WALGA State Council meeting that was held on 1 December 2021.

The joint submission was made in respect to the Local Government Industry Award 2020 and advocated for five days of paid FDVL as a minimum entitlement, access to paid personal/carer's leave for the purposes of taking FDVL and that the current National Employment Standards entitlement of five days' unpaid FDVL is inadequate.

Other employer parties, such as the AI Group and ACCI, have also made submissions to the FDVL Review. You can find their submissions [here](#).

Join Careers at Council to Promote Employment in our Sector

With skilled employees increasingly difficult to find, Local Governments in WA and the NT are encouraged to join [Careers at Council](#) to attract, inform and source your future employees.

Established two years ago by the Local Government Associations across Australia, Careers at Council is the fastest growing local government jobs platform and offers great value to members. Benefits include promotion of all vacancies on [LinkedIn](#) and Indeed, discounts on your own LinkedIn products, automatic job feeds to university graduates and veterans, and the ability to promote videos and employee blogs to a local and national audience. All income is directed to attracting talent via Google advertising, LinkedIn, Facebook and a wide range of government, industry and career referral sites.

For questions, please contact [Jennifer James](#) at Local Government NSW on 0419 974 084.

If you have any questions about this alert, please email [WALGA Employee Relations](#) or call 1300 366 956.

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Employee Relations Alerts

24 FEBRUARY 2022



Alert 4 / 2022

Vaccination Refusal Contra to Health Orders can be a Valid Reason for Dismissal

“It is not unfair for an employer to bring an employment relationship to an end when an employee, through no fault of the employer, has no capacity to work for the employer at the time of the dismissal and into the foreseeable future, and the employee is afforded procedural fairness before a decision is made to terminate the employment relationship.”

(See paragraph 50 of Shephard)

The Fair Work Commission has recently held, in two separate decisions, that two dismissals resulting from employees refusing to be vaccinated in breach of COVID-19 public health orders were not unfair.

Both decisions related to employers that delivered services to the elderly. These decisions:

- demonstrate that an employer may have a valid reason for dismissal where an employee has no capacity to work for an employer because the employee has refused to meet the requirements of a Government issued COVID-19 vaccine mandate; but
- highlight the importance of following a procedurally fair process before making a decision to terminate the employment relationship, including considering what other options may be available, and to be respectful during this process.

These decisions also:

- Demonstrate that a procedurally fair process need not necessarily be long and drawn out so long as employers are clear with their employees, consider options that might be available, and provides the employee with an opportunity to respond.
- Provide guidance for employers on how to respond to some questions or assertions that may be asked or made by employees regarding

whether the public health order or other mandate is unlawful or otherwise not binding on them.

[Aleisha Jean Shepherd v Calvary Health Care \[2022\] FWC 92](#)
(Shepherd)

In Shepherd it was found that the employer had a sound, defensible and well-founded reason to terminate the employee's employment because:

- The effect of a public health order was to prohibit the employee from entering her workplace and this meant that the employee was not able to fulfill the inherent requirements of her role.
- There were no alternative duties that the employee could undertake and if the employer permitted the employee to enter the workplace it would have been in breach of the public health order.

The Deputy President observed, in respect of the employee's contention that her employer could have stood her down on unpaid leave until the public health order expired, that he did not:

“consider that there would be any real utility in standing down [the employee] for an indefinite period in circumstances where even the absence of a public health order would not have altered [the employer's] obligation to take reasonable steps to ensure the health and safety of its employees, as well as the vulnerable residents ... [and for which] a mandatory vaccination policy has been introduced to address those risks ... [and that he] did not consider that there was ... any realistic likelihood that [the employer] would change its policy in the foreseeable future to no longer require care staff to be vaccinated against COVID-19.”

In response to arguments made by the employee that the public health orders were unlawful or invalid the Deputy President stated:

“Once a public health order is in force and applies to a particular workplace, the employer of employees who work in the workplace is obliged to comply with the order unless or until it is declared invalid or unlawful by a court of competent jurisdiction.”

In response to the employee's arguments that requesting medical information breached the *Privacy Act 1988* (Cth) (**Privacy Act**) the Deputy President found that such arguments were irrelevant in determining whether there was a valid reason for dismissal related to her capacity or conduct and did not accept the proposition that the employee was dismissed *because* she exercised a right to privacy in relation to her medical information. Rather the Commission was satisfied that the employee was dismissed because she was prohibited to work under the public health order and the employer had no option but to comply with the order.

Further it was observed that the Privacy Act does not prevent the collection of sensitive information if it is required or authorised under an Australian law (which included the public health order) due to sub-clause 3.4 of privacy principle 3 of the Privacy Act.

The employee also said that her employer used pressure and coercion against her, including by threatening her with loss of income and her career. However, the Deputy President found that the employer conveyed the vaccination requirements in a respectful way and observed that it was incumbent on the employer to explain the consequences to employees of not complying with the public health order and that providing such information did not constitute undue pressure, coercion, intimidation or a threat.

[Floors Aucamp v Association for Christian Senior Citizens Homes Inc. \[2021\] FWC 6669 \(Aucamp\)](#)

In Aucamp, the Deputy President found that the employee's refusal to get vaccinated in accordance with vaccination directions issued by the State Chief Health Officer leading to termination was not harsh, unjust or unreasonable.

The Deputy President in his decision noted the employer made clear that the employee's dismissal "*was for a reason related to his capacity, rather than conduct*". Having received confirmation from the employee that they would not be vaccinated by the required date, the employer terminated the employee three days later.

Similar to the Shepherd decision, the termination was on the basis that the vaccination directions prohibited the employer from permitting the employee to attend work and therefore the employee could not lawfully perform their role and if the employer had allowed the employee to attend work unvaccinated then the employer would be liable to a substantial financial penalty.

In response to the employee's complaint that the process adopted by the Employer was too quick and he did not have time to think things properly, the Deputy President noted:

"While Mr Aucamp expressed concern about the speed of the process that resulted in his dismissal and had the opportunity under the Vaccination Directions to make a booking to receive a COVID-19 vaccine by 22 October 2021, his position on the requirement to be vaccinated has not changed at any point since 11 October 2021. Moreover, he says that he has had no second thoughts about refusing to get vaccinated."

Interestingly in this case, the length of the employee's service meant that he would be entitled to five weeks' notice of termination or payment in lieu. However, the employer only provided the employee with one week's notice (this was on the basis that because of the implementation of the directions it "*had no capacity to provide extra notice*") and an ex-gratia payment of one day's wages. The Commission made no order that the employer pay the remaining notice entitlement. This has led to some commentary that in the presence of a government mandate whereby an employee can no longer lawfully work, a paid notice period is not required, and it is up to the employer whether any additional ex-gratia payments are made. However, our view is that such commentary probably overstates what was strictly held in the Aucamp decision. We observe that the Deputy President did not expressly provide his view in this regard.

WALGA Employee Relations COVID-19 Resources

We have updated our two FAQs on WA Government mandatory vaccination requirements and COVID-19 in the workplace [here](#).

General COVID-19 resources for the sector can be viewed [here](#).

If you have any questions about this alert, please email [WALGA Employee Relations](#) or call 1300 366 956.

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To: Chief Executive Officers

From: Tony Brown, Executive Manager
Governance and Organisational Services

Date: 23 February 2022

Subject: COVID-19 Proof of Vaccinations

In Brief:

Key Issues:	<ul style="list-style-type: none">• WALGA has responded to requests for information on the ability for Local Governments to cite evidence of proof of vaccination in circumstances where the Proof of Vaccination Directions No 4 (POVD No.4) does not apply.• WALGA will host a joint webinar with Moray & Agnew Lawyers on Friday, 25 February 2022 to present on whether Local Governments can restrict access to property and meetings to manage the spread of COVID-19 within the community. Register here.• This information does not include commentary on Local Government employer / employee vaccination issues. WALGA's Employment Relations team is keeping subscribing Local Government up to date on this issue and will host a separate webinar on Friday, 4 March 2022 on vaccinations for employees and key considerations for employers when considering COVID-19 vaccination policy for current and new staff.
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Background

COVID-19 proof of vaccination requirements is an evolving discussion in the Local Government sector. Proof of Vaccinations Directions No. 4 (POVD No. 4) currently applies to some Local Government facilities such as such as community halls, gyms, recreation and fitness centres, museums and galleries and youth centres.

Many Local Governments are considering additional policy positions in relation to facilities and venues not covered by POVD No. 4 and have questioned whether or not such an approach is possible and enforceable. WALGA engaged Moray & Agnew Lawyers to prepare advice in this regard and a brief summary of information that will be discussed at the webinar on 25 February 2022 is provided below:

Local Governments Requiring Proof of Vaccinations

Local Government Powers

While POVD No.4 specifies when people need to show proof of vaccination when attending Local Government venues, it does not prohibit or say that a person in control of other venues cannot require a person to show proof of vaccination.

Consequently, a Local Government fundamentally has power to:

- (a) Require proof of vaccination for entry to venues not covered by POVD No. 4;
- (b) Determine rules of entry, including a rule that might limit entry only to vaccinated persons;
- (c) Require a person to leave venues if they are not complying with rules; for example, failing to provide proof of vaccination or a vaccination exemption.

Occupational Safety and Health Act

It is arguable that Local Governments can put in place policy arrangements to deny access to unvaccinated persons from venues under the *Occupational Safety and Health Act*. The duties under this Act are qualified by the notion of what is 'reasonably practical'.

It might therefore be arguable that a reasonably practical way for a Local Government to manage the hazard of COVID-19 spread is to exclude unvaccinated persons from relevant venues.

It might equally be arguable that blanket exclusions of unvaccinated persons i.e. from every Local Government venue is an excessive step that might fail the notion of what is 'reasonably practical' at this point in time.

The fact that some people might be inconvenienced by proof of vaccination policy arrangements does not mitigate the fundamental purpose of the Act, however Local Governments should also be mindful to consider providing practical continuity of service to unvaccinated people such as access to online services in place of in-person services.

Privacy Concerns

Privacy issues will not be raised where Local Governments ask to see proof of vaccination, on the proviso the Local Government does not collect, use, store or disclose any information related to proof of vaccination.

Discrimination

Commonwealth and State Discrimination legislation makes it unlawful to discriminate on the basis of specified protected attributes. Vaccination status is not a protected attribute and therefore the requirement to show proof of vaccination as a condition of entry would not, at face value, represent a form of discrimination within the meaning of the discrimination legislation.

We look forward to your participation at the upcoming webinar and should there be any enquiries in the meantime, please contact Tony Brown, Executive Manager Governance and Organisational Services at tbrown@walga.asn.au or call (08) 9213 2051.